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OF THE UNITED STATES

# FEDERAL REGISTER

VOLUME 9 NUMBER 122

Washington, Tuesday, June 20, 1944

*The President*

**PROCLAMATION 2615**

**NATIONAL FARM-SAFETY WEEK, 1944**

BY THE PRESIDENT OF THE UNITED STATES  
OF AMERICA  
A PROCLAMATION

WHEREAS it behooves this Nation gratefully to acknowledge its special dependence upon the skill and labor of its farmers in the gigantic task of waging war; and

WHEREAS the loss of life and limb by accident among our farming population has already reached an appalling figure, and the risks have lately been increased by longer hours of work and consequent fatigue; and

WHEREAS it is essential to our war effort that this waste of vital farm power be minimized in every possible way:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby call upon the Nation to observe the week commencing July 23, 1944, as National Farm-Safety Week. And I request all persons and organizations concerned with agriculture and farm life to unite in an effort, during this National Farm-Safety Week, to stimulate among farmers a full realization of the need for constant attention to the old and familiar precautions against the hazards of their calling, and also to awaken in them a sense of responsibility for the proper instruction in rules of safety of the many young and inexperienced persons now being employed on farms in all parts of the country.

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

DONE at the city of Washington this 16th day of June, in the year of our Lord nineteen hundred and forty-four, and of the Independence of the United States of America the one hundred and sixty-eighth.

FRANKLIN D. ROOSEVELT

By the President:

CORDELL HULL,  
Secretary of State.

[F. R. Doc. 44-8849; Filed, June 19, 1944; 10:57 a. m.]

*Regulations*

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration  
(Distribution Orders)

[WFO 25-1, Amdt. 3]

PART 1433—COCOA BEANS

QUOTAS AND RECORDS PRESCRIBED FOR COCOA BEANS

War Food Order No. 25-1, as amended, 9 F.R. 4321, 4319, (formerly designated as Director Food Distribution Order No. 25-1, as issued by the Director of Food Distribution on February 27, 1943, 8 F.R. 2530, and as amended, 8 F.R. 13699), is further amended to read as follows:

§ 1433.2 *Quotas and records in connection with cocoa beans.* (a) The quota of cocoa beans for processing by any person shall be, for the three-month period commencing July 1, 1944, and for each subsequent three-month period until otherwise ordered, 70 percent of the total amount of cocoa beans processed by such person during the corresponding three-month period of 1941.

(b) Every person who processes cocoa beans shall keep and maintain, for a period of not less than two years, records which, upon examination, will disclose his total monthly inventory of cocoa

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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 unit. 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.
- Book 5, Part 1: Title 26, Parts 2-178.

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beans, the amount of cocoa beans processed by him each month, and his monthly use of the products resulting from such processing.

(c) With respect to violations of War Food Order No. 25-1, as amended, rights accrued, or liabilities incurred prior to the effective date of this amendment, said War Food Order No. 25-1, as heretofore amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(d) This amendment shall take effect at 12:01 a. m., e. w. t., July 1, 1944.

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

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 25, 8 F.R. 2529, 9 F.R. 4321, 4519)

Issued this 15th day of June 1944.

C. W. KITCHEN,  
Acting Director of Distribution.

[F. R. Doc. 44-8751; Filed, June 15, 1944; 3:07 p. m.]



[WFO 7-1, Amdt. 3]

PART 1430—SUGAR

RAW SUGAR ALLOTMENTS

War Food Order 7-1, as amended (8 F.R. 14881; 9 F.R. 4321, 4319), § 1430.6, is amended to read as follows:

§ 1430.6 *Allotments of raw sugar.* (a) No refiner or his agent shall purchase, import, or accept delivery of raw sugar in excess of the allotment hereby established for the period from January 1, 1942 to December 31, 1944, for him, in the amount set forth below opposite his name. All raw sugar which a refiner has purchased, imported, or accepted delivery of between January 1, 1942 and the effective date of this amendment shall be charged against such allotment.

	<i>Short tons, raw value</i>
American Sugar Refining Company	3,634,158
J. Aron & Company	167,576
California & Hawaiian Sugar Ref. Corp.	1,875,044
Charms Company	54
Chase Candy Company	9,966
Colonial Sugar Company	457,354
Godchaux Sugars, Inc.	732,887
Henderson Sugar Refinery	278,724
Imperial Sugar Company	501,318
Inland Sugar Company	25,356
Liquid Sugars, Inc.	49,004
W. J. McCahan Sugar Ref. & Molasses Co.	392,487
National Sugar Refining Co.	2,833,011
Pepsi-Cola Company	86,352
Realty Operators, Inc.	116,782
Refined Syrups & Sugars, Inc.	412,599
Revere Sugar Refinery	589,517
Savannah Sugar Refining Corp.	625,556
South Coast Corporation	202,408
Sterling Sugars, Inc.	114,295
Sucrest Corporation	403,187
Tea Garden Products Company	2,700
Western Sugar Refinery	590,960

(b) This amendment shall become effective at 12:01 a. m., e. w. t., June 17, 1944. However, with respect to violations of said War Food Order 7-1, as amended, or rights accrued or liabilities incurred thereunder, prior to said date, said War Food Order 7-1, as heretofore amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(WFO-7, as amended, 8 F.R. 10605; 9 F.R. 4321, 4319; 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 15th day of June 1944.

C. W. KITCHEN,  
*Acting Director of Distribution.*

[F. R. Doc. 44-8797; Filed, June 16, 1944; 1:36 p. m.]

[WFO 79-1, Amdt. 3]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN BALTIMORE, MD., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food

Order No. 79-1 (8 F.R. 13364, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Baltimore, Maryland, milk sales area, is hereby further amended by deleting § 1401.34 (g) (3) and substituting therefor, the following:

(3) Milk byproduct, one quart of skim milk, buttermilk, flavored milk drink, or other beverage containing more than 85 percent of skim milk.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., July 1, 1944. With respect to violations of said War Food Order No. 79-1, as amended, rights accrued, or liabilities incurred prior to the effective time of this amendment, said War Food Order No. 79-1, 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. 4321, 4319)

Issued this 16th day of June 1944.

C. W. KITCHEN,  
*Acting Director of Distribution.*

[F. R. Doc. 44-8798; Filed, June 16, 1944; 3:27 p. m.]

[WFO 79-15, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN GREATER KANSAS CITY SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79-15 (8 F.R. 13426, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Greater Kansas City milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401.57 (k) (2) and inserting, in lieu thereof, the numeral "7."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., July 1, 1944. With respect to violations of said War Food Order No. 79-15, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79-15, as amended, shall continue in full force and effect for the purposes 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. 4321, 4319)

Issued this 15th day of June 1944.

LEE MARSHALL,  
*Director of Distribution.*

[F. R. Doc. 44-8792; Filed, June 16, 1944; 1:36 p. m.]

[WFO 79-22, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN DULUTH-SUPERIOR SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79-22 (8 F.R. 13433, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Duluth-Superior milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401.58 (k) (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., July 1, 1944. With respect to violations of said War Food Order No. 79-22, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79-22, 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. 4321, 4319)

Issued this 15th day of June 1944.

LEE MARSHALL,  
*Director of Distribution.*

[F. R. Doc. 44-8793; Filed, June 16, 1944; 1:36 p. m.]

[WFO 79-24, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN WICHITA, KANS., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79-24 (8 F.R. 13436, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Wichita, Kansas, milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401.56 (k) (2) and inserting, in lieu thereof, the numeral "5."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., July 1, 1944. With respect to violations of said War Food Order No. 79-24, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79-24, 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. 4321, 4319)

Issued this 15th day of June 1944.

LEE MARSHALL,  
Director of Distribution.

[F. R. Doc. 44-8794; Filed, June 16, 1944;  
1:36 p. m.]

[WFO 79-63, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN LANSING, MICH.,  
METROPOLITAN SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79-63 (8 F.R. 12426, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Lansing, Michigan, metropolitan milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401.88 (1) (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., July 1, 1944. With respect to violations of said War Food Order No. 79-63, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79-63, 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. 4321, 4319)

Issued this 15th day of June 1944.

LEE MARSHALL,  
Director of Distribution.

[F. R. Doc. 44-8795; Filed, June 16, 1944;  
1:36 p. m.]

[WFO 79-144, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN WORCESTER, MASS.,  
SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79-144 (9 F.R. 3764, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Worcester, Massachusetts, milk sales area, is hereby further amended by deleting therefrom the town of "Clinton" in the sales area in § 1401.178 (b).

The provisions of this amendment shall be effective as of 12:01 a. m., e. w. t., June 1, 1944. With respect to violations of said War Food Order No. 79-144, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79-144, as amended, shall con-

tinue 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. 4321, 4319)

Issued this 15th day of June 1944.

LEE MARSHALL,  
Director of Distribution.

[F. R. Doc. 44-8796; Filed, June 16, 1944;  
1:36 p. m.]

TITLE 9—ANIMALS AND ANIMAL  
PRODUCTS

Chapter I—Bureau of Animal Industry

Subchapter F—Animal Breeds

[B. A. I. Order 365, Amdt. 12]

PART 151—RECOGNITION OF BREEDS AND  
PUREBRED ANIMALS

HORSES

Pursuant to the authority vested in the Secretary of Agriculture by section 201, paragraph 1606, Title II, of the Act of June 17, 1930 (46 Stat. 673; 19 U.S.C., sec. 1201, par. 1606), paragraph (a) of § 151.6, Chapter I, Title 9, Code of Federal Regulations [section 2, paragraph 2, regulation 2, B.A.I. Order 365], is amended, effective June 22, 1944, by adding to the subdivision of said paragraph relating to horses the following breed and book of record:

HORSES

Name of breed	Book of record	By whom published
Canadian	Livre de Généalogie du Cheval Canadien <sup>1</sup>	Canadian National Live Stock Records, R. G. T. Hitchman, Director, Ottawa Canada.

<sup>1</sup> Provided that no horses registered in this book shall be certified as purebred unless a certificate, giving 3 generations of complete and recorded purebred ancestry, issued by the Canadian National Live Stock Records, is submitted for each horse.

Done at Washington, D. C., this 17th day of June 1944. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,  
Acting Secretary of Agriculture.

[F. R. Doc. 44-8832; Filed, June 17, 1944;  
3:18 p. m.]

TITLE 12—BANKS AND BANKING

Chapter II—Board of Governors of the  
Federal Reserve System

PART 222—CONSUMER CREDIT

AUTOMOBILES AND MOTORCYCLES, DOWN  
PAYMENTS AND LOANS

On June 16, 1944, the Board of Governors of the Federal Reserve System amended Part 222 in the following respects, effective July 10, 1944:

1. By amending § 222-13 (c) entitled "Down payment on automobiles and motorcycles" so that it will read as follows:

(c) *Down payment on automobiles and motorcycles.* For a new or used automobile or a new or used motorcycle, the down payment (which may be in cash or in the form of a trade-in or in both forms) shall be one-third of the cash price.

2. By amending § 222.13 (e) entitled "Maximum amount of loan" so that the last paragraph will read as follows:

A loan to purchase a new or used automobile or a new or used motorcycle shall not exceed two-thirds of the cash price.

(Sec. 5 (b), 40 Stat. 415, as amended by sec. 5, 40 Stat. 966, sec. 2, 48 Stat. 1; sec. 1, 54 Stat. 179, secs. 301 and 302, 55 Stat. 839, 840; 12 U.S.C. 95 (a) and Sup., 50 U. S. C. App. 616, 617, and E.O. 8843, dated August 9, 1941)

[SEAL] BOARD OF GOVERNORS OF  
THE FEDERAL RESERVE  
SYSTEM.

S. R. CARPENTER,  
Assistant Secretary.

[F. R. Doc. 44-8845; Filed, June 19, 1944;  
9:43 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4791]

PART 3—DIGEST OF CEASE AND DESIST  
ORDERS

CLERMONT CRAVAT CO., INC.

§ 3.66 (a 7) *Misbranding or mislabeling, composition*; § 3.66 (c 20) *Misbranding or mislabeling, manufacture*; § 3.71 (a) *Neglecting, unfairly or deceptively, to make material disclosure; composition.* In connection with offer, etc., in commerce, of respondent's neckties, (1) using the words "All Silk", or the unqualified word "Silk", or any other word or words of similar import, to designate or describe any fabric which is not composed wholly of unweighted silk, the product of the cocoon of the silkworm; (2) advertising, offering for sale or selling products made in whole or in part from silk containing metallic weighting without clearly and conspicuously disclosing in all invoices and advertising material, and on labels or tags attached to such products, the presence of such weighting and the percentage thereof by weight in relation to the total weight of the silk in its finished state—as, for example, "Silk, weighted 50%"; (3) using the words "Hand Made", or any other word or words of similar import, to designate or describe products not made entirely by hand; or (4) misrepresenting in any manner or by any means the materials of which respondent's products are made or the method by which such products are made; prohibited, subject to the proviso, however, as respects said second prohibition, that such disclosure may be made by stating truthfully that such weighting is not in excess of a specified



percentage—as, for example, "Silk, weighted not over 60%". (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Clermont Cravat Company, Inc., Docket 4791, May 31, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 31st day of May, A. D. 1944.

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

*It is ordered*, That the respondent, Clermont Cravat Company, Inc., a corporation, and its officers, agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of respondent's neckties in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the words "All Silk," or the unqualified word "Silk," or any other word or words of similar import, to designate or describe any fabric which is not composed wholly of unweighted silk, the product of the cocoon of the silk-worm.

2. Advertising, offering for sale or selling products made in whole or in part from silk containing metallic weighting without clearly and conspicuously disclosing in all invoices and advertising material, and on labels or tags attached to such products, the presence of such weighting and the percentage thereof by weight in relation to the total weight of the silk in its finished state—as, for example, "Silk, weighted 50%"; *Provided, however*, That such disclosure may be made by stating truthfully that such weighting is not in excess of a specified percentage—as, for example, "Silk, weighted not over 60%."

3. Using the words "Hand Made," or any other word or words of similar import, to designate or describe products not made entirely by hand.

4. Misrepresenting in any manner or by any means the materials of which respondent's products are made or the method by which such products are made.

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

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 44-8808; Filed, June 17, 1944;  
10:33 a. m.]

[Docket No. 3845]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

CENTRAL STATES SUPPLY CO.

§ 3.99 (b) *Using or selling lottery devices, in merchandising*. In connection with offer, etc., in commerce, of respondent's fishing tackle, silverware, rifles, radios, cups, blankets and other articles of merchandise, (1) supplying, etc., others with push cards, punchboards, or other devices, either with assortments of merchandise or separately, which are to be used, or may be used, in the sale or distribution of said merchandise to the public by means of a game of chance, gift enterprise, or lottery scheme; (2) shipping, etc., to dealers, agents, or members of the public, pull cards or other devices which are to be used, or may be used, in the sale and distribution of said merchandise to the public by means of a game of chance, gift enterprise, or lottery scheme; and (3) selling, etc., any merchandise by means of a game of chance, gift enterprise, or lottery scheme; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Central States Supply Company, Docket 3845, May 31, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 31st day of May, A. D. 1944.

*In the Matter of Rose Greenberg, Individually, and Trading as Central States Supply Company*

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of respondent, in which answer respondent admits all the material allegations of fact set forth in said complaint and states she waives all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and conclusion that said respondent has violated the provisions of the Federal Trade Commission Act:

*It is ordered*, That the respondent, Rose Greenberg, an individual, trading under the name of Central States Supply Company or any other trade name, her representatives, agents, and employees, directly or through any corporate or other device in connection with the offering for sale, sale, and distribution of fishing tackle, silverware, rifles, radios, cups, blankets, or any other articles of merchandise in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Supplying or placing in the hands of others push cards, punchboards, or other devices, either with assortments of merchandise or separately, which are to be used, or may be used, in the sale or distribution of said merchandise to the public by means of a game of chance, gift enterprise, or lottery scheme.

2. Shipping, mailing, or transporting to dealers, agents, or members of the public, pull cards or other devices which are to be used, or may be used, in the sale and distribution of said merchan-

dise to the public by means of a game of chance, gift enterprise, or lottery scheme.

3. Selling or otherwise disposing of any merchandise by means of a game of chance, gift enterprise, or lottery scheme.

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

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 44-8807; Filed, June 17, 1944;  
10:33 a. m.]

TITLE 29—LABOR

Chapter VII—War Manpower Commission

[Reg. 8]

PART 910—TEMPORARY MIGRATION OF WORKERS FROM FOREIGN COUNTRIES WITHIN THE WESTERN HEMISPHERE 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

Pursuant to the authority vested in me as Chairman of the War Manpower Commission by Executive Orders No. 9139, 9247, 9279, and Title II, Public Law 229, 78th Congress, I hereby prescribe the following regulations governing the bringing in to the United States of workers from foreign countries within the Western Hemisphere for employment with industries and services essential to the preservation, marketing, or distribution of agricultural products, including the timber and lumber industries pursuant to the terms of agreements between the foreign countries of which said workers are nationals and the United States of America:

Sec.

- 910.1 Administration of the program.
- 910.2 Prerequisites to transportation of workers.
- 910.3 Transportation of workers and subsistence during travel.
- 910.4 Employer records.
- 910.5 Status of collective bargaining agreements and exclusive bargaining rights.
- 910.6 Determination of rights and duties of employers and of workers.
- 910.7 Appeal procedure.
- 910.8 Termination of employment and return of the workers.
- 910.9 Saving clause.

AUTHORITY: §§ 910.1 to 910.9, inclusive, issued under Executive Order No. 9139, 7 F.R. 2919, Executive Order No. 9247, 7 F.R. 7379 and Executive Order No. 9279, 7 F.R. 10177, and Title II, Public Law 229, 78th Congress.

§ 910.1 *Administration of the program*. The Deputy Chairman and Executive Director of the War Manpower Commission, through such officers or employees of the War Manpower Commission as he may designate, shall (a) supervise and make all necessary arrangements for the selection of workers in for-



eign countries, and their transportation to, and from, the United States, (b) enter into necessary contracts and transportation agreements with workers and employers on behalf of the United States of America, (c) administer all other operational aspects of the program, and (d) provide for necessary assistance to the workers in meeting emergency health and welfare problems while in the United States when such assistance is not otherwise available to them.

§ 910.2 *Prerequisites to transportation of workers.* (a) No worker shall be transported from any foreign country pursuant to this regulation unless the Chairman has certified that reasonably adequate use is being made of local labor supply, and unless an employer has:

(1) Entered into a contract of employment and transportation agreement with the United States of America and the Worker on forms provided by the War Manpower Commission for that purpose, which includes provisions for

(i) Transportation of the worker and of his personal effects, limited to two pieces of luggage weighing not more than 75 pounds for each worker, and adequate subsistence and necessary medical care en route, from the port of entry in the United States or such other place as may be designated by the War Manpower Commission to the place of employment and return to a designated port of embarkation,

(ii) Continued employment of the worker for a definite minimum period of time in industries or services essential to the preservation, marketing, or distribution of agricultural products including the timber and lumber industries and at non-discriminatory wages, hours and working conditions and with a definite guarantee of employment as set forth in the contract,

(iii) The keeping of full and complete records as to employment, wages and other pertinent data and the prompt reporting to the United States Employment Service office of the War Manpower Commission nearest to the place of employment of the worker's separation from the employer or the worker's non-performance of services for the employer throughout any consecutive seven day period,

(iv) Reimbursement to the United States of America, with interest thereon of 6 per cent per annum from the day of payment (a), of any money advanced by the United States for transportation and subsistence of the worker or in fulfillment of any employment guarantee, upon final determination of the employer's obligation to the worker under his contract of employment (b), of all transportation and subsistence costs incurred by the United States Government in the event of the employer's failure without good cause to employ the worker and to continue to afford him an opportunity for employment as provided in the contract of employment,

(v) Submission of any question which may arise under the contract of employment for determination by the Chairman of the War Manpower Commission or his authorized representative in ac-

cordance with the regulations herein prescribed.

(2) Furnished the United States of America a good and sufficient blanket maintenance of status and departure bond as may be required by the Board of Immigration Appeals of the Department of Justice and in the form and with a surety company approved by the Immigration and Naturalization Service of the Department of Justice.

(3) Delegated to its agent by written power of attorney, authority to execute a contract of employment and transportation agreement with respect to each foreign worker so selected, and to make final determination, on the employer's behalf, that the qualifications of the worker selected meet the employer's specifications.

(4) Made provision, at its own expense and at the place of selection, or any other place in the foreign country which may be agreed upon with the Government of such foreign country and with an authorized representative of the War Manpower Commission, for any physical examination, in addition to the examination given by the United States Public Health Service in collaboration with the Public Health Authorities of the foreign country in which the worker is recruited, which may be required by an employer as a condition of employment.

§ 910.3 *Transportation of workers and subsistence during travel.* (a) Travel to and from the United States, provided by the United States Government, and travel in the United States, provided by the employer, shall be by boat, railroad coach, bus or such other means as may be approved by the Deputy Chairman and Executive Director of the War Manpower Commission or his authorized representative.

(b) Transportation of the workers and their personal effects, limited to two pieces of luggage weighing not more than 75 pounds for each worker, from the place of selection to the port of embarkation in the foreign country and from the port of embarkation in the foreign country to a port of entry in the United States, and return, shall be by the most economical means available and in accordance with instructions consistent with these regulations. Preference shall be given whenever possible to American steamship lines, and whenever possible, such travel shall be upon standard Government transportation requests.

(c) Every foreign worker shall be afforded adequate subsistence and emergency medical care while en route from the place of selection to the place of employment and return from the place of employment to the place of selection (including time spent in reception centers). "Adequate subsistence" means three meals per day and shelter, and for purposes of computing the value of such meals and shelter the rate of two dollars per day per person shall be used. The meals furnished to foreign workers shall be comparable in quality and quantity to those usually served domestic workers, though adapted as far as possible to the habits of such foreign workers.

(d) In the event of failure by an employer promptly to provide for the worker's transportation from the place of employment in the United States to the designated port of embarkation for return to his country of origin, the Deputy Chairman and Executive Director or his authorized representative shall provide such transportation either by railroad, licensed bus line, or other approved means by the most economical usually traveled route from the point of departure to the point of destination. Coach tickets shall be used when the travel by railroad is for a short distance and tourist tickets, including tourist berth, shall be used when travel by railroad is for longer distances requiring night travel, unless tourist accommodations are not available, in which case the next most economical transportation which is available and which includes sleeping accommodations shall be used. Travel by railroad or licensed bus line shall be upon standard Government transportation requests.

§ 910.4 *Employer records.* Every employer shall keep full, complete, and accurate records of each worker's daily and hourly employment, of wages paid to him, and of the extent to which each worker is afforded an opportunity to work. Such records shall include the amount of expenses incurred for transportation, subsistence, and emergency medical care, and any and all deductions made from the worker's wages for any purpose. Such records shall be kept in the manner and form prescribed by the Deputy Chairman and Executive Director of the War Manpower Commission or his authorized representative. Other records required by law to be kept and actually kept by the employer, may be used to fulfill the requirements of this provision or any similar provision in the employment agreement. The Deputy Chairman and Executive Director of the War Manpower Commission or his authorized representative shall determine the extent to which there shall be required under this regulation, reports with respect to the employment of workers, which are in addition to those currently required of the employer for the administration of retirement and unemployment insurance legislation and shall prescribe the form thereof. All records referred to herein shall at all times be open to inspection and examination by the Deputy Chairman and Executive Director of the War Manpower Commission or his duly authorized representative who shall be entitled to make copies thereof.

§ 910.5 *Status of collective bargaining agreements and exclusive bargaining rights.* (a) None of the rights and obligations which foreign workers may have under their contracts of employment pursuant to this regulation shall be construed as limiting or supplanting their rights and obligations under the collective bargaining agreement which may exist between their employer and the craft or class of employees to which the workers belong.

(b) No contract of employment shall be construed as precluding full perform-



ance by the employer of any obligation which the employer may have under the collective bargaining agreement with the craft or class of employees to which the foreign worker may belong.

§ 910.6 *Determination of rights and duties of employers and of workers.* (a) Any complaint by either the worker or the employer with respect to non-compliance with any of the provisions of the contract of employment shall be made to the manager of the local United States Employment Service office of the War Manpower Commission nearest to the place of employment. Such manager of the United States Employment Service office of the War Manpower Commission will make the necessary investigation and will attempt to effect an adjustment or settlement between the parties. Whenever an adjustment or settlement cannot be effected, the manager of the local United States Employment Service office of the War Manpower Commission will make a prompt determination and will give notice of same to the interested parties advising them as to their right to appeal and the procedure in regard thereto.

(b) The manager of any local United States Employment Service office of the War Manpower Commission within whose territorial jurisdiction any worker is employed may, at any time, upon his own initiative or at the direction of the Regional Manpower Director or the Deputy Chairman and Executive Director, make an investigation for the purpose of determining whether the employer is complying or has complied with the obligations imposed upon him by the contract of employment. If he shall find that the employer has failed in any material respect to meet his obligations, the manager of the local United States Employment Service office of the War Manpower Commission shall make a determination and give notice of same to the interested parties advising them as to their right to appeal and the procedure in regard thereto. In the event that such failure gives rise to a right in the United States under the contract of employment to be reimbursed for any costs incurred by it, including any advance to the worker of expenses which should have been borne by the employer and including the cost of transportation to and from the United States where the employer has failed without good cause to employ or to continue to employ the worker, as provided in the contract of employment a further determination shall be made as to the amount of such costs for which reimbursement shall be claimed.

(c) An employer desiring to terminate a worker's employment pursuant to the employment contract shall notify in writing the manager of the local United States Employment Service office of the War Manpower Commission nearest to the worker's place of employment stating the reasons for such action and requesting permission to do so. The manager of the local United States Employment Service office of the War Manpower Commission shall promptly, after giving the worker an opportunity to be heard,

make a determination as to whether or not the employer is justified in terminating the contract of employment and shall give notice of same to the interested parties advising them as to their right to appeal and the procedure in regard thereto.

(d) The manager of each local United States Employment Service office of the War Manpower Commission shall keep a record of all complaints made to his office, all investigations conducted thereon or made at the manager's own initiative and the disposition made of each case.

(e) No adjustment, settlement or determination under the procedure set forth above shall preclude the worker from asserting any rights or pursuing any remedy in relation to such rights which he may have under the terms of the collective bargaining agreement between the employer and the craft or class of employees to which the worker belongs.

(f) No claim which a worker may advance with respect to non-compliance with any provisions of his contract of employment shall be valid if asserted later than sixty days after termination of the worker's employment, exclusive of the day of termination.

§ 910.7 *Appeal procedure.* (a) The party adversely affected by any determination made by a manager of the local United States Employment Service office of the War Manpower Commission, may within three days after receipt of the notification thereof, take an appeal from such determination to the Area Director, or in the absence of an Area Director for the area, to the State Director of the War Manpower Commission, in the area or state in which the place of employment is situated, by giving notice of such appeal to the manager of the local United States Employment Service office of the War Manpower Commission who made the determination. Such manager shall promptly transmit the appeal, and his record in the case, to the Area or State Director. The Area or State Director shall promptly arrange for a hearing and shall notify the parties of the date thereof and of their right to be heard and to present evidence. Such hearing shall be before a panel appointed by the Area or State Director, composed of an equal number of representatives of Management and Labor chosen from a roster of panel members nominated by the members of the Area or Regional Management-Labor War Manpower Committee, as the case may be. On the basis of the evidence presented at the hearing and of such independent investigation as the hearing panel may make, the hearing panel shall make recommendations to the Area or State Director, who shall then make a determination and notify the parties thereof. Except as provided in paragraph (b) below, such determination shall be final and conclusive and a copy thereof shall be transmitted to the appropriate Regional Manpower Director.

(b) Not later than the 15th day after a determination has been made by the Area or State Manpower Director, the

Regional Director may require that the entire record of a case be transmitted to him for review and he may affirm, modify or reverse the determination of the Area or State Director on the basis of the record in the case, or may remand the case to the Area or State Director for such further hearing as may be necessary or he may certify any question involved therein to the Chairman of the War Manpower Commission. The Chairman of the War Manpower Commission may at any time after an appeal is taken, on the basis of such certification or on his own initiative, require that any case be submitted to him for review and ultimate determination.

(c) If at any time pending determination of an appeal or review, the parties effect an adjustment or settlement of their difference, the appeal or review may be dismissed upon the filing of a stipulation to that effect signed by the parties or their authorized agents or attorneys.

(d) War Manpower Commission Regulation No. 5 governing appeals shall not be applicable to the hearing and determination of rights and duties of employers and workers under contracts entered into pursuant to this regulation.

§ 910.8 *Termination of employment and return of the worker.* (a) A worker's contract of employment may be renewed or extended by consent of the employer and the worker with approval of the Deputy Chairman and Executive Director of the War Manpower Commission or his authorized representative. If a worker's contract is not so renewed or extended or if a worker's employment is terminated prior to the expiration of the period of employment, the manager of the United States Employment Service office nearest the place of employment may provide for transferring the worker to other employment, if available, under a new contract of employment to be executed by the worker and the new employer and the Chairman of the War Manpower Commission or his authorized representative on forms provided for that purpose.

(b) If upon termination of a worker's employment, transportation for the return of the worker to his place of selection should not be available and it is not possible to continue the worker's employment in industries or services essential to the preservation, marketing, or distribution of agricultural products, including the timber and lumber industries, the worker may be temporarily employed, during such period as he may be required to wait for return transportation, if employment is available, in such other industries or services as the Deputy Chairman and Executive Director of the War Manpower Commission or his authorized representative may determine. In the event that no employment is available, when a worker remains unemployed while waiting for return transportation, he shall be furnished subsistence and emergency medical care.

§ 910.9 *Saving clause.* All the rights and privileges conferred or obligations imposed upon employers or foreign workers by this regulation, or by acts done pursuant thereto, shall exist sub-



ject to the right of the Chairman of the War Manpower Commission to amend or repeal this regulation, or any part thereof, at any time.

PAUL V. McNUTT,  
Chairman.

JUNE 15, 1944.

[F. R. Doc. 44-8814; Filed, June 17, 1944;  
10:50 a. m.]

## TITLE 31—MONEY AND FINANCE: TREASURY

### Chapter II—Fiscal Service

#### Subchapter A—Bureau of Accounts

[1944 5th Supp. Dept. Circ. 570, Rev. April 20,  
1943]

#### PART 226—SURETY COMPANIES

##### AMERICAN STATES INSURANCE CO.

JUNE 15, 1944.

A certificate of authority has been issued by the Secretary of the Treasury to the following company under the Act of Congress approved August 13, 1894, 28 Stat. 279-80, as amended by the Act of Congress approved March 23, 1910, 36 Stat. 241 (U.S.C., title 6, secs. 6-13) as an acceptable surety on Federal bonds. An underwriting limitation of \$120,000 has been established for the company. Further details as to the extent and localities with respect to which the company is acceptable as surety on Federal bonds will appear in the next issue of Treasury Department Form 356, copies of which, when issued, may be obtained from the Treasury Department, Bureau of Accounts, Section of Surety Bonds, Washington, D. C.

Name of company, location of principal executive office and State in which incorporated:

American States Insurance Company, Indianapolis, Indiana.

D. W. BELL,  
Acting Secretary of the Treasury.

[F. R. Doc. 44-8791; Filed, June 16, 1944;  
12:09 p. m.]

## TITLE 32—NATIONAL DEFENSE

### Chapter VI—Selective Service System

[No. 253]

#### ACCEPTANCE OF GOVERNOR'S APPOINTMENT

##### ORDER DISCONTINUING 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 13, entitled "Acceptance of Governor's Appointment," 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 within the Continental United States immediately upon the filing hereof with the Division of the Fed-

eral Register and shall be effective outside the Continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,  
Director.

JUNE 16, 1944.

[F. R. Doc. 44-8833; Filed, June 17, 1944;  
4:13 p. m.]

## Chapter IX—War Production Board

### Subchapter B—Executive Vice-Chairman

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

#### PART 3176—SHIPBUILDING

[Limitation Order L-252, as Amended June 17, 1944]

##### VALVES AND VALVE PARTS

The fulfillment of requirements for the defense of the United States has created a shortage of steel, copper, and other critical materials used in the manufacture of valves and valve parts, 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:

§ 3176.1 *Limitation Order L-252—(a) Definitions.* Wherever used in this order:

(1) "Producer" means any person who manufactures valves and valve parts.

(2) "Valves" means gate, globe, angle, cross, lift check, angle check, or swing check valves (including variations of those types, such as the valves generally referred to as quick opening, blow off, hose end, Y-type and hydraulic), except drilling through and flow line valves for oil production service. This definition does not include valves of the types generally referred to as "specialties".

(3) "Valve parts" means parts for valves as defined above.

(4) "Put into process" means to process, machine, or fabricate or in any other manner alter any material by physical or chemical means.

(b) *Limitations.* Except as specifically authorized by the War Production Board, no producer shall after May 1, 1943, put into process or cause to be put into process, any material to be incorporated into valves or valve parts, except for the manufacture of valves and valve parts which conform to the specifications contained in the appendix attached to and a part of this order, or for the manufacture of:

(1) Valves  
(i) The bodies or bonnets of which were cast or forged before May 1, 1943;  
(ii) For use as part of the equipment of aircraft or watercraft other than pleasure craft; or  
(iii) For the conduction of liquid or gas having chemical or physical prop-

erties which render the use of valves described in the Appendix dangerous or impractical; and

(2) Valve parts for repair of valves which are completed on May 1, 1943, or which are produced thereafter in accordance with the provisions of paragraph (b) (1) of this order.

(c) *Restricted deliveries.* Except as specifically authorized by the War Production Board:

(1) No producer shall sell or make delivery of any valves or valve parts manufactured in violation of the terms of this order, and

(2) No person shall knowingly purchase or accept delivery of any valve or valve part produced in violation of this order.

(d) *Order superseded.* The provisions of this order supersede the provisions of Schedule No. 1 of Limitation Order L-42.

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

(f) *Records.* Each producer shall retain in his files for a period of two years records showing his inventory and production of all valves, including those for the manufacture of which material was put into process subsequent to May 1, 1943. These records shall be kept readily available and open to inspection by duly authorized representatives of the War Production Board.

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

(h) *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 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.

(i) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Shipbuilding Division, War Production Board, Washington, 25 D. C., Ref.: L-252.

Issued this 17th day of June 1944.

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

#### APPENDIX

##### Specifications for Valves and Valve Parts

The following specifications govern the manufacture of valves and valve parts. These specifications do not purport to contain any recommendations regarding the most efficient



or safe use of any valve or valve parts covered herein.

Certain of the terms used in this appendix (including the terms valves and valve parts) are defined in the body of this order, L-252. In addition, certain exceptions are made, and certain obligations imposed upon producers and others. You should, therefore, be thoroughly familiar with the body of the order before reading this appendix.

PART 1

Iron Gate, Globe, Angle, Cross, and Check Valves and Valve Parts

1. Standard size schedule: Iron valves. (a) Valves shall be manufactured only in the pressure classes listed in Table 1 and in the particular sizes, specified in Table 2, which are comprehended within the size range specified in Table 1 for the particular pressure class:

TABLE 1

[All size ranges are inclusive]

NOTE: Table 1 amended June 17, 1944.

Primary <sup>1</sup> pressure classifications in pounds per square inch		Gates (inches)			Globe and angle (inches)		Lift check (inches)		Swing check (inches)		
Steam	Water	Screwed	Flanged	Hub	Screwed	Flanged	Screwed	Flanged	Screwed	Flanged	Hub
25	50		4 to 72	4 to 72							
	100		4 to 72	4 to 72							
125	150 to 200	2 to 6	2 to 72	2 to 72	2 to 4	2 to 10	2 to 4	3 to 6	2 to 6	2 to 60	2 to 60
150 <sup>2</sup>	250	2 1/4 to 3	2 1 to 3		2 1/4 to 3	2 1 to 3	2 1/4 to 3		2 1/4 to 3		
250	500	2 to 4	2 to 24		2 to 4	2 to 6			2 to 4	2 to 24	
300 <sup>2</sup>		2 1/4 to 3	2 1 to 3		2 1/4 to 3	2 1 to 3			2 1/4 to 3		
	800	2 to 6	3 to 12							3 to 12	

<sup>1</sup> The primary pressure classification designates a class of valves and does not necessarily mean that all sizes in a given class carry the primary pressure classification. American Standards Association standards and manufacturers practice frequently reduce the pressure ratings as size increases and may not always rate valves for both steam and water.

<sup>2</sup> In sizes 3" and smaller the 150# and 300# primary pressure classification valves are included as substitutes for brass valves. Flanged valves may be rated in accordance with the American Flange Standard used.

NOTE: Other valve end connections in common use on the date of issuance of this order, including among others, the types known as Victaulic, Dresser and Universal, may be manufactured, but only in accordance with the specifications listed in Table 1. For the purposes of this order, "common use" means use by at least ten companies.

(b) Detail of permitted sizes (see 1 (a) above):

TABLE 2  
(Sizes in inches)

1/4	4	24
3/8	5	30
1/2	6	36
3/4	8	42
1	10	48
1 1/4	12	54
1 1/2	14	60
2	16	66
2 1/2	18	72
3	20	

2. General requirements for iron valves.

(a) End flanges shall conform to American Standards Association standards for corresponding pressure classes, except that for 150# and 300# valves when made of malleable iron as substitutes for brass valves, flanges conforming to Manufacturers Standardization Society of the Valve and Fitting Industry Bronze Flange Standard SP-2 may be used. Flanges may be furnished to the American Gas Association flange standard for low pressure gas service.

(b) Face to face of flanged valves, size 4" and larger, shall comply with American Pe-

troleum Institute standard #5-G-1 and American Standards Association standard B-16.10 for the pressure classes and types which these standards cover.

(c) Valves for 150# primary steam rating and lower shall have manufacturer's standard seating materials, comprising any of the following:

- Non-metallic disc.
- Iron or carbon steel.
- Brass or bronze.
- Nickel alloy.

(d) Valves for 250# primary steam rating and higher shall have manufacturer's standard seating materials, comprising any of the following:

- Non-metallic disc.
- Iron or carbon steel.
- Brass or bronze.
- Chrome iron.

(e) Bonnet bolts or studs shall be carbon steel.

(f) Nuts for bonnet bolting shall be carbon steel.

(g) Handwheels shall be of ferrous metal, either cast or otherwise fabricated, or of suitable non-metallic material.

(h) All extension stems, couplings and gear housings shall be of ferrous metal.

(i) Spot facing or back facing on iron valve flanges is prohibited except when necessary to prevent scrapping otherwise usable products.

3. Iron gate valves. (a) Stems for outside screw and yoke valves shall be, at manufacturers' option, either of carbon steel, or of

brass or bronze made from secondary metal, i. e., copper base alloy to which refined copper or refined tin is not added in the production of the castings for the stems.

(b) Discs for solid wedge gates 4" and larger and for split wedge or double disc gates 5" and larger, shall be all iron or iron with faces conforming to paragraphs 2 (c) or 2 (d) depending upon pressure class. Discs for non-rising stem valves may be provided with brass or bronze bushing for stem thread.

(c) Bonnet bushing for backseating shall not be provided in outside screw and yoke valves.

(d) Packing gland flange bolts or studs shall be carbon steel.

(e) Nuts for packing gland flange bolts or studs shall be carbon steel, brass or bronze, at manufacturer's option.

(f) For valves 4" and larger, the packing gland, if flange and follower or nose are one piece, shall be of iron or iron brass bushed; or if made of two pieces, the flange shall be iron and the follower or nose may be brass.

4. Iron globe, angle, and cross valves. (a) "Plug" type discs shall not be used for primary pressure 125# classification; but no manufacturer shall make more than one design of metal to metal seat in this class.

(b) Discs for valves 4" and larger shall be all iron or iron with faces conforming to paragraphs 2 (c) or 2 (d) depending upon pressure class.

(c) Stems for outside screw and yoke valves shall be, at manufacturers' option, either of carbon steel, or of brass or bronze made from secondary metal, i. e., copper base alloy to which refined copper or refined tin is not added in the production of the castings for the stems.

(d) Bonnet bushing for back seating shall not be provided.

(e) Packing gland flange bolts or studs shall be carbon steel.

(f) Nuts for packing gland flange bolts or studs shall be carbon steel, brass or bronze, at manufacturer's option.

(g) For valves 4" and larger, the packing gland, if flange and follower or nose are one piece, shall be of iron or iron brass bushed; or if made of two pieces, the flange shall be iron and the follower or nose may be brass.

(h) Cross valves shall not be manufactured.

5. Iron check valves. (a) Discs for valves 4" and larger shall be either all iron, or iron or steel with faces conforming to paragraphs 2 (c) or 2 (d) depending upon pressure class.

(b) Nuts for attaching swing check disc to hinge or arm shall be carbon steel, malleable iron, brass, or bronze, at manufacturer's option.

(c) The hinge or arm for valves 2" and larger shall be of ferrous metal and may be bronze bushed.

PART 2

Brass or Bronze Gate, Globe, Angle, Cross, and Check Valves and Valve Parts

1. Standard size schedule: Brass or bronze valves. (a) Valves shall be manufactured only in the pressure classes listed in Table 1, and in the particular sizes specified in Table 2, which are comprehended within the size range specified in Table 1 for the particular pressure class:



TABLE 1  
[All size ranges are inclusive]

Primary pressure classification in lbs. per sq. in. <sup>1</sup>	Sizes <sup>2</sup> screwed end (inches)	Sizes flanged end (inches)	Sizes solder end (inches)
100 Steam.....	1/2 to 2	-----	3/8 to 2
125 Steam.....	1/2 to 2	-----	1/2 to 2
150 Steam.....	1/2 to 2	1 to 2	1/2 to 2
200 Steam.....	1/2 to 2	1 to 2	1/2 to 2
300 Steam.....	1/2 to 2	1 to 2	1/2 to 2
Hydraulic 1000 & Higher.....	1/2 to 2	-----	1/2 to 1 1/2

<sup>1</sup>The primary steam rating in no way regulates the pressure at which these valves should be rated for other fluids, but restricts the classes to those mentioned.

<sup>2</sup>Only globe and angle valves may be made in the 1/8" size.

<sup>3</sup>These valves are rated 150#.

(b) Detail of permitted sizes (see 1 (a) above):

TABLE 2  
(Sizes in inches)

1/8	1/2	1 1/4
1/4	3/4	1 1/2
3/8	1	2

2. General requirements for brass or bronze valves. (a) Check valves shall be horizontal lift and vertical lift or swing check types only. Angle type prohibited.

(b) Spot facing or back facing on brass valve flanges is prohibited except when necessary to prevent scrapping otherwise usable products.

(c) 150# primary pressure classification and lower shall have integral seats.

(d) 150# primary pressure classification and lower shall have brass, bronze, or non-metallic disc only, and plug type discs shall not be used in globe and angle valves.

(e) 200# primary pressure classification and higher shall have manufacturer's standard seating materials comprising any of the following:

- Non-metallic disc.
- Brass or bronze.
- Chrome iron.
- Nickel alloy.

(f) Union bonnet rings and union rings for valve ends shall be brass, bronze, malleable iron or steel, at manufacturer's option.

(g) Stuffing box packing nuts shall be brass, bronze, malleable iron or steel, at manufacturer's option.

(h) Handwheels and valve handles shall be ferrous metal, either cast or otherwise fabricated; or suitable non-metallic material.

(i) End flanges shall conform to:

1. Manufacturers Standardization Society of the Valve and Fittings Industry, Standard Practice 150#-SP-2.

2. Manufacturers Standardization Society of the Valve and Fittings Industry, Standard Practice 300#-SP-2.

(Depending upon rated pressure of the valve.)

(j) Use Manufacturers Standardization Society of the Valve and Fittings Industry, SP-20 grade A or American Society for Testing Materials B-62 or EA-B62 brass or bronze

for all valve pressure castings in valves in primary pressure classifications of 125#, 150# and 200#. Use Manufacturers Standardization Society of the Valve and Fittings Industry, SP-20 grade B or American Society for Testing Materials B-61 brass or bronze for all valve pressure castings in valves in primary classifications of 300# or higher. Bonnets 200# and higher pressure classification may be made of a "cast bearing bronze."

(k) Cross valves shall not be manufactured.

PART 3

Steel Gate, Globe, Angle, Cross, and Check Valves and Valve Parts

NOTE: These limitations do not apply for primary ratings higher than 1500#. Moreover, these limitations do not apply for valves for temperatures exceeding 1000 degrees F. or below minus 50 degrees F. Furthermore, these limitations do not apply to drilling through or flow line valves for oil production service.

The term "stainless" is used in this Part 3 of this appendix to describe any of the iron base alloys such as 12% chrome, or 18-8 chrome nickel whose primary characteristics are resistance to corrosive attack, or elevated temperature, or both.

1. Standard size schedule: Steel valves. (a) Valves shall be manufactured only in the pressure classes listed in Table 1, and in the particular sizes specified in Table 2 which are comprehended within the size range specified in Table 1 for the particular pressure class:

TABLE 1  
[All size ranges are inclusive]

Primary pressure classification in lbs. per sq. in.	Gate (inches)			Globe and angle (inches)			Horizontal and angle check (inches)			Swing check (inches)		
	Screwed	Flanged	Welded	Screwed	Flanged	Welded	Screwed	Flanged	Welded	Screwed	Flanged	Welded
150.....	2 to 4	2 to 24	-----	2 to 4	2 to 8	-----	-----	-----	-----	2 to 4	2 to 8	-----
300.....	2 to 4	2 to 24	-----	2 to 4	2 to 12	-----	-----	-----	-----	2 to 4	2 to 12	-----
600.....	1/2 to 2	1/2 to 24	1/2 to 24	1/2 to 2	1/2 to 14	1/2 to 14	1/2 to 2	1/2 to 8	1/2 to 14	1/2 to 2	1/2 to 14	1/2 to 14
900.....	-----	3 to 18	3 to 18	-----	3 to 14	3 to 14	-----	3 to 14	3 to 14	-----	3 to 14	3 to 14
1500.....	1/2 to 2	1 1/2 to 14	1/2 to 14	1/2 to 2	1 1/2 to 14	1/2 to 14	1/2 to 2	1 1/2 to 14	1/2 to 14	-----	3 to 14	3 to 14

(b) Detail of permitted sizes.

TABLE 2  
(Sizes in inches)

1/8	2	10
1/4	2 1/2	12
3/8	3	14
1/2	4	16
3/4	5	18
1	6	20
1 1/4	8	24
1 1/2	-----	-----

2. General requirements for steel valves. (a) Valves covered by items 3, 4 and 5, which follow, shall be in accordance with American Petroleum Institute standard 600A for gate valves, or with American Standards Association B16e for all types, except as modified by the specifications set forth in this part 3 of this appendix.

(b) Face to face of flange end valves shall comply with American Petroleum Institute standard 5-G-1 and American Standards Association B16.10 for the types covered by

these standards except as modified by the specifications contained in paragraph 4 of part 3 of this appendix.

(c) Discs of gate and swing check valves 6" and larger shall be made of the same material as the valve body, with seating material laid on or attached.

(d) Handwheels 14" diameter and smaller shall be malleable iron or fabricated steel.

(e) Raised contact faces on flanges shall be serrated (concentric or spiral) or smooth at manufacturer's option.

(f) Cross valves shall not be manufactured.

3. 150 lb. Pressure class: Steel valves. (a) End flange faces shall have American Standards Association 1/16" raised face.

(b) Bodies and bonnets shall be carbon steel.

(c) Seating materials shall be any of the following:

- Carbon steel.
- Brass or bronze.
- 12% chrome iron.

(d) Bonnet bushing for back seating shall not be provided, but backseating shall be included.

(e) Stems shall be carbon steel, brass or bronze or 12% chrome iron.

(f) Bonnet bolting shall be either carbon steel or manganese steels of the SAE 1300 Series, or National Emergency triple alloy steels.

(g) Bonnet bolt nuts shall be semi-finished carbon steel.

(h) Stem stuffing box packing shall be graphite or mica-impregnated asbestos according to manufacturer's practice.

(i) Bonnet gaskets shall be asbestos composition sheet.

4. 300 lb. Pressure class: Steel valves. (a) End flange faces shall be American Standards Association 1/16" raised face, or American Petroleum Institute octagonal ring joint groove providing the groove is cut in the basic flange thickness.



(b) Bodies and bonnets shall be carbon steel, except when required to resist extreme corrosion or temperature conditions they may be 4% to 6% chrome, 1/2% molybdenum.

(c) The seating materials shall be any of the following:

- Same material as body.
- Brass or bronze.
- 12% chrome iron.
- Nickel copper alloy.
- Hard facing.

(d) Stems shall be any of the following:

- Brass or bronze.
- 12% chrome iron.

(e) Stem stuffing box packing shall be graphite or mica-impregnated asbestos according to manufacturer's practice.

(f) Bonnet bolting shall conform to the following limitations:

1. For temperature up to and including 850 degrees F., National Emergency 9400 series steels or SAE 4140 steel.

2. For temperatures over 850 degrees F., Grade B14 steel per American Society for Testing Materials specification A193.

(g) Bonnet bolt nuts shall be manufacturer's standard practice.

5, 600 lb., 900 lb. & 1500 lb. Pressure classes. Steel valves. (For 600 lb. and 1500 lb. general purpose valves, see paragraph 6)

(a) End flange faces shall be either American Standards Association octagonal ring joint groove or American Petroleum Institute octagonal ring joint groove, or 1/4" American Standards Association large male face.

(b) Bodies and bonnets shall be carbon or carbon molybdenum steel, except when required to resist extreme corrosion or temperature conditions in which case they may be 4% to 6% chrome, 1/2% molybdenum, or stainless if so specified. (See definition for "stainless" in note under heading of Part 3.)

(c) The seating materials shall be any of the following:

- Same material as body.
- Stainless (See definition in note under heading of Part 3).
- Nickel copper alloy.
- Hard facing.

(d) Stems shall be the following:

- Stainless (See definition in note under heading of Part 3).

(e) Stem stuffing box packing shall be graphite or mica-impregnated asbestos according to manufacturer's practice.

(f) Bonnet bolting shall conform to the following limitations:

1. For temperature up to and including 850 degrees F., National Emergency 9400 series steels or SAE 4140 steel.

2. For temperature over 850 degrees F., Grade B14 steel per American Society for Testing Materials specification A193.

(g) Bonnet bolt nuts shall be manufacturer's standard practice.

6. General purpose steel valves; 600 lb. & 1500 lb.—2" and smaller. (a) End connections shall be:

- 1. Flanged American Standards Association standard with 1/4" large male face.
- 2. Screwed end.
- 3. Socket welding end.

The 600 lb. class flanged end valves may be made with 150-lb. American Standards As-

sociation steel flange diameter, drilling, and/or facing.

(b) Bodies and bonnets shall be carbon or carbon molybdenum steel except when required to resist extreme corrosion or temperature conditions, in which case they may be 4% to 6% chrome, 1/2% molybdenum, or stainless if so specified. (See definition for "stainless" in note under heading of Part 3.)

(c) Seating materials shall be any of the following:

- Same material as body.
- Brass or bronze.
- Stainless. (See definition in note under heading of Part 3.)
- Nickel copper alloy.
- Hard facing.

[F. R. Doc. 44-8815; Filed, June 17, 1944; 11:06 a. m.]

PART 1010—SUSPENSION ORDERS

[Reinstatement of Suspension Order No. S-527, Amdt. 1]

BLOOMFIELD MANUFACTURING CO.

Upon further consideration of the appeal of the Bloomfield Manufacturing Company, the Chief Compliance Commissioner has directed that Suspension Order No. S-527, as reinstated June 3, 1944, be amended.

In view of the foregoing, *It is hereby ordered, That* § 1010.527, *Suspension Order No. S-527*, issued April 25, 1944, as reinstated June 3, 1944, be and hereby is amended, by adding the following paragraph:

(f) The provisions of this suspension order shall not apply to contracts or purchase orders placed prior to June 11, 1944, bearing preference ratings of AA-1 or higher.

Issued this 17th day of June 1944.

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

[F. R. Doc. 44-8841; Filed, June 17, 1944; 4:27 p. m.]

PART 1010—SUSPENSION ORDERS

[Stay of Execution of Suspension Order S-534]

ALL STATE PIPE SUPPLY CO.

The All State Pipe Supply Company of Jacksonville, Florida, has appealed from the provisions of Suspension Order No. S-534, issued May 8, 1944, (§ 1010.534) and it appears that irreparable harm may be done its business if the suspension order were not stayed. The Chief Compliance Commissioner has directed that the provisions of the suspension order be stayed pending final determination of the appeal or until further order by the Chief Compliance Commissioner.

In view of the foregoing, *It is hereby ordered, That:*

The provisions of Suspension Order No. S-534, issued May 8, 1944, are hereby stayed pending final determination of the Appeal or until further order by the Chief Compliance Commissioner.

Issued this 17th day of June 1944.

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

[F. R. Doc. 44-8842; Filed, June 17, 1944; 4:27 p. m.]

PART 3281—PULP AND PAPER

[Limitation Order L-120, Schedule IX, as Amended June 5, 1944]

TABLETS, NOTEBOOKS, PADS, LOOSELEAF FILLERS, AND SHEETS

Correction

NOTE: The original of Federal Register Document 44-8090, appearing at page 6096 of the issue of Tuesday, June 6, 1944, has been corrected so that the first item in the table in paragraph (c) (1) reads as follows:

Article	Grade	Substance weight per 500 sheets
Books, tablets, pads, fillers and sheets for drawing or coloring (excluding "artists' drawing" and "drafting").	Manila and Gray	24" x 36"—50
	Groundwood drawing. All other grades.	24" x 36"—60

PART 3270—CONTAINERS

[Limitation Order L-197, Interpretation 1]

STEEL SHIPPING DRUMS; APPEALS GRANTED BEFORE MAY 27, 1944 NOT CANCELLED

The following interpretation is issued with respect to Limitation Order L-197:

Authorization by the War Production Board was required for delivery and acceptance of delivery of new drums under Order L-197 prior to May 27, 1944, but is no longer required under the order as amended on that date. Paragraph (d) (7) declaring all authorizations null and void after May 27, 1944 does not invalidate appeals granted before that date. An appeal is a request for permission to use a new or used drum for packing a product listed without an asterisk in Schedule A of the old order or to use a new drum to pack a product listed with a single asterisk.

Issued this 19th day of June 1944.

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

[F. R. Doc. 44-8854; Filed, June 19, 1944; 11:41 a. m.]



## Chapter XI—Office of Price Administration

## PART 1305—ADMINISTRATION

[Gen. RO 3, Amdt. 7]

## RATION BANKING: BANKS

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

General Ration Order No. 3 is amended in the following respects:

1. The first sentence of § 1305.412 (a) (3) is amended by inserting before the period the words "unless otherwise directed by the Office of Price Administration".

2. The third sentence of § 1305.412 (a) (3) is amended by inserting before the period the words "unless otherwise directed by the Office of Price Administration".

This amendment shall become effective June 20, 1944.

(Pub. Laws 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; WPB Dir. 1, 7 F.R. 562)

Issued this 16th day of June 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-8799; Filed, June 16, 1944;  
4:09 p. m.]

## PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 459, Amdt. 3]

## GUMMED KRAFT SEALING TAPE

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. 459 is amended in the following respects:

Section 12 is amended to read as follows:

SEC. 12. *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. 1<sup>3</sup> 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) Continuance 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 customer 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.

The relief granted under this section shall be limited to the amount necessary to permit the maintenance of the manufacturer's production: *Provided, however,* That where an application is filed under paragraph (b) (1) and (3) above, the manufacturer's maximum price will not be raised above the general level of prices prevailing for an alternative source of supply of the commodity or an adequate substitute therefor.

Applications for adjustment shall be filed in accordance with the provisions of Revised Procedural Regulation No. 1.

This Amendment No. 3 to Maximum Price Regulation No. 459 shall become effective June 21, 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 16th day of June 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-8801; Filed, June 16, 1944;  
4:09 p. m.]

## PART 1418—TERRITORIES AND POSSESSIONS

[MPR 373, Amdt. 61]

## ALCOHOLIC BEVERAGES IN HAWAII

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

Maximum Price Regulation 373 is amended in the following respects:

1. Section 23 is hereby revoked.  
2. Section 25 is amended to read as follows:

SEC. 25. *Maximum prices for intoxicating liquor, wine, beer and ale sold by the case or bottle at wholesale and retail—*

(a) *Maximum prices for sales in Oahu.* Except as otherwise provided herein, the maximum prices for intoxicating liquors, wine, beer, and ale sold at wholesale and retail, on the Island of Oahu, shall be:

(1) *Mainland hard liquor—*(i) *Sales at wholesale.* At the option of the wholesaler, the maximum wholesale prices shall be calculated by one of the following methods:

*Method One:* In the case of hard liquors which are listed in the "Tax Commissioner's Findings as to Tax Values of Liquor as of

<sup>3</sup> 8 F.R. 5388, 6359, 6849, 7200, 7457, 8064, 8550, 10270, 10666, 10984, 11247, 11437, 11849, 12299, 12708, 13023, 13342, 13500, 14139, 14305, 14688, 15253, 15369, 15851, 15852, 15862, 16866, 16997, 17201; 9 F.R. 173, 393, 580, 584, 1158, 1187, 1489, 1528.

October 1, 1941," published by the Territorial Government, the maximum wholesale price shall be the highest price charged by the seller in the Territory on December 6, 1941, exclusive of any discounts for quantity purchases, plus all federal excise taxes imposed since that time, and the 6% Territorial tax, when applicable, or

*Method Two:* On all hard liquors not priced under Method One, the maximum wholesale price per case shall be the landed cost multiplied by 1.15, plus the federal excise tax as of April 1, 1944, and the 6% Territorial tax, when applicable.

(ii) *Sales at retail.* At the option of the retailer, the maximum retail prices shall be calculated by one of the following methods:

*Method One:* In the case of hard liquors which are listed in the "Tax Commissioner's Findings as to Tax Values of liquor as of October 1, 1941," published by the Territorial Government, the maximum retail price shall be the highest price charged by the seller in the Territory on December 6, 1941, plus all federal excise taxes imposed since that time, and the 6% Territorial tax, or

*Method Two:* On all hard liquors not priced under Method One, the maximum retail price shall be the landed cost as defined herein, multiplied by 1.53, plus the federal excise tax of April 1944, and the 6% Territorial tax. This calculated per case price shall be divided by the number of bottles per case to determine the retail ceiling price per bottle.

(2) *Wines—*(i) *Sales at wholesale.* The maximum price per case for all wines shall be the landed cost multiplied by 1.25, plus the federal excise tax as of April 1, 1944, and the 6% Territorial tax, when applicable.

(ii) *Sales at retail.* The maximum retail price for all wines shall be the landed cost multiplied by 1.87, plus the federal excise tax as of April 1, 1944, and the 6% Territorial tax. This calculated per case price shall be divided by the number of bottles per case to determine the retail ceiling price per bottle.

(3) *Cordials, liqueurs, and specialties—*(i) *Sales at wholesale.* The maximum wholesale price per case of all cordials, liqueurs, and specialties shall be the landed cost multiplied by 1.20, plus the federal excise tax of April 1944, and the 6% Territorial tax, when applicable.

(ii) *Sales at retail.* The maximum retail price of all cordials, liqueurs, and specialties shall be the landed cost multiplied by 1.74, plus the federal excise tax of April 1944, and the 6% Territorial tax. This calculated per case price shall be divided by the number of bottles per case to determine the retail ceiling price per bottle.

(4) *Mainland beer and ale—*(i) *Sales at wholesale.* The maximum wholesale price per case, delivered to the purchaser's place of business, of all mainland beer or ale shall be the landed cost multiplied by 1.13, plus the federal excise tax as of April 1, 1944, and the 6% Territorial tax, when applicable. In case the wholesaler does not make delivery to the purchaser's place of business, the maximum wholesale price shall be the maximum wholesale price set forth above less 5 cents per case.

(ii) *Sales at retail.* The retail ceiling price per case of all mainland beer or ale

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

<sup>1</sup> 8 F.R. 865, 2858, 4627, 9456, 12611; 9 F.R. 2212.

<sup>2</sup> 8 F.R. 11807, 13498.

<sup>3</sup> 7 F.R. 9861; 8 F.R. 3313, 8533, 6173.



shall be the landed cost multiplied by 1.41, plus the federal excise tax as of April 1, 1944, and the 6% Territorial tax.

(iii) Customary bottle deposits and allowances must be continued.

(5) *Island beer*—(i) *Sales at wholesale*. The maximum wholesale price for island produced beer per case, delivered to the purchaser's place of business, shall be \$2.23 per case. This price includes all federal taxes, but does not include the 6% Territorial tax, which may be added, when applicable. In case the wholesaler does not make delivery to the purchaser's place of business, the maximum wholesale price shall be the maximum wholesale price set forth above less 5 cents per case.

(ii) *Sales at retail*. The maximum retail price for island produced beer per case, shall be \$2.68. This price includes all federal taxes, but does not include the 6% Territorial tax, which may be added.

(iii) Customary bottle deposits and allowances must be continued.

(6) *Island liquor*. Maximum prices for sales of island liquor by wholesalers or manufacturers and by retailers shall be as follows:

(i) 90 PROOF LIQUOR

Number of bottles per case	Size of bottles	Maximum wholesale prices per case	Maximum retail prices per bottle
4	1 gallon	\$42.51	
3	1 gallon	31.88	
6	½ gallon	32.19	\$6.52
12	1 quart	32.86	3.33
12	¼ quart	26.67	2.71
24	1 pint	33.96	1.73
48	½ pint	35.08	.90

(ii) *Liquor other than 90 proof*. For liquor other than 90 proof, maximum prices shall be the prices determined by applying the factors shown in the following conversion table for each variation of 1 degree in proof content.

CONVERSION TABLE

Number of bottles per case	Size of bottles	Factors for adjusting maximum prices per case for sales at wholesale	Factors for adjusting maximum prices per bottle for sales at retail
4	1 Gallon	\$0.4475	
3	1 Gallon	.3356	
6	½ Gallon	.3356	\$0.06768
12	1 Quart	.3356	.03384
12	¼ Quart	.2685	.02707
24	1 Pint	.3356	.01692
48	½ Pint	.3356	.00846

NOTE: *Fractions*. Drop fractions of less than ½ cent. For fractions of ½ cent or over, raise to the next highest whole cent. *Variations of less than one degree in proof content*. Adjust proportionally, (e.g., half the above amounts for variations of ½ degree, etc.)

(iii) *Examples*.

No. 1. To determine the maximum wholesale price for a case of 12 one-quart bottles

of 85 proof gin (or other Hawaiian manufactured compound liquor):

Maximum price for a similar case of 90 proof liquor	\$32.86
Factor for adjusting prices (from conversion table)	\$0.3356
Number of degrees variation in proof content (85-90)	-5
Adjustment of 90 proof price $0.3356 \times (-5)$	-\$1.6780
Adjustment after raising fraction of more than ½ cent	-1.68

Maximum price for a case of 85 proof liquor

No. 2. To determine the maximum retail price for one-quart bottle of 85 proof liquor:

Maximum price for one quart bottle of 90 proof liquor	\$3.33
Factor for adjusting prices (from conversion table)	\$0.03384
Number of degrees variation in proof content (85-90)	-5
Adjustment of 90 proof price $0.03384 \times 5 (-5)$	-\$.16920
Adjustment after raising fraction of more than ½ cent	-.17

Maximum price for one-quart bottle of 85 proof liquor

No. 3. Complete schedule of 85 proof liquor prices resulting from application of Conversion Table in accordance with above examples:

85 PROOF LIQUORS

Number of bottles per case	Size of bottles	Maximum wholesale prices per case	Maximum retail prices per bottle
4	1 gallon	\$40.27	
3	1 gallon	30.20	
6	½ gallon	30.51	\$6.18
12	1 quart	31.18	3.16
12	¼ quart	25.33	2.57
24	1 pint	32.28	1.65
48	½ pint	33.40	.86

(iv) *Transportation addition*. The maximum prices above established for sales at wholesale, are for delivery at the seller's warehouse. In the event the seller delivers to the buyer's place of business or to any other point designated by the buyer, he may add to the maximum price an amount not in excess of charges for transportation actually paid, or to be paid, in connection with such delivery. The seller may not make any additional charge for delivery made in vehicles owned or controlled by him without first obtaining written authorization from the Office of Price Administration.

(v) *Taxes*. The prices contained in paragraphs (a) (6) (i), through (iv), above, do not include the 6% Territorial tax, which may be added, but they do include the federal tax on distilled spirits of \$9.00 per proof gallon, and all other taxes.

(vi) *Less than case lots*. Maximum prices for sales at wholesale of less than case lots should be proportional to the prices contained in paragraphs (a) (6) (i) through (v), above, for full cases. For this purpose, where fractions occur

the next highest whole cent may be used. For example, the maximum price to be charged dispensers for a case of twelve ¼ quart bottles of 85 proof gin is \$25.33. The price of three bottles would be three-twelfths of \$25.33. Since this would produce a price of \$6.33¼, the fraction may be raised to the next highest cent, and \$6.34 charged. The price for six bottles, however, would be \$12.67, for seven bottles \$14.78, etc. With respect to less than case sales in gallon sizes, the prices should be proportional to the price for a full case of three bottles. (Note that the rule for handling fractions for purposes of determining less than case prices is not the same as the rule for handling fractions when using the Conversion Table.)

(b) *Maximum prices for sales on all other islands in the Territory of Hawaii*—

(1) *Direct shipments of any imported liquor, wine, beer or ale*. In the case of direct shipments from without the Territory of Hawaii to any island other than the Island of Oahu, of any intoxicating liquor, wine, beer, and ale set forth in paragraphs (a) (1) through (4), the maximum wholesale and retail prices shall be calculated as provided in paragraphs (a) (1) through (4).

(2) *Inter-island shipments*. In the case of any intoxicating liquor, wine, beer and ale originally imported from without the Territory of Hawaii to one island of the Territory and subsequently shipped to another island in the Territory or in the case of any island produced liquor or beer shipped from one island to another, maximum prices shall be calculated as follows:

(i) *Sales at wholesale*. For sales at wholesale the maximum price shall be the maximum price as calculated under paragraphs (a) (1) through (6), plus an amount equal to the sum of the following amounts:

(a) Actual cost of freight, marine, and war risk insurance incurred for shipment between the Islands calculated in accordance with the provisions of paragraphs (c) (3) and (5).

(b) Actual cost of cartage charges from warehouse to dock in the island from which shipment is made, computed at a rate not to exceed \$1.20 per ton, and from dock to warehouse, or to purchaser's place of business, in the island of destination, computed at a rate not to exceed \$1.20 per ton.

(ii) *Sales at retail*. For sales at retail the maximum price shall be the maximum price as calculated under paragraphs (a) (1) through (6), plus an amount equal to the sum of the following amounts:

(a) Actual cost of freight, marine, and war risk insurance incurred for shipment between the Islands calculated in accordance with the provisions of paragraphs (c) (3) and (5).

(b) Actual cost of cartage charges from warehouse to dock in the island from which shipment is made, computed at a rate not to exceed \$1.20 per ton,



and from dock to warehouse in the island of destination, computed at a rate not to exceed \$1.20 per ton.

(c) Actual cost of cartage charges incurred for hauling from dock or seller's warehouse to the buyer's place of business.

(d) The amounts to be so added to the maximum price per bottle shall be calculated by dividing the added costs as outlined above by the number of bottles per case.

(c) *Landed cost.* Landed cost is an amount not in excess of the sum of the amounts set forth below in subparagraphs (1) through (6). If any of the items specified in any subparagraph below have already been included in an amount determined under another subparagraph, they may not again be added.

(1) The amount you paid your supplier or the manufacturer's maximum price established by the Maximum Price Regulation 445 or 259, as the case may be, whichever is lower, less all discounts and allowances except the discount for cash or prompt payment. This amount will include all federal excise taxes except those imposed on or after April 1, 1944. No export premium may be included in the computation of your landed cost.

(2) An amount equal to import duties and custom house brokerage fees.

(3) An amount equal to the transportation charges actually incurred by the wholesaler for transportation from the point at which the wholesaler received delivery to Hawaii, including transportation taxes, terminal charges, extra charges for shipments of less than carload lots, and territorial tolls and tonnage tax as shown on the bill of lading.

(4) An amount equal to mainland storage charges and insurance in connection therewith actually incurred by the wholesaler.

(5) An amount equal to charges for war risk and marine insurance actually incurred by the wholesaler. However, the amount by which any cost of war risk insurance exceeds the rates charged by the War Shipping Administration shall not be included.

(6) An amount equal to actual cartage charges in Hawaiian port of discharge from dock to warehouse, or retailer's customary receiving point, computed at a rate not in excess of \$1.20 per ton, provided the commodity is moved from the dock at the wholesaler's expense. The wholesaler may, at his option, determine the tonnage on either weight or measurement basis.

(d) *Change in maximum prices.* Maximum prices for any brand or size of beverage coming under the terms of this section shall be fixed by determining the maximum price as provided herein on the first shipment to arrive in the Territory after the effective date of this amendment. The price thus determined shall remain the maximum price for such brand and size until a change in landed costs occurs, which, if recalculated,

would result in a change in price upward or downward, of two percent or more in the maximum retail price per bottle, in which case the maximum price shall be recalculated as provided herein.

(e) *Filing and posting.* In addition to the requirements set forth in Section 10, relating to records and reports, all wholesalers or importers coming under the terms of this section are required to file with the Office of Price Administration, Honolulu, T. H., on Form THP-10, provided by this office, each calculation of wholesale and retail prices as provided herein. Wholesalers and importers are required to (1) furnish the retailer with a statement of retail ceiling price thus calculated, or (2) furnish the retailer with a statement of the landed cost of such items before the merchandise is sold by the wholesaler or importer.

(f) *Inability to determine maximum prices.* Any person who is unable to determine his maximum price for any intoxicating liquor, wine, beer, or ale, under the provisions of this section, shall apply to the Office of Price Administration, Honolulu, T. H., for the establishment of such maximum price.

(g) *Definitions.* (1) Except as otherwise provided herein, all liquors, wines, cordials, liqueurs, beer, ale, and other alcoholic, vinous, spiritous, or malt beverages covered by this section are defined as set forth in Regulations 4 and 5 and Amendments thereto, issued under the terms of the Federal Alcohol Administration Act as amended and under the terms of Maximum Price Regulations 445 or 259, as the case may be, as now or hereinafter amended.

(2) "Mainland hard liquor, beer or ale" means any hard liquor, beer or ale imported in the Territory of Hawaii.

(3) "Island liquor or beer" means any liquor or beer manufactured in the Territory of Hawaii.

(4) "Sale at retail" means a sale or selling to an ultimate consumer.

(5) "Sale at wholesale" means a sale to any person other than an ultimate consumer, and includes, but is not limited to, sales to wholesalers, retailers and dispensers by manufacturers, brewers, importers, and other wholesalers.

(6) "6% Territorial Tax" means the liquor tax imposed under the terms of the Hawaii Liquor Tax Act of July 1, 1939.

(7) The "highest price charged by the seller in the Territory on December 6, 1941," means the highest price at which the seller sold or offered to sell, in the Territory of Hawaii, on December 6, 1941, any hard liquor listed in the "Tax Commissioner's Findings as to Tax Values of Liquor as of October 1, 1941," published by the Territorial Government.

3. Section 25a is added to read as follows:

SEC. 25a. *Maximum prices for intoxicating liquor, wine, beer and ale drinks*

served or sold by dispensers for consumption on the premises—(a) *What this section covers.* This section sets maximum prices for all intoxicating liquor, wine, beer and ale drinks served or sold by dispensers for consumption on the premises, in the Territory of Hawaii.

(b) *Maximum prices for sales by dispensers other than cabaret dispensers.*

	Maximum price per drink (cents)
(1) <i>Mainland liquor.</i>	
(i) <i>Scotch whiskey.</i> King's Ransom, Johnnie Walker, Black Label, Haig and Haig Pinch Bottle, Ballantyne, Cutty Sark, Peter Dawson 20 Years Old, John Crabbie, Findlators', or any other Scotch Whiskey 12 years old or more, straight or mixed.....	50
All other brands of Scotch Whiskey, straight or mixed.....	45
(ii) <i>Bourbon, rye, and Canadian whiskeys.</i> Bourbon or Rye Whiskey, 100 Proof, which has been bottled in bond, Canadian Club Whiskey, Seagram VO Canadian Whiskey, straight or mixed.....	50
All other Bourbon, Rye, Canadian or Blended Whiskeys, straight or mixed.....	40
(iii) <i>Rum:</i> Imported, straight or mixed.....	40
Domestic (including Puerto Rican), straight.....	35
Domestic (including Puerto Rican), mixed.....	40
(iv) <i>Brandy:</i> Imported, straight or mixed.....	45
Domestic, straight or mixed.....	35
(v) <i>Mainland or imported gin:</i> Straight.....	30
Mixed.....	35
(2) <i>Island liquor.</i>	
(i) <i>Island compounded gin, imitation whiskey, rum, okolehao, arrack, vodka, any other kind of island-produced liquor:</i>	
-Straight.....	25
Mixed.....	80
(3) <i>Beer and ale.</i>	
(i) <i>Mainland beer and ale, per 11 or 12 oz. bottles, steinie, or can, all brands.....</i>	25
Per 22 oz. bottle, all brands.....	40
Per 32 oz. bottle, all brands.....	60
(ii) <i>Island beer.</i>	
Primo or Royal, per 11 or 12 oz. bottle.....	20
Draught Beer, 12 oz.....	20

Maximum prices for draught beer served or sold in quantities other than 12 ounces shall be in direct proportion per ounce to the maximum price of 20¢ for 12 ounces. For example, the maximum price for 6 ounces of draught beer shall be 10¢.

	Cents
(4) <i>Wine.</i>	
(i) <i>By the glass:</i>	
Domestic wine, portion or serving, not less than three ounces.....	25
Imported wine, portion or serving, not less than three ounces.....	35
Special wines, domestic or imported, portion or serving, not less than three ounces.....	50
(ii) <i>By the bottle:</i>	
When domestic, imported, or special wines are served by the bottle the maximum price shall be the maximum retail price, as determined under Section 25 of this Regulation, plus the following charges for chilling and serving:	

	Cents
For still wines.....	25
For sparkling wines.....	50



(c) Maximum prices for sales by cabaret dispensers.

	Maximum Price Per Drink	Cabaret Tax	Maximum Price Per Drink Including Tax
	Cents	Cents	Cents
(1) Mainland liquor.			
(i) Scotch whiskey, King's Ransom, Johnnie Walker Black Label, Haig and Haig Pinch Bottle, Ballantynes, Cutty Sark, Peter Dawson 20 Years Old, John Crabbie, Findlaters', or any other Scotch Whiskey 12 years old or more, straight or mixed.	50	15	65
All other brands of Scotch Whiskey, straight or mixed.	46	14	60
(ii) Bourbon, rye, and Canadian whiskeys. Bourbon or Rye Whiskey, 100 Proof, which has been bottled in bond, Canadian Club Whiskey, Seagrams VO Canadian Whiskey, Straight or Mixed.	46	14	60
All other Bourbon, Rye, Canadian or Blended Whiskeys, Straight or Mixed.	38	12	50
(iii) Rum:			
Imported, straight or mixed.	38	12	50
Domestic (including Puerto Rican), straight.	34	11	45
Domestic (including Puerto Rican), mixed.	38	12	50
(iv) Brandy:			
Imported, straight or mixed.	46	14	60
Domestic, straight or mixed.	34	11	45
(v) Mainland or imported gin:			
Straight.	31	9	40
Mixed.	34	11	45
(2) Island liquor.			
(i) Island compounded gin, imitation whiskey, rum, okolehao, arrack, vodka, or any other kind of Island produced liquor:			
Straight.	27	8	35
Mixed.	31	9	40
(3) Beer and ale.			
(i) Mainland beer and ale, per 11 or 12 oz. bottle, steinie, or can, all brands.	27	8	35
Per 22 oz. bottle, all brands.	38	12	50
Per 32 oz. bottle, all brands.	58	17	75
(ii) Island beer.			
Primo or Royal, per 11 or 12 oz. bottle.	19	6	25
(4) Wine.			
(i) By the glass:			
Domestic wine, portion or serving not less than three ounces.	27	8	35
Imported wine, portion or serving, not less than three ounces.	34	11	45
Special wines, domestic or imported, portion or serving, not less than three ounces.	50	15	65

(ii) By the bottle:

When domestic, imported, or special wines are served by the bottle, the maximum price shall be the maximum retail price, as determined under Section 25 of this Regulation, plus 30% cabaret tax, plus the following charges for chilling and serving:

For still wines.....	\$0.25
For sparkling wines.....	.50

(d) Inability to determine maximum prices. Any dispenser who is unable to determine his maximum price for any intoxicating liquor, wine, beer or ale drink, under the provisions of this section, shall apply to the Office of Price Administration, Honolulu, T. H., for the establishment of such price.

(e) Clubs, non-profit associations and hotels. (1) any club, non-profit association or any hotel may apply to the Office of Price Administration, Hawaii Territorial Office, Honolulu, T. H., for permission to sell liquor drinks at a price not in excess of the highest price for which such drinks were sold or offered for sale by such club, non-profit association or hotel on December 6, 1941.

(f) Evasion. (1) The limitations set forth in this section shall not be evaded whether by direct or indirect methods.

(2) Specifically, but not exclusively, the following practices are prohibited:

(i) Serving or selling any straight drink in a glass or other container other than one having a capacity of one fluid ounce.

(ii) Serving or selling any straight drink without filling to the capacity, with liquor, the glass or other container in which it is served;

(iii) Measuring the liquor to be put into a mixed drink in a glass or other container other than one having a capacity of one fluid ounce.

(iv) Diluting, cutting or mixing with another ingredient a liquor prior to its being served as a drink or its incorporation into a mixed drink;

(v) Charging a cover or service charge to a consumer. If such a charge was normally made on December 6, 1941, application may be made to the Office of Price Administration, Hawaii Territorial Office, Honolulu, T. H., for permission to continue to make a similar charge.

(vi) Refusing to sell a drink, mixed drink, beer or ale except in connection with the sale of another commodity.

(g) Posting of prices. Every dispenser selling or offering for sale any intoxicating liquor, wine, beer or ale drinks, covered by this section, shall post, in a conspicuous and accessible place where such drinks are sold or offered for sale, a statement or list showing the maximum for every drink sold or offered for sale. The provisions of paragraph (b) (1) of section 10, relating to the marking and posting of prices, shall not be applicable to this section.

(h) Definitions. When used in this maximum price regulation the term:

(1) "Drink" or "straight drink" means a drink of not less than one fluid ounce of liquor.

(2) "Mixed drink" means a drink containing not less than one fluid ounce of liquor mixed with an ingredient other than liquor. A drink served with a chaser is not a mixed drink.

(3) "Beer" and "ale" means malt beverages made by the alcoholic fermentation of an infusion or decoction, or combinations of both, in potable brewing water, of malted, barley with hops or their parts or products, and with or without other malted cereals, and with or without the addition of unmalted or pre-

pared cereals, other carbohydrates or products prepared therefrom, and with or without the addition of carbon dioxide, and with or without other wholesome products suitable for human food consumption.

(4) "Liquor" means a distilled or compounded alcoholic beverage of not less than 80° proof, except that sloe gin of not less than 70° proof shall also be deemed "liquor."

(5) "Wine" means any alcoholic beverage commonly known as such, produced by fermentation, and of not more than 24% alcoholic content by volume.

(6) "Imported wine" means wine manufactured outside of the United States, its territories or possessions.

(7) "Domestic wine" means wine manufactured in the United States, its territories or possessions, except the Territory of Hawaii.

(8) "Special wines" means any wine, either imported or domestic, for which the maximum wholesale price, as determined under Section 25 of this Regulation, exceeds \$2.75 per four-fifths quart.

(9) "Mainland liquor, beer and ale" means any liquor, beer and ale imported into the Territory of Hawaii.

(10) "Island liquor or beer" means any liquor or beer manufactured in the Territory of Hawaii.

(11) "Dispenser" means any person licensed by the Territorial Government to serve or sell, for consumption on the premises, any alcoholic drinks covered by this section.

(12) "Cabaret dispenser" is any dispenser whose receipts, under the cabaret tax contained in Chapter 10 of the Internal Revenue Code, as amended, are subject to the 30% excise tax effective April 1, 1944.

4. Section 42 is hereby revoked.

This amendment shall become effective as of April 1, 1944.

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

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

Issued this 16th day of June 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-8800; Filed, June 16, 1944; 4:09 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS  
[MPR 373, Amdt. 62]

FOOD PRODUCTS IN HAWAII

A statement of the considerations involved in the issuance of this amend-

<sup>1</sup> 8 F.R. 5388, 6359, 6849, 7200, 7457, 8064, 8550, 10270, 10666, 10984, 11247, 11437, 11849, 12299, 12703, 13023, 13342, 13500, 14139, 14305, 14688, 15253, 15369, 15851, 15852, 15862, 16866, 16997, 17201; 9 F.R. 173, 393.



ment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation 373 is amended in the following respects:

1. Section 20a (c) is amended to read as follows:

(c) Maximum prices; Island of Oahu only—(1) Specific maximum prices on the Island of Oahu only:

Name and description	Style of processing	Size	Maximum prices for sales at wholesale	Maximum prices for sales at retail
Albacore (Pacific Coast)	Round or cleaned	All sizes	\$0.375 lb.	\$0.50 lb.
Albacore (Pacific Coast)	Steaks			\$0.65 lb.
Butter Fish	Round	All sizes	\$0.30 lb.	\$0.40 lb.
Cod—Black	Dressed	All sizes	\$0.35 lb.	\$0.45 lb.
Cod—Black	Fillets			\$0.60 lb.
Cod—Eastern	Fillets		\$0.52 lb.	\$0.70 lb.
Cod—Kippered			\$0.69 lb.	\$0.90 lb.
Crab Meat			\$0.90 lb.	\$1.20 lb.
Flounder (Eastern)	Fillets		\$0.52 lb.	\$0.70 lb.
Halibut (Chicken and Medium)	Dressed	Under 40#	\$0.37 lb.	\$0.50 lb.
Halibut (Chicken and Medium)	Steaks			\$0.60 lb.
Herring (Sea)	Round	All sizes	\$0.19 lb.	\$0.25 lb.
King Fish	Round	All sizes	\$0.21 lb.	\$0.28 lb.
Mackerel (Pacific Coast)	Round	All sizes	\$0.21 lb.	\$0.28 lb.
Mackerel (Pacific Coast)	Fillets	All sizes		\$0.58 lb.
Mullet	Round	Up to 5#	\$0.27 lb.	\$0.36 lb.
Mullet (Pacific Coast)		5# and over	\$0.34 lb.	\$0.45 lb.
Mullet	Steaks			\$0.60 lb.
Oysters		Pint	\$0.77 can	\$1.00 can.
Oysters		Quart	\$1.50 can	\$2.00 can.
Oysters		3/4 gal.	\$2.15 can	\$2.85 can.
Oysters		1/2 gal.	\$3.00 can	\$3.75 can.
Oysters		1/4 gal.	\$4.56 can	\$5.70 can.
Oysters		1 gal.	\$5.22 can	\$6.52 can.
Perch (Pacific Coast)	Round	All sizes	\$0.30 lb.	\$0.40 lb.
Perch (Atlantic Coast)	Fillets	All sizes		\$0.67 lb.
Red Snapper	Dressed		\$0.38 lb.	\$0.50 lb.
Salmon (Pacific Silver)	Dressed	All sizes	\$0.375 lb.	\$0.50 lb.
Salmon (Pacific Silver)	Steaks	All sizes		\$0.60 lb.
Salmon (Pacific Fall)	Dressed	All sizes	\$0.325 lb.	\$0.45 lb.
Salmon (Pacific Fall)	Steaks	All sizes		\$0.55 lb.
Salted Fish			\$0.05 per lb. over landed cost.	\$0.17 per lb. over "net cost."
Sardines (California)			\$0.18 lb.	\$0.25 lb.
Sea Bass	Dressed		\$0.47 lb.	\$0.60 lb.
Sea Bass	Steak			\$0.67 lb.
Smelt (Columbia River)			\$0.22 lb.	\$0.30 lb.
Smelt (Jack)			\$0.21 lb.	\$0.30 lb.
Squid (Pacific Coast)	Any	All sizes	\$0.22 lb.	\$0.30 lb.

\*"Net cost" is the amount paid your supplier after deducting all discounts and allowances.

All cuts other than steaks or fillets may be sold at prices not to exceed the maximum price per pound of the round, cleaned or dressed fish from which they are derived.

(2) Maximum prices for items which cannot be priced under subparagraph (1) above—Island of Oahu only. In the case of a sale at wholesale or at retail of any imported frozen fish or seafood item not listed subparagraph (1) above (except frozen shrimp and prawn, for which maximum prices are established under section 55 of this regulation) the maximum price shall be the price authorized by the Territorial Director of the Office of Price Administration, upon the written application of the seller to the Office of Price Administration, Iolani Palace, Honolulu 2, T. H.

Such authorization will be given in the form of an order prescribing a specific maximum price or a method of determining the maximum price for the applicant, or if the applicant is a wholesaler, for sellers of the commodity generally, including purchasers for resale or for a class of such sellers.

This application must contain:

(i) The name of the imported frozen fish or seafood item for which a maximum price is sought;

(ii) A statement of the maximum price permitted the mainland primary

wholesaler under Maximum Price Regulation 364\*;

(iii) A separate statement of the charges actually incurred by the seller in computing his landed cost.

(3) Broken lots. Sales of broken lots of frozen fish and seafood are permitted except on sales to other wholesalers. "Broken lots" are defined as partial lots of frozen fish and seafood that have been broken or separated from the original content of the immediate container in which the product has been packed by the processor, and which broken lots are sold, made ready for delivery, shipped out to a customer apart from the remainder of the original content of the immediate container. On sales of broken lots of frozen fish and seafood the wholesaler will be permitted to add 10% to the maximum prices for sales at wholesale, as set forth above.

2. The table following section 21 (c) (1) is amended by changing the price of one item and by adding a new item to read as follows:

	Wholesale maximum price	Retail maximum price
Onions, dry, all colors	\$3.40 per 50 lb. bag	Per lb. \$0.11
Onions, dry, FECC, Reconditioned.	\$3.90 per 50 lb. bag	.11

\* 8 F.R. 4640, 5566, 7592, 11175, 12023, 12446, 12792, 14079, 15191, 15662, 16998, 9 F.R. 183, 946, 2023, 8388, 3459, 3424, 4182, 4650, 5163.

3. The table following section 21 (d) (1) is amended by changing the prices of several items and by adding a new item to read as follows:

	Wholesale maximum price	Retail maximum price
Apples: Northwest Newton Pippin	Per box \$5.50	\$0.17 per lb.
Winesaps	5.50	\$0.16 per lb.
Grapefruit:		
54's	4.60	\$0.11 each.
64's	4.60	\$0.10 each.
70's	4.60	\$0.09 each.
80's	4.60	\$0.08 each.
100's	4.60	\$0.06 each.
Lemons:		
300's	7.40	\$0.39 per doz.
360's	7.40	\$0.33 per doz.
432's	7.40	\$0.27 per doz.

This amendment shall become effective as follows:

As to section 20a (c) as of April 25, 1944.

As to section 21 (c) (1) and (d) (1) as of May 13, 1944.

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

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

Issued this 16th day of June 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-8906; Filed, June 16, 1944; 4:11 p. m.]

PART-1418—TERRITORIES AND POSSESSIONS  
[MPR 373; Amdt. 63]

FRUITS AND VEGETABLES IN HAWAII

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

Maximum Price Regulation 373 is amended in the following respects:

1. Section 16 is hereby revoked.  
2. The table following section 21 (c) (1) is amended by deleting the item "Squash, banana and hubbard" and by changing the prices of several items to read as follows:

	Wholesale maximum price	Retail maximum price
Garlic	\$0.38 per lb.	\$0.50 per lb.
Potatoes:		
Gems, U. S. #1	\$5.00 per 100# bag	\$0.08 per lb.
Combination	\$4.85 per 100# bag	\$0.07 per lb.

3. The table following section 21 (d) (1) is amended by deleting the following

- 18 F.R. 5388, 6359, 6849, 7200, 7457, 8064, 8550, 10270, 10666, 10984, 11247, 11437, 11849, 12299, 12703, 13023, 13342, 13500, 14139, 14305, 14688, 15253, 15369, 15851, 15852, 15862, 16866, 16997, 17201; 9 F.R. 173, 393, 580, 584, 1158, 1487, 1489, 1528.

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



apple items: "California Newton Pippin," "Northwest Delicious," and "Arkansas Black," by changing the item "Grapefruit" to read "Grapefruit, Central California," by changing the prices of this item, and by adding a new item to read as follows:

	Wholesale maximum price	Retail maximum price
<i>Per box</i>		
Grapefruit, Central California:		
54's.....	\$4.90	\$0.12 each
64's.....	4.90	\$0.10 each
70's.....	4.90	\$0.09 each
80's.....	4.90	\$0.08 each
100's.....	4.90	Two for \$0.13
Grapefruit, Cochella:		
64's.....	5.55	Two for \$0.23
70's.....	5.55	Two for \$0.21
80's.....	5.55	\$0.09 each
100's.....	5.55	Two for \$0.15
Lemons:		
200's.....	7.90	\$0.42 per doz.
260's.....	7.90	\$0.35 per doz.
432's.....	7.90	\$0.29 per doz.
Oranges:		
100's.....	6.20	\$0.99 per doz.
120's.....	6.20	\$0.79 per doz.
150's.....	6.20	\$0.66 per doz.
170's.....	6.20	\$0.57 per doz.
200's.....	6.20	\$0.50 per doz.
220's.....	6.20	\$0.45 per doz.
252's.....	6.20	\$0.40 per doz.
288's.....	6.20	\$0.35 per doz.
344's.....	6.20	\$0.29 per doz.
392's.....	6.20	\$0.25 per doz.

4. The table following section 21 (e) (5) (i) is amended by adding a new item to read as follows:

Item	Grade	Maximum price at wholesale (per lb.)	Maximum price at retail (per lb.)
Lichee, Fresh.....	CQ...	\$0.75	\$1.00

This amendment shall become effective as follows: As to section 16 as of May 6, 1944. As to section 21 (c) (1) and (d) (1) as of May 19, 1944. As to section 21 (e) (5) (i) as of May 22, 1944.

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

Issued this 16th day of June, 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-8805; Filed, June 16, 1944; 4:10 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS  
[MPR 373, Amdt. 64]

TEXTILE PRINTING IN HAWAII

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

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

18 F.R. 5388, 6359, 6849, 7200, 7457, 8064, 8550, 10270, 10666, 10984, 11247, 11849, 12299, 12703, 13342, 13500, 14139, 14305, 14688, 15253, 15369, 15851, 15852, 16866, 16997, 17201, 9 F.R. 173, 393.

Maximum Price Regulation 373 is amended in the following respect:

1. Section 58 is amended to read as follows:

SEC. 58. *Maximum prices for textile printing*—(a) *Scope of this section.* This section establishes maximum prices for textile printing in the Territory of Hawaii, including block printing, screen printing and stenciling.

(b) *Prints reproduced with 100% textile ink.* The maximum prices per print for block printing, screen printing or stenciling reproduced with 100% textile inks shall be the prices listed below in Table A.

(c) *Prints reproduced with any medium other than 100% textile ink.* The maximum prices per print for block printing, screen printing or stenciling reproduced with printer's ink, block printing ink, paint or any medium other than 100% textile ink, shall be the prices listed below in Table B.

TABLE A—MAXIMUM PRICES FOR PRINTS REPRODUCED WITH 100% TEXTILE INK

(1) MAXIMUM PRICES FOR PRINTS REPRODUCED ON "CERTAIN APPAREL ITEMS"

Size of print (in sq. inches)	One color print	Two color print	Three or more color prints
1-25 sq. in.....	\$0.05	\$0.10	\$0.15
26-50 sq. in.....	.10	.15	.20
51-100 sq. in.....	.15	.20	.25
101-200 sq. in.....	.20	.25	.30
201-400 sq. in.....	.40	.45	.50
401-600 sq. in.....	.60	.65	.70
601-800 sq. in.....	.90	1.00	1.20
Over 800 sq. in.....	\$1.20	\$1.30	\$1.50

(2) MAXIMUM PRICES FOR PRINTS REPRODUCED ON "ALL OTHER ITEMS"

Size of print (in sq. inches)	One color print	Two color print	Three or more color prints
1-25 sq. in.....	\$0.02	\$0.03	\$0.05
26-50 sq. in.....	.03	.05	.10
51-150 sq. in.....	.05	.10	.15
151-300 sq. in.....	.10	.15	.20
301-500 sq. in.....	.15	.20	.25
501-700 sq. in.....	.20	.25	.30
Over 700 sq. in.....	.25	.30	.35

TABLE B—MAXIMUM PRICES FOR PRINTS REPRODUCED WITH ANY MEDIUM OTHER THAN 100% TEXTILE INKS

Size of print (in sq. inches)	One color print	Two color print	Three or more color prints
1-25 square inches.....	\$0.01	\$0.02	\$0.03
26-50 square inches.....	.02	.03	.05
51-150 square inches.....	.03	.04	.08
151-300 square inches.....	.04	.05	.10
301-500 square inches.....	.05	.08	.13
501-700 square inches.....	.06	.10	.15
Over 700 square inches.....	.07	.13	.18

(NOTE: The maximum prices listed in Tables A and B above are for finished work, which includes drying and pressing of the printed items. The number of square inches in a print shall be determined by multiplying the width of the print by the length. Length and width shall be measured at the longest and widest portions of the print.)

(d) *Definitions.* (1) "Textile printing" means printing on cloth.

(2) "Block printing" is the reproducing of a decorative design or pattern on cloth by means of a linoleum, zinc or wood block.

(3) "Screen printing" is the reproducing of a decorative design on cloth by means of a silk screen.

(4) "Stenciling" is the reproducing of a decorative design by means of a stencil.

(5) A "print" is a complete design or pattern, printed on cloth, regardless of the number of separate blocks, screens or stencils used in printing the design.

(6) "Textile inks" are those inks commonly known as and labeled as textile inks.

(7) "Printer's inks" are those inks commonly known as and labeled as printer's inks.

(8) "Block printing inks" are those inks which are commonly known as and are labeled block printing inks.

(9) "Certain apparel items" include only the following articles of wearing apparel: dresses, jumpers, skirts, blouses, pinafores, slacks and slack suits, lounging pajamas, housecoats, hostess coats, kimonas, negligees, negligee and gown sets, bed jackets, bed jacket and gown sets, swim suits and sun suits, play suits and shirts; but does include polo shirts, undershirts, aprons, separate night-gowns, sleeping pajamas and articles commonly known as accessories.

(10) "All other items" include all items made of woven or knitted fabric except those specifically termed "certain apparel items" in sub-paragraph (9).

(e) *Records and reports.* In addition to such records as the seller is required to keep under section (10) (a) (1) of this regulation, every person making a charge for textile printing, including block printing, screen printing or stenciling, shall furnish the buyer at the time of delivery with a written invoice or sales memorandum, setting forth the following information:

(1) The date of sale.  
(2) The name and address of the buyer and seller.

(3) A description of the print reproduced.

(4) The number of reproductions of each print.

(5) The measurement in square inches and the number of colors in each print.

(6) The word "textile" or letter "T" if 100% textile ink is used in reproducing the print.

(7) The price paid or received.

A duplicate of this invoice or sales memorandum must be kept by the seller for inspection by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

This amendment shall become effective June 21, 1944.

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

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

Issued this 16th day of June 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-8804; Filed, June 16, 1944; 4:10 p. m.]



PART 1418—TERRITORIES AND POSSESSIONS  
[MPR 395, Amdt. 23]

MEN'S AND BOYS' WEAR IN VIRGIN ISLANDS

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 42 is added to read as follows:

SEC. 42. *Maximum prices for imported men's and boys' wear and accessories sold or delivered in the Virgin Islands of the United States*—(a) *Definitions*. When used in this section 42, the term:

(1) "Men's and boys' wear and accessories" includes all unused masculine outerwear garments and underwear garments (not including children's and infants' wear sizes 0 to 6), hosiery, and the following accessories only:

Armbands.  
Athletic supporters.  
Belts.  
Garters.  
Gloves.  
Handkerchiefs.  
Neckties and neckwear.  
Suspenders.

"Men's and boys' wear and accessories" does not include millinery as defined in section 31 (a) (1), shoes or articles of adornment for personal wear except as specified above.

MUNICIPALITY OF ST. THOMAS AND ST. JOHN

Group A:

All items of men's and boys' wear and accessories, except those listed under Group B, and including men's and boys' suits not directly imported from the continental United States.

Group B:

Men's and boys' suits directly imported from the continental United States.  
Neckties.

MUNICIPALITY OF ST. CROIX

Men's and boys' suits not directly imported from the continental United States.

Group B:

All items of men's and boys' wear and accessories, except those listed under Group A, and including men's and boys' suits directly imported from the continental United States.

(2) "Imported" as applied to men's and boys' wear and accessories means men's and boys' wear and accessories not actually produced or manufactured in the Virgin Islands of the United States.

(3) "Foreign place" means any place outside of the continental United States and the Territories and Possessions of the United States.

(4) "Class of men's and boys' wear and accessories" means a group of products comprised of men's and boys' wear and accessories having the same or similar description, all of which have identical maximum prices and are received by the seller in one delivery.

(b) *Maximum prices*—(1) *Specified articles when directly imported from foreign places*. The maximum prices at

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

<sup>1</sup> 7 F.R. 6259, 6744, 9996, 8847, 10231, 10790; 8 F.R. 1860, 10984.

retail and at wholesale of the men's and boys' wear and accessories listed below, when directly imported from a foreign place, shall be governed by Maximum Price Regulation No. 201:<sup>2</sup>

Belts.  
Handkerchiefs.  
Hosiery.  
Neckties.  
Sweaters.

(2) *All other imported articles*. (i) Maximum retail prices for imported men's and boys' wear and accessories, other than those covered by paragraph (b) (1) above, shall be computed by multiplying the direct cost to the importer by the applicable multiplier set forth in Table XXX below:

TABLE XXX—MEN'S AND BOYS' WEAR AND ACCESSORIES

Class of products	Sales in the municipality of St. Thomas and St. John	Sales in the municipality of St. Croix
Group A.....	1.40	1.40
Group B.....	1.50	1.50

(ii) Notwithstanding the provisions of paragraph (b) (2) (i), the seller may apply to the Territorial Director for the Virgin Islands for approval of a nationally advertised retail price for a commodity subject to this section when such commodity is nationally advertised by the manufacturer thereof. The applicant shall set forth:

(a) A description of the article to be priced;

(b) Conclusive evidence that the manufacturer has established a nationally advertised resale price at retail;

(c) A statement of the direct cost of the article to the importer;

(d) A correct statement of such nationally advertised price. The Territorial Director may in his discretion approve such nationally advertised resale price as the maximum retail price of the seller. Unless the seller makes such application, and unless the Territorial Director approves such resale price, the retailer may not sell such article at prices in excess of those established in paragraph (b) (2) (i) above.

(iii) The wholesale prices for such imported men's and boys' wear and accessories shall be subject to agreement between buyer and seller, but in no event may the wholesale price exceed the seller's maximum retail price for the commodity.

(iv) No sales at retail of such imported men's and boys' wear and accessories in excess of the retail price computed in accordance with the method set forth in paragraph (b) (1) (i) or (b) (1) (ii) above, whichever is applicable, shall be permitted, regardless of the number of transfers of the commodity which may occur in the Virgin Islands of the United States.

(c) *Price lists and statements*—(1) *Price lists to be filed by the seller at re-*

<sup>2</sup> 7 F.R. 6269, 6744, 9996, 8947, 10231, 10790; 8 F.R. 1860, 10984; 9 F.R. 2176, 2747.

tail. The seller at retail shall file with the Office of Price Administration in St. Thomas or St. Croix not later than July 17, 1944, a statement indicating the direct cost to the importer, his applicable multiplier and his maximum retail selling price for each class of men's and boys' wear and accessories covered by this section which he has in his inventory on the date when he submits his statement to the Office of Price Administration. Thereafter, the retailer shall notify the Office of Price Administration of his ceiling prices by filing a supplementary price list setting forth similar information for each class of such imported men's and boys' wear and accessories subsequently acquired by him within three days after placing such class of imported men's and boys' wear and accessories on sale. The inventory and supplementary price lists shall contain the following information:

(i) Description of class of men's and boys' wear and accessories: type, brand, size, supplier's stock number if available;

(ii) The date of receipt (applicable only when filing the supplementary price list);

(iii) The name and address of the supplier;

(iv) The direct cost to the importer;

(v) The applicable multiplier (or markup);

(vi) The retailer's maximum price.

(2) *Price statement required of the seller at wholesale*. Any person, including the importer, who sells or transfers men's and boys' wear and accessories (except those subject to Maximum Price Regulation 201) to another person for purposes of resale shall furnish such person with a written statement of the direct cost of each class of such men's and boys' wear and accessories to the importer, and shall certify this information to be true and correct.

This amendment shall become effective July 3, 1944.

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

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

Issued this 16th day of June 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-8803; Filed, June 16, 1944; 4:10 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS  
[MPR 395, Amdt. 24]

CHILDREN'S AND INFANTS' WEAR IN VIRGIN ISLANDS

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.\*

<sup>1</sup> 7 F.R. 6259, 6744, 9996, 8847, 10231, 10790; 8 F.R. 1860, 10984.



Section 43 is added to read as follows:

SEC. 43. *Maximum prices for imported children's and infants' wear sold or delivered in the Virgin Islands of the United States*—(a) *Definitions*. When used in this section 43 the term:

(1) "Children's and infants' wear" includes all children's wear in girls' sizes 2-6, and boys' sizes 2-6, and all infants' wear in sizes 0-2, and includes boys', girls' and infants' outerwear, underwear, nightwear, hosiery, booties and socks, harnesses, bibs, binders, diapers, and miscellaneous articles of children's and infants' wear made principally of fabric, and includes infants' footwear and headwear, but does not include boys' and girls' millinery and shoes.

(2) "Imported" as applied to children's and infants' wear means children's and infants' wear not actually produced or manufactured in the Virgin Islands of the United States.

(3) "Foreign place" means any place outside of the continental United States and the Territories and Possessions of the United States.

(4) "Class of children's and infants' wear" means a group of products comprised of children's and infants' wear having the same or similar description, all of which have identical maximum prices and are received by the seller in one delivery.

(b) *Maximum prices*—(1) *Children's and infants' wear directly imported from foreign places*. The maximum prices at retail and at wholesale of children's and infants' wear directly imported from a foreign place shall be governed by Maximum Price Regulation No. 201.<sup>7</sup>

(2) *All other imported children's and infants' wear*. (i) Maximum retail prices for imported children's and infants' wear, other than those covered by paragraph (b) (1) above, shall be computed by multiplying the direct cost to the importer by the applicable multiplier set forth in Table XXXI below:

TABLE XXXI—CHILDREN'S AND INFANTS' WEAR

	Sales in the municipality of St. Thomas and St. John	Sales in the municipality of St. Croix
Multiplier.....	1.35	1.50

(ii) Notwithstanding the provisions of paragraph (b) (2) (i), the seller may apply to the Territorial Director for the Virgin Islands for approval of a nationally advertised retail price for a commodity subject to this section when such commodity is nationally advertised by the manufacturer thereof. The applicant shall set forth:

(a) A description of the article to be priced;

(b) Conclusive evidence that the manufacturer has established a nationally advertised resale price at retail;

(c) A statement of the direct cost of the article to the importer;

<sup>7</sup> 7 F.R. 6269, 6744, 9996, 8947, 10231, 10790; 8 F.R. 1860, 10984; 9 F.R. 2176, 2747.

(d) A correct statement of such nationally advertised price. The territorial Director may in his discretion approve such nationally advertised resale price as the maximum retail price of the seller. Unless the seller makes such application, and unless the Territorial Director approves such resale price, the retailer may not sell such article at prices in excess of those established in paragraph (b) (2) (i) above.

(iii) The wholesale prices for such imported children's and infants' wear shall be subject to agreement between buyer and seller, but in no event may the wholesale price exceed the seller's maximum retail price for the commodity.

(iv) No sales at retail of such imported children's and infants' wear in excess of the retail price computed in accordance with the method set forth in paragraph (b) (2) (i) or (b) (2) (ii) above, whichever is applicable, shall be permitted, regardless of the number of transfers of the commodity which may occur in the Virgin Islands of the United States.

(c) *Price lists and statements*—(1) *Price lists to be filed by the seller at retail*. The seller at retail shall file with the Office of Price Administration in St. Thomas or St. Croix not later than July 24, 1944, a statement indicating the direct cost to the importer, his applicable multiplier and his maximum retail selling price for each class of children's and infants' wear covered by this section which he has in his inventory on the date when he submits his statement to the Office of Price Administration. Thereafter, the retailer shall notify the Office of Price Administration of his ceiling prices by filing a supplementary price list setting forth similar information for each class of such imported children's and infants' wear subsequently acquired by him within three days after placing such class of imported children's and infants' wear on sale. The inventory and supplementary price lists shall contain the following information:

(i) Description of class of children's and infants' wear: type, brand, size, supplier's stock number, if available;

(ii) The date of receipt (applicable only when filing the supplementary price list);

(iii) The name and address of the supplier;

(iv) The direct cost to the importer;

(v) The applicable multiplier (or markup);

(vi) The retailer's maximum price.

(2) *Price statement required of the seller at wholesale*. Any person, including the importer, who sells or transfers children's and infants' wear (except those subject to Maximum Price Regulation 201) to another person for purposes of resale shall furnish such person with a written statement of the direct cost of each class of such children's and infants' wear to the importer, and shall certify this information to be true and correct.

This amendment shall become effective July 10, 1944.

NOTE: The reporting and record-keeping provisions of this amendment have been

approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

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

Issued this 16th day of June 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-8802; Filed, June 16, 1944; 4:10 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS  
[MPR 53, Amdt. 24]

FATS AND OILS

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

Maximum Price Regulation No. 53 is amended in the following respects:

1. Section 11.9 (o) (1) is amended to read as follows:

(o) *Community of sale*. (1) Except as otherwise provided in sections 11.9 (o) (2) and 11.9 (o) (3), "community of sale" means that point at which the purchaser from the processor resells the lard so purchased, regardless of the point at which actual delivery of the lard from the processor to the purchaser takes place.

2. Section 11.9 (o) (3) is amended to read as follows:

(3) Where lard is purchased from a processor for purposes other than reselling it as lard (such as, but not limited to, purchases for consumption, or for use in manufacturing another product, etc.), "community of sale" means the place where is located the buyer's premises in which the lard is consumed, or employed in manufacturing another product, or otherwise used.

This amendment shall become effective June 22, 1944.

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

Issued this 17th day of June 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-8816; Filed, June 17, 1944; 11:23 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS  
[GMPR for Hawaii, Amdt. 5]

SALES AT WHOLESALE AND RETAIL IN HAWAII

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

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

<sup>1</sup> 9 F.R. 4200, 5314.

<sup>2</sup> 8 F.R. 5307, 6362, 14765, 15585.



The General Maximum Price Regulation for the Territory of Hawaii is amended in the following respects:

1. Section 20 (a) (14) is amended to read as follows:

(14) "Sale at retail" means a sale to an ultimate consumer. However, a sale to any of the following types of purchasers by a retail store which regularly and customarily sells to ultimate consumers other than industrial, commercial or institutional users, shall be deemed a sale at retail:

(i) A commercial or industrial user of any item, provided such sale does not affect the direct cost of material sold by the purchaser or the direct cost of any service rendered by such commercial or industrial user, or

(ii) The United States, or any government, or any of its sub-divisions, any religious, educational, or charitable institution for the sick, deaf, blind, disabled, aged or insane, or any school, hospital, library, or any agency of the foregoing.

2. Section 20 (a) (15) is amended to read as follows:

(15) "Sale at wholesale" means a sale by a person who buys a commodity and resells it, without substantially changing its form, to any person other than an ultimate consumer and includes any sale to the United States, or any government, or any of its sub-divisions, any religious, educational, or charitable institution for the sick, deaf, blind, disabled, aged or insane, or any school, hospital, library, commercial or industrial user, or any agency of the foregoing, except as such sales come within the provisions of subparagraph (14) above.

This amendment shall become effective as of May 17, 1944.

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

Issued this 17th day of June 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-8817; Filed, June 17, 1944;  
11:23 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS  
[MPR 373,<sup>1</sup> Amtd. 65]

SALES AT WHOLESALE AND RETAIL IN HAWAII

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

Maximum Price Regulation 373 is amended in the following respects:

1. Section 12 (a) (1) is amended to read as follows:

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

<sup>1</sup> 8 F.R. 5388, 6359, 6949, 7200, 7457, 8064, 8550, 10270, 10666, 10984, 11247, 11437, 11849, 12299, 12703, 13023, 13342, 13500, 14139, 14305, 14688, 15253, 15369, 15851, 15852, 15862, 16866, 16997, 17201; 9 F.R. 173, 393, 580, 585, 1158, 1487, 1489; 9 F.R. 1528, 1530, 2177, 2177, 2659, 2660, 3153, 3232, 3341, 3967, 3947, 3945, 4351, 4783.

(1) "Sale at retail" means a sale to an ultimate consumer. However, a sale to any of the following types of purchasers by a retail store, which regularly and customarily sells to ultimate consumers other than industrial, commercial or institutional users, shall be deemed a sale at retail:

(i) A commercial or industrial user of any item: *Provided*, Such sale does not affect the direct cost of material sold by the purchaser or the direct cost of any service rendered by such commercial or industrial user, or

(ii) The United States, or any government, or any of its subdivisions, any religious, educational, or charitable institution for the sick, deaf, blind, disabled, aged or insane, or any school, hospital, library, or any agency of the foregoing.

2. Section 12 (a) (2) is amended to read as follows:

(2) "Sale at wholesale" means a sale by a person who buys a commodity and resells it, without substantially changing its form, to any person other than an ultimate consumer and includes any sale to the United States, or any government, or any of its subdivisions, any religious, educational, or charitable institution for the sick, deaf, blind, disabled, aged, or insane, or any school, hospital, library, commercial or industrial user, or any agency of the foregoing, except as such sales come within the provisions of subparagraph (1) above.

This amendment shall become effective as of May 17, 1944.

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

Issued this 17th day of June 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-8818; Filed, June 17, 1944;  
11:23 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS  
[MPR 373,<sup>1</sup> Amtd. 66]

ONIONS AND POTATOES IN HAWAII

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

Section 21 is amended in the following respects:

1. The table following section 21 (c) (1) is amended by changing the prices of one item and by adding a new item to read as follows:

	Wholesale maximum price	Retail maximum price
Onions, dry: All colors....	\$3.80 per 50# bag...	Per pound \$0.11
Potatoes: New crop whites.	\$5.05 per 100# bag...	.07

2. The table following section 21 (d) (1) is amended by changing the item

"Grapefruit, Central California" to "Grapefruit", by deleting the item "Grapefruit, Cochella" and by changing the prices of several items to read as follows:

	Wholesale maximum price	Retail maximum price
Grapefruit:	Per box	Each
54's.....	\$5.35	\$0.13
64's.....	5.35	.11
70's.....	5.35	.10
80's.....	5.35	.09
100's.....	5.35	.07
Lemons:	Per doz.	
300's.....	7.85	\$0.39
360's.....	7.85	.35
432's.....	7.85	.27

This amendment shall become effective as of June 5, 1944.

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

Issued this 17th day of June 1944.

CHESTER BOWLES,  
Administrator.

[MPR 165, as Amended,<sup>2</sup> Amtd. 2 to Supp. 11:23 a. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 165, as Amended,<sup>2</sup> Amtd. 2 to Supp. Service Reg. 22]

REPAIR OF CERTAIN APPLIANCES AND EQUIPMENT

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.\*

Supplementary Service Regulation No. 22 to Maximum Price Regulation No. 165 is amended in the following respects:

1. The number "(1)" is inserted after the word "subparagraph" in the first sentence of § 1499.674 (a) (4).

2. The last sentence of § 1499.674 (g) is amended to read as follows: "The term does not include furnaces, boilers, industrial equipment, oil burners, stokers, typewriters, adding machines, dictating machines, duplicating equipment, or other office machines."

This amendment shall become effective June 22, 1944.

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

Issued this 17th day of June 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-8820; Filed, June 17, 1944;  
11:24 a. m.]

\* 7 F.R. 6428, 6966, 8239, 8431, 8798, 8943, 8948, 9197, 9342, 9343, 9785, 9971, 9973, 10480, 10619, 18718, 11010; 8 F.R. 1060, 3324, 4782, 5681, 5755, 5933, 6364, 8506, 8873, 10671, 10939, 11754, 12023, 12710, 13302, 13472, 14990; 9 F.R. 1819, 3395, 3593, 4747, 5174.



PART 1499—COMMODITIES AND SERVICES  
[RMPR 204, Amdt. 3]

SPECIAL SALES OF INDUSTRIAL MATERIALS

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 4 of Revised Maximum Price Regulation 204 is amended to read as follows:

**Sec. 4. Relation to other regulations.** This regulation establishes maximum prices for all special sales of industrial materials except sales covered by Maximum Price Regulation 174—Freight Car Materials Sold by Car Builders,<sup>2</sup> Sales covered by Supplementary Order No. 10—Judicial Sales,<sup>3</sup> Sales covered by Supplementary Order No. 32—Netherlands Purchasing Commission,<sup>4</sup> Sales covered by Supplementary Order No. 43—Maximum prices for certain sales of certain surplus stocks,<sup>5</sup> Sales covered by Supplementary Order No. 48—Accommodation Sales of Industrial Materials<sup>6</sup> and sales governed by other price regulations which expressly provide that they apply to special sales of industrial materials.

This amendment shall become effective June 22, 1944.

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

Issued this 17th day of June 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-8821; Filed, June 17, 1944;  
11:23 a. m.]

PART 1388—DEFENSE-RENTAL AREAS  
[Rent Reg. for Housing,<sup>7</sup> Amdt. 27]

ATLANTIC COUNTY, N. J.

Item 187a of Schedule A of the Rent Regulation for Housing is hereby revoked to transfer the Atlantic County Defense-Rental Area, consisting of the County of Atlantic, New Jersey, to the Rent Regulation for Housing in the Atlantic County Defense-Rental Area.

This amendment shall become effective June 17, 1944.

Issued this 17th day of June 1944.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 44-8834; Filed, June 17, 1944;  
4:21 p. m.]

PART 1388—DEFENSE-RENTAL AREAS  
[Rent Reg. for Housing in Atlantic County Area]

Sec.

1. Scope of this regulation.
2. Prohibition against higher than maximum rents.

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

<sup>1</sup> 8 F.R. 3676, 12795.

<sup>2</sup> 7 F.R. 5061, 8739, 8948; 8 F.R. 155, 9021.

<sup>3</sup> 7 F.R. 5481, 10448.

<sup>4</sup> 7 F.R. 10877.

<sup>5</sup> 8 F.R. 5173.

<sup>6</sup> 8 F.R. 6355.

<sup>7</sup> 9 F.R. 5807, 5915, 6359, 6569.

Sec.

3. Minimum services, furniture, furnishings and equipment.
4. Maximum rents.
5. Adjustments and other determinations.
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7. Registration.
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13. Definitions.

AUTHORITY: § 1388.1411 issued under 56 Stat. 23, 765.

**SECTION 1. Scope of this regulation—**  
(a) *Housing in the Atlantic County Defense-Rental Area.* This regulation applies to all housing accommodations within the Atlantic County Defense-Rental Area, consisting of the county of Atlantic, New Jersey, except as provided in paragraph (b) of this section.

Wherever the words "the maximum rent date" are referred to in this regulation, "September 1, 1943" shall apply. Wherever the words "the effective date of regulation" are referred to in this regulation, "June 1, 1944" shall apply.

The Atlantic County Defense-Rental Area is referred to hereinafter in this regulation as 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 Na-

tional 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.

(7) *Subletting.* The subletting or other subrenting of housing accommodations for a term beginning on or after June 1, 1944 and ending on or before September 30, 1944.

The exemption provided by this paragraph (b) (7) shall be effective only from June 1, 1944 to September 30, 1944, inclusive.

(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 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 of 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, 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, furnishings 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; *Provided, however,* That where the accommodations were sublet on a seasonal basis on the maximum rent date, the maximum rent shall be the rent provided in the underlying lease of such accommodations.

(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; *Provided, however,* That where the housing accommodations were sublet on a seasonal basis on the date of the last rent for such accommodations during the two-month period, the maximum rent shall be the rent provided in the underlying lease of such accommodations.

(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 Administrator 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. 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, 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. 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.

(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.

(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.

(i) *Changed on or after the effective date of regulation, from unfurnished to furnished.* For housing accommodations changed on or after the effective date of regulation 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.

**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 deterioration, 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.

(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 persons 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.

(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.

(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 after such effective date, file a petition requesting approval of the decreased services. If, on such effective date, the furniture, furnishings or equipment provided with housing accommodations 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 de-

crease 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, 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, 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 (i) of section 4 is higher than the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date.

(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) of this section.

(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.

(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 hereafter 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 alter-

ing 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, 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 therefor before renting the accommodations or any part thereof during 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.* A certificate shall be issued authorizing the pursuit of local remedies to remove or evict 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), only as provided in this paragraph (b) (2).

(1) Where the Administrator finds that the payment or payments of principal made by the purchaser aggregate twenty per cent or more of the purchase price, 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. Except as hereinafter provided, the certificate shall authorize pursuit of local remedies at the expiration of three months after the date of filing of the petition.

The payment or 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.

Any payments of principal made from funds borrowed for the purpose of making such payments shall be excluded in determining whether twenty per cent of the purchase price has been paid, unless the Administrator finds that the loan is made in good faith and not for the pur-

pose of circumventing or evading the provisions of this paragraph (b) (2).

Where property other than the housing accommodations which are the subject of the purchase is mortgaged or pledged to the vendor to secure any unpaid balance of the purchase price, the payment requirement shall be deemed satisfied if the value of such security, plus any payments of principal made from funds not borrowed for the purpose of making such principal payments, equal twenty per cent or more of the purchase price.

(ii) Where the Administrator finds (a) that equivalent accommodations are available for rent into which the tenant can move without substantial hardship or loss or (b) 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 the removal or eviction of the tenant, or (c) that other special hardship would result, a certificate may be issued although less than twenty per cent of the purchase price has been paid and may authorize the vendor or purchaser to pursue his remedies for removal or eviction of the tenant at a time less than three months after the date of filing of the petition.

(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.

(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.

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 July 15, 1944, 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 and Navy Department.

**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. 3<sup>1</sup> (§§ 1300.201 to 1300.253, inclusive).

**SEC. 12. Petitions for amendment.** Persons seeking any amendment of general applicability to any provision of this reg-

ulation may file petitions therefor in accordance with Revised Procedural Regulation No. 3<sup>1</sup> (§§ 1300.201 to 1300.253, incl.).

**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 services, 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.

*Effective date.* This Rent Regulation for Housing in the Atlantic County Defense-Rental Area shall become effective June 17, 1944.

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

Issued this 17th day of June 1944.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 44-8835; Filed, June 17, 1944;  
4:21 p. m.]

#### PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,<sup>1</sup> Amdt. 1 to 2d Rev. Supp. 1]

##### MEAT, FATS, FISH AND CHEESES

Second Revised Supplement 1 to Revised Ration Order 16 is amended in the following respects:

1. The Official Table of Consumer Point Values (No. 15), referred to in § 1407.3027 (a), is amended by reducing to zero, the point value of all cheeses under the headings "Cheeses—Group II" and "Cheeses—Group III."

2. "Section C—Fats, Oils, and Dairy Products" of the Official Table of Trade Point Values (No. 15), referred to in § 1407.3027 (a), is amended by reducing to zero the point value of all cheeses under the headings "Cheeses—Group II" and "Cheeses—Group III."

This amendment shall become effective at 12:01 a. m., June 18, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4319; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4319; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4319; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4319)

Issued this 17th day of June 1944.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 44-8836; Filed, June 17, 1944;  
4:21 p. m.]

#### PART 1305—ADMINISTRATION

[Gen. RO 3,<sup>2</sup> Amdt. 8]

##### RATION BANKING: BANKS

A rationale accompanying this amendment, issued simultaneously herewith,

<sup>1</sup> 9 F.R. 6731.

<sup>2</sup> 8 F.R. 865, 2858, 4627, 9496, 12611, 9 F.R. 2212.

has been filed with the Division of the Federal Register.\*

Section 1305.413 of General Ration Order No. 3 is amended by inserting the following before the period at the end thereof: "or that the item, if received in exchange for tokens, was received from the person to whom the item was made payable".

This amendment shall become effective June 23, 1944.

(Pub. Laws 421, 507, and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; WPB Dir. 1, 7 F.R. 562)

Issued this 19th day of June 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-8865; Filed, June 19, 1944;  
11:56 a. m.]

#### PART 1340—FUEL

[RMFR 122,<sup>3</sup> Amdt. 24]

##### SOLID FUELS SOLD AND DELIVERED BY DEALERS

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

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

1. In § 1340.259 (a), the first sentence is amended to read as follows:

The Price Administrator or each Regional Administrator may adjust any maximum price set by this regulation or act upon any application for adjustment under this section in the following cases:

2. In § 1340.259 (a) (1), the last undesignated paragraph is deleted.

3. Section 1340.259 (a) (2) is added to read as follows:

(2) *Transportation increases.* In the case of any dealer or group of dealers when it appears that:

(i) The rates paid by them for the transportation of fuels from the supplier's facilities by common or contract carrier to their facilities have increased over the rates paid by them during December 1941. In such case, the dealer or dealers should submit the following information:

(a) The name and address of the supplier and his shipping point during December 1941 and at present;

(b) The name and address of the common or contract carrier transporting the coal during December 1941 and at present;

(c) The rates paid during December 1941 and now being paid. This information should be substantiated by copies of contracts or citations of the tariffs in which the rates appear. If the carriers' rates have been increased by order of OPA, the order number should be given; and

(d) A description of the coals being transported at the higher rates and the dealer's maximum prices for those coals.

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

<sup>3</sup> 9 F.R. 2128, 2477, 3966, 4438.

If the dealer has filed a schedule of maximum prices with his District Office on OPA Form 653-40, he shall name the District Office.

(i) The per ton cost of transporting fuels from the supplier's facilities by common or contract carrier has increased over the December 1941 per ton cost for reasons other than rate increases. In such a case, the dealer or dealers should submit the information required by subparagraph (2) (i) above, and:

(a) A per ton statement of the December 1941 and present cost of transportation; and,

(b) A statement of the cause of the increase with all available supporting documentary evidence.

An adjustment granted under this subparagraph may restore to the dealer or dealers their December 1941 margins over delivered cost. No adjustment will be granted to the extent that compensatory adjustment is available to the dealer or group of dealers under Revised Compensatory Adjustment Regulation No. 1.

This amendment shall become effective June 24, 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.

Issued this 19th day of June 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-8866; Filed, June 19, 1944;  
11:56 a. m.]

#### PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[RMFR 129]

##### CERTAIN CONVERTED PAPER PRODUCTS AND CERTAIN INDUSTRIAL PAPERS

Maximum Price Regulation No. 129 is redesignated as Revised Maximum Price Regulation No. 129, and is revised and amended to read as follows:

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

It is the general intent of this regulation to hold the prices to the levels which existed during the base periods as specified.

§ 1347.11 *Maximum prices for certain converted paper products and certain industrial papers.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders No. 9250 and 9328, Revised Maximum Price Regulation No. 129 (Certain Converted Paper Products and Certain Industrial Papers), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1347.11 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.



REVISED MAXIMUM PRICE REGULATION No. 129—  
CERTAIN CONVERTED PAPER PRODUCTS AND  
CERTAIN INDUSTRIAL PAPERS

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**SECTION 1. Prohibition against dealing in certain converted paper products and certain industrial papers at prices above the maximum prices.** On and after June 24, 1944, regardless of any contract, agreement, lease or other obligation:

(a) No person shall sell, deliver, or transfer products for which maximum prices are established under this regulation at prices higher than the appropriate maximum prices set forth in Appendices A and B of this Revised Maximum Price Regulation No. 129.

(b) No person shall buy or receive any of the products for which maximum prices are established under this regulation in the course of trade or business, at higher prices than the appropriate maximum prices set forth in Appendices A and B of this Revised Maximum Price Regulation No. 129.

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

**SEC. 2. 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 or letter.

**SEC. 3. Export sales; sales for export.** (a) As used in this section, the term:

(1) "Export sale" means any "export sale" as defined in section 11 of the Sec-

ond Revised Maximum Export Price Regulation.<sup>1</sup>

(2) "Sale for export" means any domestic sale prior to an "export sale", where the product is marked so as to indicate that it is to be exported and is intended for the export trade, or where the sale is made to a merchant or exporter who intends to export the product.

(3) "Normal port of export" means that port of exit in the continental United States from which a product manufactured by a particular mill would have customarily been shipped in export to a particular destination during the period July 1 to December 31, 1941, or a port to which a manufacturer customarily made deliveries for export during such period.

(4) "Emergency port" means the port of exit from which the product is actually shipped in export when the "normal port of export" is not available.

(b) The maximum price at which a person may make an export sale of the products covered by this Revised Maximum Price Regulation No. 129 shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation issued by the Office of Price Administration.

(c) The maximum price at which any person may make a sale for export of the products covered by this Revised Maximum Price Regulation No. 129 shall be not in excess of the sum of the following items:

(1) The manufacturer's maximum domestic price at the normal port of export of the mill at which the products were made; plus

(2) If and only if the products are to be exported from an emergency port, the amount of the extra freight involved in shipping to the emergency port, over and above the freight to the normal port.

**SEC. 4. Less than maximum prices.** Lower prices than those established by this Revised Maximum Price Regulation No. 129 may be charged, demanded, paid or offered.

**SEC. 5. Federal and State taxes.** Any tax upon, or incident to, the sale or delivery of the commodities covered by this regulation, 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 commodity and in preparing the records of such seller with respect thereto: If 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 separately state it, the seller may 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: *Provided, however,* That the tax on the 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 product covered by this Revised Maximum Price Regulation No. 129 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 as a tax for which a charge may be made in addition to the maximum price.

**SEC. 6. Evasion.** The price limitations established by this Revised Maximum Price Regulation No. 129 shall not directly or indirectly, be circumvented or evaded by modifying, discontinuing, or altering any customary trade practice of the seller, or by splitting orders, or by deteriorating the quality of any commodity, or by any other means. No seller shall impose any terms or conditions of sale, or alter any terms or conditions of sale imposed or agreed to by such seller during the base period or customarily imposed or agreed to by such seller, in such a way as to increase the maximum price established by this Revised Maximum Price Regulation No. 129 for any commodity.

Nothing herein shall be construed to prevent the seller from making changes in merchandising services to effect economies helpful to or made necessary by the war effort, such as elimination of or changes in the frequency of delivery or changes in the character of packaging and wrapping.

**SEC. 7. Enforcement.** Persons violating any provision of this Revised Maximum Price Regulation No. 129 are subject to the criminal penalties, civil enforcement action, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942.

**SEC. 8. Records and reports.** Every person making sales of the products for which maximum prices are established by this regulation shall:

(a) Keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942 remains in effect, accurate records of each sale, showing the date thereof, the name and address of the buyer, the price contracted for or received and the quantity of each type and grade of products for which maximum prices are established by this regulation, price lists and a record of the customary discounts, allowances and all other price differentials in effect during the year prior to the end of the applicable base period; and records showing the basis upon which he determined the maximum prices for the commodities subject to this regulation. He shall also preserve for so long as the Emergency Price Control Act of 1942 remains in effect all records kept in accordance with Maximum Price Regulation No. 129.

(b) Such persons shall submit such reports to the Office of Price Administration and shall keep such other records in addition to or in place of the records required in paragraph (a) of this section as the Office of Price Administration may from time to time require, subject to the approval of the Bureau of the Budget

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



pursuant to the Federal Reports Act of 1942.

Sec. 9. *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. 1<sup>2</sup> 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 if it finds:

(1) That such maximum price subjects him to substantial hardship, and that either

(2) Continuance 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.

Applications for adjustment under this paragraph are to be filed in accordance with the provisions of Revised Procedural Regulation No. 1.

Sec. 10. *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. A seller's license may be suspended for violations of the license or of one or more price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

Sec. 11. *Applicability of the General Maximum Price Regulation.*<sup>3</sup> The provisions of this Revised Maximum Price Regulation No. 129 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries of the commodities for which maximum prices are established by this Revised Maximum Price Regulation No. 129.

Sec. 12. *Definitions.* (a) When used in this Revised Maximum Price Regulation No. 129, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of the foregoing.

(2) "Manufacturer" includes any person who produces from any raw materials, partially or completely, the commodities covered by this Revised Maximum Price Regulation No. 129 and includes the agents and representatives of such person.

(3) "Retailer" includes all persons the major portion of whose sales in dollar value are resale items sold to an ultimate consumer other than an industrial or commercial user.

(4) "Sell" includes sell, supply, dispose, barter, exchange, lease and transfer, and contracts to do any of the foregoing. The terms "sale," "selling," "sold," "seller," "buy," "purchase," and "purchaser" shall be construed accordingly, except that nothing in this Revised Maximum Price Regulation No. 129 shall be construed to prohibit the making of a contract to sell a commodity included in this Revised Maximum Price Regulation No. 129 at a price not to exceed the maximum price at the time of delivery.

(5) "Commodity" includes commodities, articles, products and materials.

(6) "Most closely competitive seller" shall be a seller who (a) is selling the same or comparable commodity, and (b) is closely competitive in the sale of such commodities.

(7) "Records" include books of account, sales lists, sales slips, orders, vouchers, contracts, receipts, invoices, bills of lading and other documents.

(8) "Offering price" means the price quoted in the manufacturer's price list, or, if there is no such price list, the price regularly quoted by the manufacturer in any other manner. But "offering price" shall not be deemed to include a price intended to withhold a commodity from the market, or any price offered as a bargaining price by a manufacturer who usually sells at a price lower than his asking price.

(9) "Envelopes" include all types and varieties of envelopes, including those used for greeting cards, excluding specialty paper envelopes which are subject to Maximum Price Regulation No. 463, and excluding envelopes made exclusively for use as social stationery such as papeteries and weddings.

(10) "Paper cups and paper containers" includes all open-end, nested paper cups and round nested paper food containers with or without lids. Specifically excluded are liquid tight cylindrical containers which are subject to Maximum Price Regulation No. 359.

(11) "Sanitary closures and milk bottle caps" include all types of paper products used as caps or hoods for milk bottles.

(12) "Drinking straws" include drinking straws made from all types of paper or transparent material.

(13) "Gummed papers" include all types of paper and cloth materials gummed and sold in sheets or rolls except gummed Kraft sealing types as defined in Maximum Price Regulation No. 459.

(14) "Tags, pin tickets and marking machine tickets" include all types of shipping, merchandise, and system tags, pin tickets, and all types of retail and industrial marking machine tickets, excluding shade tickets.

(15) "Direct cost" means the sum of direct labor and direct material costs. Direct labor costs shall in no event be computed at wage rates higher than those permitted by law; and direct material costs shall in no event be computed at prices higher than the maximum prices established by the applicable maximum price regulations.

(16) "Comparable commodity" means a commodity which is made by the same seller, is recognized in the trade or industry as having the same general use and serviceability, and is most closely comparable by grade, cost and quantities of raw materials for a unit of the commodity, and is most nearly alike for the converting operations required. If more than one commodity can be regarded as comparable, the one whose current direct cost is closest to the current direct cost of the commodity being priced shall be regarded as the "comparable commodity." (Changes in the wording of printing copy need have no effect on the comparability of the commodity.)

(17) "Purchaser of the same class" refers to the practice adopted by the manufacturer in setting different prices for commodities for sales to different purchasers or kinds of purchasers (for example, manufacturer, wholesaler, jobber, retailer, government agency, public institution, individual consumer) or for purchasers located in different areas or for different quantities or grades or under different conditions of sale.

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

Sec. 13. *Geographical applicability.* The provisions of this Revised Maximum Price Regulation No. 129 shall be applicable to Washington, D. C. and the forty-eight States of the United States.

APPENDIX A—MANUFACTURERS' MAXIMUM PRICES FOR CONICAL MILK BOTTLES, ETC.

Products:	Applicable base period
1. Conical milk bottles.....	Oct. 1-15, 1941
2. Crepe paper items (excluding unprinted single weight folds, maximum prices for which are provided in Appendix B of this regulation, and excluding napkins, facial tissue and items subject to Maximum Price Regulation No. 266.).....	Oct. 1-15, 1941
3. Drinking straws.....	Oct. 1-15, 1941
4. Envelopes.....	Oct. 1-15, 1941
5. Glazed and fancy papers.....	Dec. 1-15, 1941
6. Gummed papers (excluding gummed kraft sealing tape as defined in Maximum Price Regulation No. 459.).....	Dec. 1-15, 1941
7. Paper cups and paper containers.....	Oct. 1-15, 1941
8. Sanitary closures and milk bottle caps.....	Oct. 1-15, 1941
9. Tags, pin tickets and marking machine tickets.....	Dec. 1-15, 1941
10. Certain sulphite and certain sulphate papers <sup>4</sup> .....	Oct. 1-15, 1941
11. Certain tissue papers <sup>4</sup> .....	Oct. 1-15, 1941
12. Rope and jute papers <sup>4</sup> .....	Oct. 1-15, 1941
13. Technical papers <sup>4</sup> .....	Oct. 1-15, 1941

<sup>4</sup> These papers include the following: Papers containing 50% or more bleached or unbleached sulphite fibre used for wrapping or protective purposes or converting (excluding box covers, box liners, lining papers, facing papers, drinking cup stock, glassine, grease-

<sup>2</sup> 7 F.R. 9861; 8 F.R. 3313, 3533, 6173.

<sup>3</sup> 8 F.R. 3098, 3849, 4347, 4486, 4724, 4978, 4843, 6047, 6962, 8511, 9025, 9991.



(a) In those cases in which a manufacturer dealt in the same commodity during the applicable base period, the maximum price shall be the highest price charged by the manufacturer during such period for the same commodity.

(b) For the purposes of this Appendix A, the "highest price charged" by the manufacturer during the applicable base period specified in this Appendix A shall be:

(1) The highest price which such manufacturer charged for a commodity sold by him during the applicable specified base period, or;

(2) If the manufacturer made no such sale during the applicable specified base period, such manufacturer's highest offering price for delivery during that period.

Every manufacturer shall be required to continue all his customary allowances, discounts, and other price differentials. The "highest price charged" shall be a price charged during the applicable specified base period to a purchaser of the same class. But if a manufacturer had an established practice during the applicable specified base period of making allowances, discounts or price differentials to different classes of purchasers, and if during the applicable specified base period he raised his general level of prices but made no sale to any purchaser of a particular class, he shall, for that particular class of purchasers, calculate the highest price charged by taking the highest price charged during the applicable specified base period to a purchaser of another class and then adjusting such price to reflect his established allowances, discounts and price differentials. No manufacturer shall require any purchaser, and no purchaser shall be permitted, to pay a larger proportion of transportation costs incurred in the delivery of any commodity, than the manufacturer required purchasers of the same class to pay during the applicable specified base period on sales of the same or comparable types of commodities.

(c) Where a manufacturer cannot establish a maximum price for any commodity under paragraph (a) of this Appendix A, his maximum price shall be computed according to the following method:<sup>2</sup>

(1) The manufacturer shall select a comparable commodity (see definition) for which a maximum price has been established under paragraph (a) above of this Appendix A; shall divide his maximum price for the comparable commodity by its current direct cost (see definition); and multiply the percentage so obtained by the current direct cost of the commodity being priced. All customary discounts, trade practices, and practices relating to the payment of transportation charges in effect with respect to the sale of the comparable commodity shall apply to such maximum price.

proof and waxing papers), and papers containing 50% or more bleached or unbleached sulphate fibre; any tissue papers or papers under 18 pounds basis weight (excluding cigarette, carbonizing, fruit wrapping, manifold and condenser tissues); any paper containing rope or jute fibres in any amount; technical papers including but not limited to grades generally classified as saturating, impregnating, insulating, shot-shell and photographic wrapper paper; and substitute wrapping or bag papers manufactured under the provisions of War Production Board Program Determination #562, paragraph 4. Excluded herefrom are those papers and products covered by Maximum Price Regulation Nos. 182, 268, 449, 450 and 451.

<sup>2</sup>This paragraph (c) shall not apply to those manufacturers who manufacture substitute wrapping and bag paper covered by this regulation under the provisions of War Production Board Program Determination #562, paragraph 4. Maximum prices for such manufacturers shall be established in accordance with paragraph (e) of Appendix A.

*Example:* A manufacturer has been making product "A" which has a maximum price of \$5.00 under paragraph (a) above, and has a current direct cost of \$4.00. The new product, to which "A" is comparable is "B" and has a current direct cost of \$3.80.

Dividing the maximum price of "A"—\$5.00 by its current direct cost \$4.00, gives a mark-up factor of 1¼. This is multiplied by the direct cost of "B"—\$3.80, establishing the maximum price for the new product of \$4.75.

He may not divide his maximum price for product "A" by his base period direct costs.

(2) Within ten days after determining a maximum price under this paragraph (c), the seller shall report to the Office of Price Administration, Washington, D. C., the following:

(i) A description of the comparable commodity.

(ii) A description of the commodity being priced.

(iii) The maximum price of the comparable commodity.

(iv) The current direct cost of the comparable commodity.

(v) The current direct cost of the commodity being priced.

(vi) The maximum price of the commodity priced under paragraph (c) (1) above.

The price so reported shall be subject to adjustment at any time by the Office of Price Administration.

(d) Prices heretofore established for commodities under §§ 1347.11 and 1347.11a of Maximum Price Regulation No. 129 are not affected by this Appendix A and shall continue to apply to such commodities.

(e) If a manufacturer is unable to determine a maximum price for any commodity under paragraphs (a) or (c) above, or if the commodity which he is proposing to price is a substitute wrapping or bag paper manufactured under the provisions of War Production Board Program Determination #562, paragraph 4, he shall file an application for a maximum price with the Office of Price Administration, Washington, D. C. The application shall set forth (1) a description of the commodity for which a maximum price is sought; (2) the reason why such commodity cannot be priced under paragraphs (a) or (c) above; (3) the maximum price proposed by the manufacturer, together with a detailed explanation of the method by which the manufacturer calculated such price; (4) the maximum price of his most closely competitive seller; and (5) the reasons why the manufacturer believes the proposed price to be in line with the level of maximum prices established by this regulation. The manufacturer shall also submit such additional pertinent information as this Office may require. Unless the Office of Price Administration or a duly authorized representative thereof shall, by letter mailed to the applicant within 21 days from the filing of such application approve, disapprove, adjust, amend, or extend the time within which to do any of the foregoing, such application shall be deemed to have been approved, subject to non-retroactive written disapproval or adjustment at any later time by the Office of Price Administration.

**APPENDIX B—MAXIMUM PRICES FOR UNPRINTED SINGLE WEIGHT CREPE PAPER IN FOLDS**

(a) *Manufacturers' maximum prices for unprinted, single weight crepe paper packaged in folds shall be as follows:*

Dimensions	Ratio	Form	Maximum manufacturer's delivered price per gross
10' x 20'	2¼ to 1	Packaged	\$7.92
10' x 20'	2¼ to 1	Bulk	5.50
10' x 20'	2¼ to 1	Packaged	6.84
10' x 20'	2 to 1	do	6.12
10' x 20'	1½ to 1	do	4.32
7½' x 20'	1½ to 1	do	3.84

(b) *Retailer's maximum price for unprinted single weight crepe paper packaged in folds shall be as follows:*

Dimensions	Ratio	Retailer's maximum price per fold
<i>Cents</i>		
10' x 20'	2¼ to 1	10
10' x 20'	2¼ to 1	10
10' x 20'	2 to 1	10
10' x 20'	1½ to 1	5
7½' x 20'	1½ to 1	5

(c) There shall be subtracted from and there may be added to, the maximum prices established in paragraph (a) above, the quantity and zone differentials actually employed by the manufacturer in sales or deliveries during the period from October 1, 1941 to October 15, 1941, inclusive, to a purchaser of the same class.

This regulation shall become effective June 24, 1944.

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

Issued this 19th day of June 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-8867; Filed, June 19, 1944; 11:59 a. m.]

**PART 1351—FOOD AND FOOD PRODUCTS**

[MPR 422, Amdt. 18]

**CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN GROUP 3 AND GROUP 4 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 422 is amended in the following respects:

1. In section 39 (a), list (2) in Table B-II is amended to read as follows:

TABLE B—MARK-UPS OVER "NET COST" ALLOWED TO GROUP 3 AND GROUP 4 RETAILERS FOR PERISHABLES COVERED BY THIS REGULATION BY COMMODITIES

II. Food commodities	Allowed dollars-and-cents mark-ups per "selling unit"		"Selling unit" in which ceiling price must be calculated
	Group 3—Retailer other than independent with annual volume under \$250,000	Group 4—Any retailer with annual volume of \$250,000 or more	
(2) Fresh fruits:	<i>Cents</i>	<i>Cents</i>	<i>Pound</i>
Apricots.....	4½	4½	1
Cherries, sweet....	9	9	1
Plums.....	4½	4½	1
Prunes, Italian....	3	3	1
Cocoanuts.....	1½	1½	1

2. In section 39 (b) (2) the following definitions are added in alphabetical order:

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

<sup>1</sup> 9 F.R. 5656.



"Apricots" means all varieties of fresh apricots. All apricots shall be considered a single item and priced as such. Excluded are dried apricots.

"Cherries, sweet" means all fresh cherries except "red sour cherries" and "ground cherries." Separate ceiling prices shall be figured for each variety. Varieties shall be Tartarian, Bing, Royal Ann, Lambert, and all other varieties.

"Plums" means all fresh plums, including damsons, green-gages, and fresh prunes. Excluded are fresh Italian prunes. Varieties include but are not limited to Santa Rosa, Tragedy, Duarte, President, Beauty, Kelsey, Wickson and Burbank. Each variety shall be considered a separate item and priced separately.

"Prunes, Italian" means all grades of fresh Italian prunes. All fresh Italian prunes shall be considered a single item and priced as such.

3. In section 39 (b) (3) the definition of "Lettuce" is amended to read as follows:

"Lettuce" means all head or leaf lettuce, including, but not limited to Iceberg, Big Boston and Romaine. Excluded are escarole, chicory, endive, and lettuce which has been transported from the growing area principally by air. Head lettuce and leaf lettuce shall be considered separate items and priced separately. California and similar quality Iceberg shall also be considered a separate item.

This amendment shall become effective June 22, 1944.

Issued this 19th day of June 1944.

CHESTER BOWLES,  
Administrator.

Approved as to action contained herein with respect to agricultural commodities: June 8, 1944.

ASHLEY SELLERS,  
Assistant War Food Administrator.

[F. R. Doc. 44-8868; Filed, June 19, 1944; 11:57 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 423, Amdt. 19]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN INDEPENDENT STORES DOING AN ANNUAL BUSINESS OF LESS THAN \$250,000 (GROUP 1 AND GROUP 2 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 423 is amended in the following respects:

1. In section 28 (a), list (2) in Table B-II is amended to read as follows:

TABLE B—MARK-UPS OVER "NET COST" ALLOWED TO GROUP 1 AND GROUP 2 RETAILERS FOR PERISHABLES COVERED BY THIS REGULATION BY COMMODITIES

II. Food commodities	Allowed dollars-and-cents mark-ups per "selling unit"		"Selling unit" in which ceiling price must be calculated
	Independent retailers with annual volumes		
	Group 1—under \$50,000	Group 2—\$50,000 but less than \$250,000	
(2) Fresh fruits <sup>a</sup>	Cents	Cents	Pound
Apricots.....	5	5	1
Cherries, sweet...	10	10	1
Plums.....	5	5	1
Prunes, Italian...	3½	3½	1
Coconuts.....	2	2	1

2. In section 28 (b) (2) the following definitions are added in alphabetical order:

"Apricots" means all varieties of fresh apricots. All apricots shall be considered a single item and priced as such. Excluded are dried apricots.

"Cherries, sweet" means all fresh cherries except "red sour cherries" and "ground cherries". Separate ceiling prices shall be figured for each variety. Varieties shall be Tartarian, Bing, Royal Ann, Lambert, and all other varieties.

"Plums" means all fresh plums, including damsons, green-gages, and fresh prunes. Excluded are fresh Italian prunes. Varieties include but are not limited to Santa Rosa, Tragedy, Duarte, President, Beauty, Kelsey, Wickson and Burbank. Each variety shall be considered a separate item and priced separately.

"Prunes, Italian" means all grades of fresh Italian prunes. All fresh Italian prunes shall be considered a single item and priced as such.

3. In section 28 (b) (3) the definition of "Lettuce" is amended to read as follows:

"Lettuce" means all head or leaf lettuce, including, but not limited to Iceberg, Big Boston and Romaine. Excluded are escarole, chicory, endive, and lettuce which has been transported from the growing area principally by air. Head lettuce and leaf lettuce shall be considered separate items and priced separately. California and similar quality Iceberg shall also be considered a separate item.

This amendment shall become effective June 22, 1944.

Issued this 19th day of June 1944.

CHESTER BOWLES,  
Administrator.

Approved as to action contained herein with respect to agricultural commodities: June 8, 1944.

ASHLEY SELLERS,  
Assistant War Food Administrator.

[F. R. Doc. 44-8869; Filed, June 19, 1944; 11:57 a. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[RPS 85, Amdt. 15]

NEW PASSENGER AUTOMOBILES

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

Revised Price Schedule 85 is amended in the following respects:

1. Section 1360.51 is amended as follows:

a. The reference to § 1360.52b in the narrative in paragraph (c) preceding subparagraph (1) is amended to read § 1360.52c.

b. Subparagraph (2) of paragraph (c) is amended to read as follows:

(2) The automobile has not received on and after October 31, 1942, all the maintenance operations set forth in Appendix B, but the time for the performance thereof has been extended, and the automobile shall have received on and after such date of extension all the maintenance operations set forth in Appendix B.

2. Section 1360.52 (d) is amended by changing the reference to § 1360.52b to read § 1360.52c.

3. The narrative of § 1360.52 (e) preceding subparagraph (1) is amended to read as follows:

(e) Except as limited by paragraph (f), an allowance (hereinafter called increment) equal to 1% of the list price of the automobile, or \$15, whichever is lower, for each calendar month or greater part thereof, within the period from February 1, 1942, up to and including, whichever is earlier, April 30, 1944, or the date of the delivery of the automobile to the purchaser, subject to the following conditions and qualifications:

4. Subparagraph (5) of § 1360.52 (e) is amended by changing the references to §§ 1360.52b and 1360.52c to read §§ 1360.52c and 1360.52d, respectively.

5. A new paragraph (f) is added to § 1360.52 to read as follows:

(f) Notwithstanding the provisions of paragraph (e), a person engaged generally in the selling of an automobile at retail shall not include any increment in his selling price of an automobile he purchased from the Procurement Division, United States Treasury. He may, however, include an amount not to exceed 27% of the list price of the automobile in Appendix A, if the automobile is in a condition similar to the condition of an automobile upon which the maintenance operations in Appendix B have been performed for the entire period from October 31, 1942 to the date of sale, and he executes and delivers to the pur-

\* 7 F.R. 1364, 1675, 2134, 2132, 6048, 6897, 7100, 7436, 7942, 8948, 9899; 8 F.R. 1450, 2040, 3215.

\* Copies may be obtained from the Office of Price Administration.  
19 F.R. 5671.



chaser and the Office of Price Administration the certification in paragraph (b) of § 1360.52c, and the invoice or bill of sale required by § 1360.52d. If the automobile is not in such condition, or no certification is furnished, then the seller may include an amount not to exceed 10% of the list price of the automobile in Appendix A if he executes and delivers to the purchaser the invoice or bill of sale required by § 1360.52d.

6. Sections 1360.52a, 1360.52b and 1360.52c are redesignated §§ 1360.52b, 1360.52c and 1360.52d, respectively, and a new § 1360.52a is added to read as follows:

§ 1360.52a *Maximum prices for new passenger automobiles owned by the United States when sold by the Procurement Division, United States Treasury.* The price of an automobile owned by the United States when sold by the Procurement Division, United States Treasury, shall not exceed the total of the charges permitted by paragraphs (a) to (c), inclusive, of § 1360.52 and 10% of the list price of the automobile in Appendix A.

7. Section 1360.52c is amended to read as follows:

§ 1360.52c *Form of certification.* The certifications required by §§ 1360.51 and 1360.52 shall be made on the forms described, or referred to, in the following paragraphs:

(a) *As to maintenance operations, required by §§ 1360.51 and 1360.52 (e).* The certification required by § 1360.51 and paragraph (e) of § 1360.52, when increment is included in the maximum price, shall be made either on the ration certificate used under Rationing Order 2B or by making a certification in the following form:

The undersigned hereby certifies with respect to ----- automobile bearing motor  
Make

No. ----- and/or serial No. -----

*As to maintenance operations:* That all the requirements of Revised Price Schedule 85—New Passenger Automobiles—issued by the Office of Price Administration, which condition the inclusion in the maximum price of 1% of the list price or \$15, whichever is lower, for each calendar month, or greater part thereof, within the period from February 1, 1942 up to and including, whichever is earlier, April 30, 1944, or the date of delivery of the automobile, have been satisfied.  
Date -----

-----  
Name

-----  
Address

(b) *As to reconditioning operations required by § 1360.52 (f).* The seller who under paragraph (f) of § 1360.52 includes an allowance in the maximum price that exceeds 10% of the list price in Appendix A shall make the certification required by that paragraph on the following form:

The undersigned hereby certifies with respect to ----- automobile bearing  
Make

Motor No. ----- and/or Serial No. -----

*As to condition of automobile purchased from Procurement Division, United States Treasury:* That he has purchased this automobile from the Procurement Division, United States Treasury, and that it is in the

condition required by § 1360.52 (f) of Revised Price Schedule 85 for the inclusion in the maximum price of an allowance not to exceed 27% of the list price in Appendix A of that schedule for the automobile.

Date -----

-----  
Name

-----  
Address

(c) *As to handling and delivery operations.* The seller shall furnish this certification by inserting the following paragraph in the form in paragraph (a) or (b) of this section depending on whether he certifies as to the maintenance operations or to the reconditioning required by § 1360.52 (f). The paragraph to be inserted is:

*As to delivery operations:* That all the applicable standard delivery operations set forth in Appendix C of Revised Price Schedule 85—New Passenger Automobiles—have been performed as therein required.

However, if the seller certifies as to maintenance operations on the ration certificate under Ration Order 2B, he may make the certification as to handling and delivery operations on that form. Moreover, if he includes the allowance for handling and delivery operations for an automobile purchased from the Procurement Division, United States Treasury, and is not required to execute the certification required by § 1360.52 (f), he may certify as to the handling and delivery operations on the ration certificate under Ration Order 2B or by completing a statement containing: (1) the certification set out above in this paragraph, (2) identification of the automobile (as in the form in paragraph (a)), (3) his name, (4) address, and (5) the date the statement is completed.

(d) The copy of the certification to be sent to the Office of Price Administration either under paragraph (a), (b), or (c) shall be sent to the Office of Price Administration Inventory Unit, New York, New York, within five days after delivery of the new passenger automobile.

This amendment shall become effective June 24, 1944.

Issued this 19th day of June 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-8372; Filed, June 19, 1944; 11:57 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C, Amdt. 131]

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. In § 1394.7706 (q) the text following the word "Provided," is amended to read as follows:

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

† 8 F.R. 15937.

That preferred mileage may not be allowed pursuant to this paragraph to any person while engaged in promotional, merchandising or sales activities or retail or wholesale delivery, or for landscaping, or to any person for the repair, maintenance, installation or construction of decorations or decorative equipment, or novelty, amusement or entertainment devices (other than non-portable motion picture equipment) or of portable household equipment or portable household furniture or of radio receiving sets except when used by or on behalf of government or a government agency for intercommunication or for monitoring broadcasts.

2. In § 1394.7851 (b) (1) (ii) that part of the first sentence which precedes the semicolon is amended to read as follows:

To move such a vehicle or boat in connection with a bona fide change of the regular place of residence of the person entitled to the use thereof except when such movement will originate and end at a point located in Canada, or when the change of residence will be from one place in Canada to another place in Canada;

3. Section 1394.8004 (e) (2) is amended by deleting the period at the end of the subparagraph, substituting a semicolon therefor and adding the following words: "or in the case of ration books and folders accompanying serially numbered coupons issued for use interchangeably among other motor vehicles or for use in motor vehicles which have not been assigned specific license numbers, the information shall be the name and address of the person to whom the ration was issued."

4. In § 1394.8153 (b) (2) the first expression "or knowingly made for use in" is deleted and the expression "or knowingly made for the propulsion of" is substituted therefor.

This amendment shall become effective June 23, 1944.

NOTE: The record and reporting 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, 78th Cong., as amended by Pub. Laws 89, 421, 507, 77th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, E.O. 9125, 7 F.R. 2719).

Issued this 19th day of June 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-8373; Filed, June 19, 1944; 11:56 a. m.]

PART 1396—FINE CHEMICALS, DRUGS AND COSMETICS

[MPR 393, Amdt. 5]

PACKAGED COSMETICS

A statement of the considerations involved in the issuance of this amend-

† 8 F.R. 6268, 12477, 12661; 9 F.R. 2440, 4225.



ment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 24 (c) (5) is added to read as follows:

(5) *Special discount pattern.* If prior to April 22, 1944 the packager generally marketed gift sets under a pattern of trade discounts different than the pattern of trade discounts used by him in marketing the packaged cosmetics of his manufacture contained in the gift set, he may, if he so elects, use the pattern of trade discounts under which he marketed gift sets in place of the trade discount pattern applicable to the packaged cosmetics in computing maximum prices under this paragraph (c).

If he so elects he shall attach to the report form specified in paragraph (g) a statement that he is using the trade discount pattern generally used by him in marketing gift sets prior to April 22, 1944, and submit evidence, such as copies of price lists, which will indicate that he generally marketed gift sets under such pattern of trade discounts.

This amendment shall become effective June 24, 1944.

NOTE: The reporting requirement of this amendment has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

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

Issued this 19th day of June 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-8870; Filed, June 19, 1944; 11:53 a. m.]

PART 1449—CHARCOAL  
[MPR 431, Amdt. 11]

CHARCOAL

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

Appendix A (a) (1) (ii) is amended to read as follows:

(ii) Produced in Michigan and Wisconsin:	
Lump charcoal in bulk.....	\$33.00
(ii) Produced in Michigan and Wisconsin—Continued.	
Lump charcoal in bags (bags extra and returnable).....	\$35.00
Briquets in bulk.....	35.00
Briquets in 100-lb. bags (bags included).....	41.00
Briquets in 50-lb bags (bags included).....	40.00
Briquets in 20 and 40-lb bags (bags included).....	40.00
Briquets in 10-lb bags (bags included).....	41.00
Granulated charcoal in bags (bags included).....	44.00
Charcoal screenings.....	23.35

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

18 F.R. 9628, 11444, 12444, 13059, 13745, 15527, 16035; 9 F.R. 213, 695, 3848, 5344.

This amendment shall become effective June 24, 1944.

Issued this 19th day of June 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-8871; Filed, June 19, 1944; 11:53 a. m.]

PART 1499—COMMODITIES AND SERVICES  
[Order 639 Under 3 (b), Amdt. 1]

GULF OIL CORP. AND GULF REFINING CO.

Amendment No. 1 to Order No. 639 under § 1499.39 (b) of the General Maximum Price Regulation.

Order No. 639 under § 1499.3 (b) of the General Maximum Price Regulation is amended in the following respects:

1. By adding the words "Gulf Refining Company" to the title of the order.
2. By changing the second paragraph of the order to read:

The Gulf Oil Corporation and the Gulf Refining Company of Pittsburgh, Pennsylvania, are hereby authorized to sell their Gulf Electric-Motor Oil and Gulf Penetrating Oil in 4-ounce bottles with spouts at prices not to exceed the following prices:

This amendment shall become effective as of April 10, 1944.

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

Issued this 19th day of June 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-8876; Filed, June 19, 1944; 11:54 a. m.]

PART 1499—COMMODITIES AND SERVICES  
[MPR 503, Amdt. 2]

WESTERN CONTRACT LOGGING SERVICES

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 3 is amended to read, in its entirety, as follows:

Sec. 3. *Maximum prices.* (a) The maximum prices on Western contract logging services shall be the difference between the ceiling price on the logs, bolts, pulpwood, or other primary forest products and the stumpage cost of those items, compared at the delivery points specified in the appropriate regulations and on the basis of the same scale. For example, if the ceiling price on a given type of log is \$20.00 per M delivered to towable waters and the stumpage cost on the same scale rule is \$4.50 per M, the ceiling on the complete contract logging service of delivering logs from stump to towable waters would be \$15.50 per M; if under the contract only a portion of a service is rendered, such as loading, transportation, etc., the price of that por-

tion shall not exceed the delivery point price minus stumpage (or, in this example \$15.50) less all other costs of producing the logs from stump to delivery point. Thus, when only a portion of a complete logging service is rendered, as in the case where only loading or transportation is performed, the cost of that portion plus stumpage cost plus all other costs of logs delivered to the specified delivery point must not exceed the ceilings established on the logs or other primary forest products produced.

(b) If more than one primary forest product is cut or where species or items of different value are cut, the total stumpage cost of each primary forest product, species, or species group, shall be determined in accordance with the usual bookkeeping practice of the buyer of the services. These amounts shall then be deducted from the total value at ceiling prices of each of those primary forest products or species. The remainders then constitute the ceiling price on the contract logging service for each item, species, or different primary forest product. On lump sum transactions, however, the total stumpage cost may be deducted from the total estimated value at ceiling prices of all the primary forest products to be cut, and that remainder will represent the maximum lump sum amount which can be paid for the contract logging of all those products.

(c) Where more than one portion of a tract or holding in not more than four counties and belonging to a single owner is being operated by contract loggers, the test of paragraph (a) will be met if the total of all the logging contracts plus the total cost of all stumpage being cut does not exceed the total value at the applicable ceilings of the products into which the stumpage is made.

(d) "Stumpage cost" means the actual cost or book value of the timber being cut. "Stumpage" means all timber (whether dead or green, standing or down) of all species, classes, and sizes, which has not been severed from the stump. In cases where only portions of larger tracts are being cut, the buyer of the service may allocate a value to the particular portion in accordance with his usual bookkeeping practice. The portions so allocated, however, must "average out" so that the value assigned the whole tract is not less than actual cost or book value.

(e) If there are no specific maximum prices on any of the products of the contract logging service, or if the contract logging service is to be performed in an area where dollars-and-cents maximum prices for the logs, bolts, pulpwood, or other primary forest products have not been established, the maximum price for any contract logging service shall be one of the following:

(1) The price paid for the same type of contract logging service by that buyer on the effective date of this regulation;

(2) Of, if the buyer was not purchasing the same type of contract logging service on the effective date of this regulation, but did purchase such service prior to that date, the price for such service



which was paid by the purchaser on the first date prior to January 11, 1944;

(3) Or, if the buyer of the contract service has not purchased the same type of contract logging service on or before January 11, 1944, the buyer may request the appropriate Regional Office of the Office of Price Administration to establish a contract logging service price for him. The Regional Office may establish the maximum price by letter or telegram.

(f) Any purchaser of contract logging service who desires to purchase such service at prices higher than the maximum prices established under (a) or (e) above, in order to stimulate production of necessary logs or primary forest products from hard logging chances, remote timber stands, sparse timber stands, or for any other reason that may be shown as necessary to maintain production of logs, may apply to the appropriate Regional Office of the Office of Price Administration for approval of a higher price on such individual contracts. The application must contain the following:

(1) The name and location of the buyer and seller of the contract service;

(2) The maximum price which would apply under either (a) or (e) above, whichever is applicable;

(3) The requested maximum price together with a description of the logging chance covered, particularly topography features and stand, quality and accessibility of timber.

(4) A statement by the buyer that the use of this price will not increase his average cost of production to the point that an increase of his end product price will be necessary.

(5) A statement that the buyer will not use this increased price to obtain a buying advantage over competing purchasers of contract logging services.

(6) An estimate of the average monthly production from the contract.

(7) An estimate of the total average monthly production from all sources including this contract.

The Regional Office will approve such applications by letter or telegram where the buyer has complied with all the foregoing requirements. If the statements of the buyer in 4 and 5 above are proved incorrect, the Office of Price Administration may upon giving 30 days notice withdraw the approval of increased prices, in which case the maximum price at the end of the 30-day period covering that contract shall be the price established by (a) or (e) above.

(g) The buyer of contract logging service must file the report required by section 6 (b) covering each contract for logging services as defined herein.

This amendment shall become effective June 24, 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 19th day of June 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-8874; Filed, June 19, 1944;  
11:57 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 143]

MILITARY SALVAGE AND MILITARY SCRAP DRY BATTERIES

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 section 6.49 is added to read as follows:

Sec. 6.49 *Military salvage and military scrap dry batteries*—(a) *Articles and persons to which this section applies.* This section applies to all sales and deliveries of dry batteries which have been manufactured and sold for the eventual use of the military forces but subsequently sold or offered for sale by any person other than an agency of the United States Government. It also applies to any person who buys such batteries in the course of trade or business. As used in this section the term "battery" includes a unit in an individual container whether it consists of one or more cells. It applies to batteries whether they are in the form in which they were originally manufactured or whether they have been subsequently reassembled in a different form. For the purposes of this section, batteries are divided into two types—military salvage batteries and military scrap batteries. Each type is defined in paragraph (g).

(b) The maximum price for the sale or delivery of a military salvage or scrap dry battery is the price fixed by the appropriate District Office of the Office of Price Administration. Each District Director of each District Office is hereby authorized to fix maximum prices under this section.

(c) The maximum prices for sales and deliveries of military salvage batteries will be fixed by each District Office at 80 percent of the prevailing maximum price for the most closely comparable new civilian battery for sales to purchasers of the same class. The maximum prices for sales of military scrap batteries will be fixed on the basis of the electrical capacity or the scrap value left in the battery, but in no case may the maximum price fixed exceed 50 percent of the prevailing maximum price of the most closely comparable civilian battery for sales to purchasers of the same class.

(d) *Contents of application for the establishment of maximum prices.* Applications for the establishment of maximum prices shall be filed with the District Office of the Office of Price Administration in the district having jurisdiction of the seller's place of business and shall contain the following information:

(1) Applicant's name, address and type of business (wholesale or retail).

(2) Name and address of source from which the military batteries being priced were obtained.

(3) Quantity and description of the battery for which maximum prices are to be established, including (i) use

(flashlight, radio "A", radio "B", etc.), (ii) voltages (1½ volt "A", 45 volt "B", etc.), (iii) size (over-all dimensions), (iv) Government Code or stock number.

(4) Manufacturer's stock number, brand name and description (as above), of the civilian battery most nearly comparable to the battery being priced.

(5) Prices determined from a manufacturer's published price list in effect during March 1942 for the civilian battery set forth in (4) above for sales to classes of purchasers to whom the applicant proposes to sell the military salvage or scrap batteries. Delivery charges may be included in these prices to the extent provided for by the manufacturer's price list. At the applicant's option, maximum retail prices may also be fixed, even if retail sales are not to be made by the applicant.

A wholesaler, selling to a retailer, must use the manufacturer's price to retailers; selling to a wholesaler, he must use the manufacturer's price to wholesalers. A retailer may not sell to a retailer at the retail price, but must use the manufacturer's price to retailers.

(6) Proposed maximum prices computed in the case of a military salvage battery at 80 percent of the maximum prices set forth in (5) above.

(7) Proposed maximum prices in the case of a military scrap battery not to exceed 50 percent of the maximum prices set forth in (5) above, computed either on the basis of:

(i) The usable value of the scrap battery for any electrical purpose, or

(ii) The value that can be realized from the materials in the battery when broken into component parts.

(8) A statement that batteries to be sold as military salvage batteries meet the specifications for such batteries as set forth in paragraph (g).

(e) *Methods for the determination of maximum prices.* The prices applied for shall be the seller's maximum prices, effective ten days after he mails his application unless the Office of Price Administration specifically disapproves them within that time. These prices are subject to adjustment (not to apply retroactively) by the Office of Price Administration at any time after the ten-day period.

A retailer of military salvage or military scrap batteries for which maximum retail prices have been determined under this section in connection with the application of a previous seller, and who is selling the batteries in the same form in which he received them, is not required to file the application required in paragraph (d) if his supplier furnishes him with an invoice containing the following statement:

The batteries covered by this invoice were adapted for civilian use from military salvage (or scrap) stock and the maximum retail prices shown on this invoice were authorized under Amendment No. 143 to Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation upon application to the Office of Price Administration District Office located in \_\_\_\_\_ (city and state)

mailed \_\_\_\_\_ (date)

Signed \_\_\_\_\_

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



The purchaser is required to retain such invoice furnished by his supplier and to make it available for inspection by the Office of Price Administration at any time. The retailer's maximum price is the maximum retail price shown on the supplier's invoice.

(f) *Labelling or posting.* No person may sell or offer to sell at retail a military salvage or military scrap battery unless either

(1) The battery is labelled as follows: "Military salvage (or scrap) battery. OPA retail ceiling price \$-----", or

(2) A poster, placed in a conspicuous place at the point of sale on the seller's premises, sets forth in easily readable lettering the maximum prices for military salvage and military scrap batteries, as well as the fact that such batteries are from military salvage or military scrap stocks.

(g) *Specifications for military salvage batteries—(1) Military salvage batteries.* For the purpose of this section a military salvage battery is any dry battery originally manufactured and sold for eventual use by the military forces, but subsequently sold or offered for sale by any person other than an agency of the United States Government for general civilian use either in its original factory-assembled state or as a made-up reassembled battery, which meets the following specifications:

(i) Single No. 6 dry cells and flashlight unit cells are enclosed in close-fitting jackets.

(ii) The voltage is at least equal to the minimum voltage specified below for that type of battery, tested on a properly calibrated Ohm-volt meter as follows:

Type of battery	Ohms per volt	Volts per cell, or per groups of cells in parallel
Radio "B" and "C" batteries	1,000	1.47
Radio "A" flashlight and other "A" batteries of "C" size cells or smaller	100	1.47
Radio "A" flashlight, No. 6, and other batteries of "D" size cells or larger	100	1.50

(iii) Individual cells and batteries are free from (a) loose terminals; (b) corrosion; (c) loose or cracked seals; (d) leaking or distorted zinc containers.

(2) A military scrap battery is one which does not meet the specifications of a military salvage battery.

(h) *Evasion.* You may not evade any provision of this section by any scheme or device or by any practice which has the effect of getting a higher-than-ceiling price. Specifically, you may not charge for any service such as the installation of batteries, for which you did not make a charge in March 1942, nor may you require the purchaser to agree to purchase any other service or commodity.

This amendment shall become effective on the 24th day of June 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.

Issued this 19th day of June 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-8875; Filed, June 19, 1944; 11:55 a. m.]

TITLE 43—GENERAL LANDS:  
INTERIOR

Chapter I—General Land Office

[Public Land Order 235]

WYOMING

WITHDRAWAL OF PUBLIC LANDS FOR AIR  
NAVIGATION SITE

By virtue of the authority contained in section 4 of the act of May 24, 1928, 45 Stat. 729 (U.S.C., title 49, sec. 214), and pursuant to Executive Order No. 9337 of April 24, 1943: *It is ordered*, As follows:

Subject to valid existing rights, the following-described public lands in Wyoming are hereby withdrawn from all forms of appropriation under the public-land laws and reserved for the use of the Civil Aeronautics Administration, Department of Commerce, in the maintenance of air-navigation facilities, the reservation to be known as Air-Navigation Site Withdrawal No. 215.

SIXTH PRINCIPAL MERIDIAN

T. 18 N., R. 106 W.

Sec. 8, SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ .

T. 15 N., R. 117 W.

Sec. 24, NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ .

The areas described aggregate 20 acres.

This order shall take precedence over, but shall not modify, the withdrawal of public oil-shale deposits and lands containing such deposits made by Executive Order No. 5327 of April 15, 1930, as modified by Executive Orders No. 6016 of February 6, 1933, and No. 7038 of May 13, 1935, and the withdrawal of Wyoming Grazing District No. 4 made by the order of the Acting Secretary of the Interior of October 31, 1936, so far as they affect the above-described lands.

ABE FORTAS,

Acting Secretary of the Interior.

JUNE 9, 1944.

[F. R. Doc. 44-8812; Filed, June 17, 1944; 10:35 a. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard: Inspection and Navigation

Subchapter P—General Provisions

PART 180—ENFORCEMENT

REPORTS OF VIOLATIONS

Section 180.1 of Title 46 CFR, Chapter I, Subchapter P, Part 180, is hereby amended to read as follows:

§ 180.1 *Reports of violations.* Reports of violations of navigation laws and regulations administered and enforced by the Coast Guard shall be submitted to the District Coast Guard Officer having jurisdiction over the area in which the violations occurred. The person

charged with a violation shall be notified of the receipt of the report of violation and of his opportunity to make a statement to the appropriate officer denying the existence of a violation or applying for administrative relief by way of remission or mitigation. If a person fails to file a timely statement, he shall be assessed the full amount of the statutory penalties involved. Any mitigation of the statutory penalties shall be conditional upon payment of the penalties as mitigated within the period specified in the letter advising of the mitigation. Where any amount due has not been paid within the prescribed period, the case will be referred to an appropriate United States Attorney for court action. (R.S. 161, sec. 5, 40 Stat. 602 as amended; 5 U.S.C. 22, 46 U.S.C. 288; E.O. 9083, 7 F.R. 1609)

Dated: June 15, 1944.

R. R. WAESCHE,  
Vice Admiral, U. S. Coast Guard,  
Commandant.

[F. R. Doc. 44-8844; Filed, June 19, 1944; 9:57 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications  
Commission

PART 8—RULES GOVERNING SHIP SERVICE  
REPORTS

The Commission on June 13, 1944, effective immediately, deleted § 8.167 and related footnotes, which read as follows:

§ 8.167 *Reports.* Adequate records shall be maintained according to the prescribed forms covering operation of the auto-alarm. These forms shall be mailed to the Commission at Washington, D. C., as soon as possible after the first day of each month, covering the month preceding.

FOCC Form 819, available upon request, should be used for this purpose.

These reports are for the information of the Commission and the specific contents thereof will not be disclosed.

(Sec. 4 (i), 48 Stat. 1068; 47 U.S.C. 154 (i))

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 44-8858; Filed, June 19, 1944; 11:40 a. m.]

TITLE 49—TRANSPORTATION AND  
RAILROADS

Chapter I—Interstate Commerce  
Commission

PART 181—COMMON AND CONTRACT  
CARRIERS OF PASSENGERS

INVENTORIES OF MATERIAL AND SUPPLIES,  
WAIVER OF REQUIREMENTS

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 14th day of June, A. D. 1944.



The matter of waiving the provisions of Note B to account 1180—Material and Supplies, in the Uniform System of Accounts for Class I Common and Contract Motor Carriers of Passengers, Issue of 1937 (49 CFR Part 181), relating to the taking of inventories of material and supplies during each calendar year, being under consideration.

And it appearing, That due to an acute shortage of experienced personnel necessary for the taking of inventories of materials and supplies, requests have been received to omit such inventories for the year 1944;

*It is ordered,* That the requirements of Note B to account 1180—Material and Supplies, relating to inventory of materials and supplies be, and they are hereby waived for the year 1944.

By the Commission, Division 1.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 44-8829; Filed, June 17, 1944;  
11:42 a. m.]

#### PART 182—COMMON AND CONTRACT CARRIERS OF PROPERTY

##### INVENTORIES OF MATERIAL AND SUPPLIES; WAIVER OF REQUIREMENTS

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 14th day of June, A. D. 1944.

The matter of waiving the provisions of Note B to account 1180—Material and Supplies, in the Uniform System of Accounts for Class I Common and Contract Motor Carriers of Property, Issue of 1937, (49 CFR Part 182), relating to the taking of inventories of material and supplies during each calendar year, being under consideration.

And it appearing, that due to an acute shortage of experienced personnel necessary for the taking of inventories of materials and supplies, requests have been received to omit such inventories for the year 1944:

*It is ordered,* That the requirements of Note B to account 1180—Material and Supplies, relating to inventory of materials and supplies be, and they are hereby waived for the year 1944.

By the Commission, Division 1.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 44-8830; Filed, June 17, 1944;  
11:42 a. m.]

### Notices

#### DEPARTMENT OF THE INTERIOR.

##### Coal Mines Administration.

[Order CMA-38]

##### YOUNGSTOWN MINES CORP., ET AL.

#### ORDER TERMINATING GOVERNMENT POSSESSION

On December 17, 1943, a wage agreement was entered into by the United Mine Workers of America and the representatives of the bituminous coal op-

erators who produce the great preponderance of the nation's tonnage. This agreement has been approved by the National War Labor Board and the Director of Economic Stabilization.

I have been advised that the operators listed in Appendix A, attached hereto, have executed or are about to execute contracts and will put them into effect immediately upon termination of Government possession of their mining properties. On the basis of such advice and the available information and evidence, and after consideration of all of the circumstances, I find that Government possession of the mines of such operators is no longer required, and in accordance with the provisions of Executive Order No. 9393 (8 F.R. 14877) and the War Labor Disputes Act (Pub. 89, 78th Cong. 1st Sess.) should be terminated.

Accordingly, I order and direct that the possession by the Government of the mines of the mining companies listed in Appendix A, 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.

In accordance with section 40 of the regulations for the operation of coal mines under Government control, as amended (8 F.R. 6655, 10712, 11344, 17339), the appointments of the operating managers for the United States for all of the aforesaid mines with respect to which the mining companies have on file with the Administrator effective instruments of agreement and certification as provided for in section 25 of the regulations, as amended (8 F.R. 6655, 10712, 11344, 17339), are automatically terminated.

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.

Dated: June 16, 1944.

[SEAL] HAROLD L. ICKES,  
Secretary of the Interior.

#### APPENDIX A

##### Name of Mining Company and Address

The Youngstown Mines Corporation, Stam-  
baugh Bldg., Youngstown, Ohio.  
Beech Creek Coal Co., Beech Creek, Ky.  
Bevier Lamb Mining Co., Greenville, Ky.  
Black Diamond Coal Mining Co., Drakes-  
boro, Ky.  
Crescent Coal Co., Box 471, Central City,  
Ky.  
Kirk Coal Mining Co., Beech Creek, Ky.  
Louisville Gas & Electric Co., 311 W. Chest-  
nut St., Louisville, Ky.

Luzerne Graham Mining Corp., Inc., Green-  
ville, Ky.

Pacific Coal Co., Inc., R. F. D. #1, Central  
City, Ky.

Shearn Coal Co., 942 Cotton Belt Bldg.,  
St. Louis, Mo.

W. A. Wickliffe Coal Co., Greenville, Ky.

[F. R. Doc. 44-8831; Filed, June 17, 1944;  
11:45 a. m.]

#### DEPARTMENT OF LABOR.

##### Wage and Hour Division.

##### LEARNER EMPLOYMENT CERTIFICATES

##### ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079), and Administrative Order June 7, 1943 (8 F.R. 7890).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).  
Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3748), and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).  
Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2443), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions therein contained and to the provisions of the applicable determination and order or regulations cited above. The applicable determination and order or regulations, and the effective and expiration dates of the certificates issued to each employer is listed below. The certificates may be cancelled



in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates, may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EFFECTIVE DATES

SINGLE PANTS, SHIRTS, AND ALLIED GARMENTS, WOMEN'S APPAREL, SPORTSWEAR, RAINWEAR, ROBES AND LEATHER AND SHEET-LINED GARMENTS DIVISIONS OF THE APPAREL INDUSTRY

Aponaug Chenille Company, Plant #4, Kosciusko, Mississippi; housecoats, bedspreads, mats, robes, work dresses and uniforms; 70 learners (E); effective June 15, 1944, expiring December 14, 1944.

Co-Ed Frocks, Inc., Shelbyville, Illinois; ladies' cotton and outer washable clothing; 10 learners (T); effective June 14, 1944, expiring June 13, 1945.

J. B. C. Company, 819 Daisy Street, Clearfield, Pennsylvania; men's trousers; 10 learners (T); effective June 17, 1944, expiring June 16, 1945.

S. Liebovitz & Sons, Factory #1, Sixth and Colliery Avenues, Tower City, Pennsylvania; men's and boys' sport shirts and jackets; 4 learners (T); effective June 17, 1944, expiring June 16, 1945.

S. Liebovitz & Sons, Inc., Wisconsin Street, Tower City, Pennsylvania; men's sport shirts and pajamas; 10 learners (T); effective June 17, 1944, expiring June 16, 1945.

E. S. Lurie Manufacturing Company, Springfield, Missouri; men's trousers; 10 learners (T); effective June 17, 1944, expiring June 16, 1945.

M. and R. Garment Company, New Freedom, Pennsylvania; children's dresses; 5 learners (T); effective June 17, 1944, expiring June 16, 1945.

Irving Reznick & Company, Church & Maple Streets, Salem, Illinois; cotton dresses and uniforms; 10 learners (T); effective June 17, 1944, expiring June 16, 1945.

Simplicity Frocks, Inc., Kincaid, Illinois; women's and misses' dresses; 50 learners (E); effective June 14, 1944, expiring December 13, 1944.

Woolrich Woolen Mills, Woolrich, Pennsylvania; work coats, shirts, pants; 10 learners (T); effective June 15, 1944, expiring June 14, 1945.

#### GLOVE INDUSTRY

Newton Glove Manufacturing Company, Ashe Avenue, Newton, North Carolina; work gloves; 10 percent (AT); effective June 15, 1944, expiring December 14, 1944.

#### HOSIERY INDUSTRY

Baker-Mebane Hosiery Mills, Inc., Highway 103, Mebane, North Carolina; seamless hosiery; 10 percent (AT); effective June 15, 1944, expiring December 14, 1944.

Shannon Hosiery Mills, Inc., 1333 Talbot Avenue, Columbus, Georgia; full-fashioned hosiery; 10 percent (AT); effective June 16, 1944, expiring December 15, 1944.

Van Raalte Company, Inc., Athens, Tennessee; full-fashioned hosiery; 10 percent (AT); effective June 17, 1944, expiring December 16, 1944.

Vermont Hosiery & Machinery Company, No. Main Street, Northfield, Vermont; seamless hosiery; 5 learners (T); effective June 17, 1944, expiring June 16, 1945.

Signed at New York, N. Y., this 17th day of June 1944.

MERLE D. VINCENT,  
Authorized Representative  
of the Administrator.

[F. R. Doc. 44-8853; Filed, June 19, 1944; 11:18 a. m.]

#### LEARNER EMPLOYMENT CERTIFICATES

##### ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the act are issued under section 14 thereof and § 522.5 (b) of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective as of the date specified in each listed item below.

The employment of learners under these certificates is limited to the terms and conditions as designated opposite the employer's name. These certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided for in the regulations and as indicated on the certificate. Any person aggrieved by the issuance of the certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATION, EXPIRATION DATE

Blount-Parker Corp., Lacona, New York; bathinettes; 3 learners (T); sewing machine operator for a learning period of 240 hours at 35 cents per hour; effective June 23, 1944, expiring December 23, 1944.

Caguas Diamond Works of Caguas, Puerto Rico, to employ ten learners in the Diamond Cutting Industry distributed among the following operations: Scouring and setting; (a) Scouring at 15 cents an hour for the first 520 hours; 25 cents an hour for the second 520 hours; and 30 cents an hour for every hour thereafter. (b) Setting at 15 cents an hour for the first 520 hours; 25 cents an hour for the second 520 hours; and 30 cents an hour for every hour thereafter. For all hours over forty worked in any one workweek, one and one-half times the applicable piece rate of the rate established herein, whichever is the higher, shall be paid. This Special Certificate shall become effective on January 21, 1944 and shall remain in effect for a period not exceeding six months thereafter.

Caribe Diamond Company of Santurce, Puerto Rico, to employ four learners in the Diamond Cutting Industry in the operation known as scouring. (a) Scouring at 15 cents an hour for the first 520 hours; 25 cents an hour for the second 520 hours; and 30 cents an hour for every hour thereafter. For all hours over forty worked in any one workweek, one and one-half times the applicable piece rate or the rate established herein, whichever is the higher shall be paid. This Special Certificate shall become effective on January 21, 1944 and shall remain in effect for a period not exceeding six months thereafter.

Haffeligh and Company, Buchanan, Virginia; bone buttons and rings; 8 learners (T); button making for a learning period of 320 hours at 30 cents per hour for the first 160 hours and 35 cents per hour for the last 160 hours; effective June 14, 1944, expiring December 14, 1944.

Supreme Instruments Corporation, Howard Street, Greenwood, Mississippi; manufacturing and assembling radio testing equipment; 10 percent (T); wiring and assembling for a learning period of 160 hours at 35 cents per hour; effective June 29, 1944, expiring December 29, 1944.

Signed at New York, New York, this 17th day of June, 1944.

MERLE D. VINCENT,  
Authorized Representative  
of the Administrator.

[F. R. Doc. 44-8852; Filed, June 19, 1944; 11:18 a. m.]

#### FEDERAL COMMUNICATIONS COMMISSION.

[File Nos. B4-TC-363, B3-AL-403]

SIDLES CO., ET AL.

NOTICE OF HEARING

In re application of The Sidles Company (Transferor), The Sidles Company, Star Printing Co., State Journal Printing Co. & Columbia Broadcasting System, Inc. (Transferees.) Docket No. 6622; Date filed February 19, 1944, File No. B4-TC-363; for voluntary relinquishment of control of corporation (KFAB); Class of service, Broadcast; Class of station, Broadcast; Location, Lincoln, Nebraska; Operating assignment specified: Frequency, 780 kc, power, 10 kw, hours of operation, simultaneous D and share night with WBBM. SSA-Synchronize with WBBM SS to midnight.

In re application of Columbia Broadcasting System, Inc. (Assignor), KFAB Broadcasting Company, (Assignee), Docket No. 6623; Date filed February 19, 1944, File No. B3-AL-403; for voluntary assignment of license (WBT), Class of service, Broadcast; Class of station, Broadcast; Location, Charlotte, North Carolina; Operating assignment specified: Frequency, 1110 kc, power, 50 kw, hours of operation: Unlimited.

You are hereby notified that the Commission has examined the applications in the above-entitled cases and has designated the matters for hearing for the following reasons:

1. To obtain full information with respect to all contracts, arrangements and understandings, express or implied, relating to the proposed change in control of KFAB Broadcasting Company.

2. To obtain full information with respect to all contracts, arrangements and understandings, express or implied, relating to operation of Station KFAB as proposed in the application for consent to change in control of the licensee.

3. To obtain full information with respect to all contracts, arrangements and understandings, express or implied, relating to the proposed assignment of the license of Station WBT from Columbia Broadcasting System, Inc. to KFAB Broadcasting Company.

4. To obtain full information with respect to all contracts, arrangements and understandings, express or implied, relating to operation of Station WBT as proposed in the application for consent to the assignment of license.



5. To determine the character and extent of existing broadcast facilities in Charlotte, North Carolina, and whether the licensing and operation of Station WBT as contemplated in the applications for consent to assignment of license and transfer of control (B3-AL-403 and B4-TC-363, respectively) would be consistent with the provisions of Commission regulations, particularly Section 3.106.

6. To determine whether the acquisition by Columbia Broadcasting System, Inc. of stock interest in KFAB Broadcasting Company, in the light of the existing and proposed network affiliation agreements between Columbia Broadcasting System, Inc. and KFAB Broadcasting Company, would constitute an extension of control of standard broadcast stations by a network.

7. To determine whether, in view of the matters submitted under the foregoing issues, the grant of the application for consent to assignment of the license of Station WBT (B3-AL-403) and the grant of the application for consent to transfer of control of KFAB Broadcasting Company (B4-TC-363), or the grant of either, would be in the public interest.

The applications involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicants on the basis of a record duly and properly made by means of a formal hearing.

The applicants are hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicants who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicants' addresses are as follows: KFAB Broadcasting Company, Radio Station KFAB, Lincoln Hotel, 9th & P Streets, Lincoln 8, Nebraska; Columbia Broadcasting System, Inc., Radio Station WBT, 485 Madison Avenue, New York 22, New York; The Sidles Company, 19th & Howard Streets, Omaha, Nebraska; State Journal Printing Company, 900 P Street, Lincoln, Nebraska; Star Printing Company, 301 S. 12th Street, Lincoln, Nebraska.

Dated at Washington, D. C., June 13, 1944.

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 44-8855; Filed, June 19, 1944;  
11:40 a. m.]

#### FEDERAL POWER COMMISSION.

LA JUNTA FEDERAL DE MEJORAS MATERIALES  
AND CENTRAL POWER AND LIGHT CO.

[Docket No. IT-5813]

NOTICE OF APPLICATION TO TRANSMIT ELECTRIC  
ENERGY TO MEXICO

JUNE 16, 1944.

Notice is hereby given that La Junta Federal de Mejoras Materiales of Nuevo Laredo, Tamaulipas, Mexico, and Central

Power and Light Company of Corpus Christi, Texas, filed an application pursuant to the provisions of section 202 (e) of the Federal Power Act (16 U.S.C. 791-825r) for authority to transmit electric energy across the international boundary line between the United States and Mexico from facilities extending along Salinas Street, Laredo, Texas, and across the Rio Grande to Nuevo Laredo, Mexico.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 8th day of July, 1944, file with the Federal Power Commission, Washington, D. C., a petition or protest in accordance with the Commission's rules of practice and regulations under the Federal Power Act.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 44-8813; Filed, June 17, 1944;  
10:35 a. m.]

[Docket Nos. G-236 and G-536]

WISCONSIN SOUTHERN GAS COMPANY

ORDER POSTPONING ORAL ARGUMENT

JUNE 16, 1944.

It appearing to the Commission that: Good cause exists for postponement of the oral argument in the above-docketed matters heretofore set by order of May 23, 1944, for July 7, 1944, at 10 a. m. (e. w. t.) in the Hearing Room of the Commission, 1800 Pennsylvania Avenue, N. W., Washington, D. C.

The Commission orders that: The oral argument heretofore set for July 7, 1944, in Docket Nos. G-236 and G-536 be and the same is hereby postponed to July 12, 1944, at the same hour and place as heretofore ordered in the above-docketed matters.

By the Commission.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 44-8856; Filed, June 19, 1944;  
11:44 a. m.]

[Docket Nos. G-542 and G-554]

EL PASO NATURAL GAS COMPANY

ORDER CONSOLIDATING PROCEEDINGS AND  
FIXING DATE OF HEARING

JUNE 17, 1944.

It appearing to the Commission that: (a) On April 11, 1944, applicant filed an application in Docket No. G-542 for a certificate of public convenience and necessity to authorize the construction and operation of certain facilities;

(b) By its order dated May 30, 1944, in Docket No. G-542 the Commission postponed the hearing heretofore ordered to commence on June 13, 1944, to June 22, 1944, at 10 a. m. (e. w. t.) in Courtroom No. 417, U. S. Courthouse Building, Fort Worth, Texas;

(c) On June 13, 1944, applicant filed an application in Docket No. G-554 under section 7 of the Natural Gas Act, as amended, for authority to construct and operate the following described facilities:

A service tap on its existing 12¾-inch O. D. gas pipeline serving El Paso Electric Company's Rio Grande Power Plant

at a point in El Paso County, Texas, approximately 2.23 miles west of the city of El Paso, Texas, together with a regulator, meter, pipe, valves, and necessary appurtenances for the purpose of delivering natural gas to the refinery of McNutt Oil and Refining Company in Dona Ana County, New Mexico, through 700 feet of 2¾-inch gas pipeline, to be installed by the refining company between applicant's pipeline and the refinery.

The Commission finds that:

The applicant requests and good cause exists for consolidating the above matters for the purpose of hearing thereof.

The Commission orders that:

(A) The above-docketed proceedings be and they are hereby consolidated for the purpose of hearing;

(B) A public hearing be held commencing on June 22, 1944, at 10 a. m. (e. w. t.) in Courtroom No. 417, U. S. Courthouse Building, Fort Worth, Texas;

(C) Interested State commissions may participate in the hearing as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 44-8857; Filed, June 19, 1944,  
11:44 a. m.]

#### OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Dissolution Order 9]

AKAWO AND COMPANY, INC.

Whereas, by Vesting Order No. 113, dated August 25, 1942 (7 F.R. 7059, September 5, 1942), the Alien Property Custodian vested all the issued and outstanding shares of the capital stock of Akawo and Company, Inc., a New York corporation; and

Whereas, Akawo and Company, Inc. has been substantially liquidated under the supervision of the Alien Property Custodian;

Now, under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the books and records of Akawo and Company, Inc. indicate that the corporation is indebted to Wing Dah Trading Co. of Shanghai, China, in the sum of \$690.23; and

2. Finding that the said claim is the only known claim against Akawo and Company, Inc.; and

3. Finding that the Alien Property Custodian has incurred direct expenses (exclusive of general administrative expenses of the Office of Alien Property Custodian) in connection with services rendered to said Akawo and Company, Inc.; and

4. Determining that it is in the national interest of the United States to dissolve the said corporation and to distribute its assets;

It is ordered, That the officers and directors of Akawo and Company, Inc., to-wit: D. W. Pratt, President and Director, L. V. McLean, Secretary and Director, and S. B. Reid, Treasurer and Director, shall cause the dissolution of Akawo and



Company, Inc., in accordance with the statutes of the State of New York in such cases made and provided; and, *It is further ordered*, That the said officers and directors above-named wind up the affairs of said corporation and distribute the assets thereof coming into their possession as follows:

(1) They shall first pay the current expenses and necessary charges of winding up the affairs of said corporation and the dissolution thereof;

(2) They shall then pay all known taxes and fees of the United States and of the State of New York owed by or accruing against the said corporation; and

(3) They shall then pay to the undersigned the sum found to be due as reimbursement for the value of services rendered said corporation by the Alien Property Custodian as above set forth; and

(4) They shall then pay the sum of \$690.23 owing by the corporation to Wing Dah Trading Co. of Shanghai, China, into an account in any bank whose deposits are insured by the Federal Deposit Insurance Corporation, the said account to be entitled "Wing Dah Trading Co. Account No. 1, subject to the authorization of the Alien Property Custodian." The said account shall be made expressly subject to the following conditions and a certified copy of this order shall be furnished to the bank at the time said account is opened:

(a) Withdrawals shall be made from the account only

(i) On the signature of the authorized representative of the Wing Dah Trading Co. in conformity with an applicable authorization of the Alien Property Custodian, his delegate or supervisor,

(ii) On the signature of the Alien Property Custodian, his delegate or supervisor, or

(iii) In any other manner which may be directed by the Alien Property Custodian or authorized by the Alien Property Custodian, his delegate or supervisor.

(b) Statement shall be rendered in accordance with the usual practice of the bank to Wing Dah Trading Co., care of Alien Property Custodian, 120 Broadway, New York, New York, or as may otherwise be directed by the Alien Property Custodian, his delegate or supervisor.

(c) The bank is hereby authorized to pay its customary and usual service charges including charges in payment or reimbursement for interest due; cable, telegraph, or telephone charges; postage costs; custody fees; small adjustment charges to correct bookkeeping errors; and, but not by way of limitation, minimum balance charges, account carrying charges, notary and protest fees, and charges for reference books, photostats, credit reports, transcripts or statements, registered mail insurance, stationery and supplies, checkbooks, and other similar items.

The payment of the said sum as herein directed into such an account shall to the extent thereof be a full acquittance and discharge for all purposes of the obligation of Akawo and Company, Inc.

(5) They shall then distribute and pay over to the undersigned as the holder of all the outstanding and issued stock of the corporation all other funds and property remaining in their hands after the payments as aforesaid;

*It is further ordered*, That nothing herein set forth shall be construed as prejudicing the rights, under the laws of the State of New York, of any person who may claim against said corporation; *Provided, however*, That nothing herein contained shall be construed as creating

additional rights in such persons; and such persons or any of them may file claims with the undersigned against any funds or property received by the undersigned as above set forth: *Provided, however*, That any such claim shall be filed with or presented to the undersigned within the time prescribed for such claims by the Statutes of New York; and, *It is further ordered*, That all actions taken and acts done by the officers and directors of Akawo and Company, Inc., above-named, pursuant to this order and the directions contained therein, shall be deemed to have been taken and done in reliance on and pursuant to paragraph numbered (2) of subdivision (b) of section 5 of the Trading with the Enemy Act, as amended, and the acquittance and exculpation provided for therein.

Executed at Washington, D. C., June 14th, 1944.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 44-8850; Filed, June 19, 1944;  
10:59 a. m.]

#### AMERICAN PLATINUM WORKS AND ARUSHEE Co.

##### ORDER FOR AND NOTICE OF HEARING

Order for and notice of hearing before Vested Property Claims Committee.

In the matter of Charles Engelhard; the American Platinum Works and Arushee Company.

Whereas, by Vesting Order No. 56 of July 23, 1942 (7 F.R. 5741), Vesting Order No. 74 of July 30, 1942 (7 F.R. 7047), and Vesting Order No. 288 of November 2, 1942 (7 F.R. 9098), the Alien Property Custodian vested the following property:

15,388 shares of \$1.00 par value common capital stock of Arushee Company, a New Jersey corporation,

1,523 shares of \$100 par value common capital stock of The American Platinum Works, a New Jersey corporation, and

All cash dividends declared but not yet paid, and 60 shares of \$100 par value common capital stock declared as a stock dividend, by The American Platinum Works on June 6, 1942, on the said 1,523 shares of capital stock of The American Platinum Works,

by which vesting orders the said shares and dividends were found to be the property of nationals of a designated enemy country (Germany); and

Whereas, Charles Engelhard has filed Notices of Claim No. 107 and No. 108 which assert that the said Charles Engelhard is a citizen and resident of the United States and that he is the owner of an interest of 23.59% in 450 shares of the capital stock of Arushee Company so vested, or in the proceeds thereof, and of 23.59% in the 1,523 shares of capital stock of The American Platinum Works so vested, or the proceeds thereof, and of 23.59% in the amount of \$10,280.25 unpaid cash dividends, so vested.

Now, therefore, it is ordered, Pursuant to the regulations heretofore issued by the Alien Property Custodian, as amended, (8 F.R. 16709), that the said claims be consolidated for hearing and

that a hearing thereon be held before the Vested Property Claims Committee or any member or members thereof on Thursday, June 29, 1944, at 10:00 a. m. Eastern War Time, at the Office of the Alien Property Custodian, 120 Broadway, New York, New York, to continue thereafter at such time and place as the Committee may determine. *It is further ordered*, That copies of this notice of hearing be served by registered mail upon the claimant and upon the person designated in paragraph 2 of the said notices of claim, and be filed with the Division of the Federal Register.

Any person desiring to be heard either in support of or in opposition to the claims may appear at the hearing, and is requested to notify the Vested Property Claims Committee, Office of Alien Property Custodian, National Press Building, 14th and F Streets, NW, Washington (25), D. C., on or before June 24, 1944.

The foregoing characterization of the claims is for informational purposes only, and shall not be construed to constitute an admission or an adjudication by the Office of Alien Property Custodian as to the nature or validity of the claims. Copies of the claims and of the said vesting orders are available for public inspection at the address last above stated.

Dated: June 15, 1944.

[SEAL] VESTED PROPERTY CLAIMS  
COMMITTEE,  
JOHN C. FITZGERALD,  
Chairman,  
MICHAEL F. KRESKY,  
NUGENT DODDS.

[F. R. Doc. 44-8851; Filed, June 19, 1944;  
10:59 a. m.]

#### OFFICE OF PRICE ADMINISTRATION

[MPR 138, Amdt. 41 to Order A-1]

CRUSHED STONE AGGREGATES, ETC.

MODIFICATION OF MAXIMUM PRICES

Amendment No. 41 to Order No. A-1 under § 1499.159b of Maximum Price Regulation No. 138. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Modification of maximum prices in Maximum Price Regulation No. 138 for aggregates, building blocks, and ready-mixed concrete produced in Southern Florida.

An opinion accompanying Amendment No. 41 to Order A-1 has been issued simultaneously herewith and filed with the Division of the Federal Register.

Order No. A-1 is amended by adding a new paragraph (a) (32) to read as follows:

(32) *Modification of producers' maximum prices for certain crushed stone aggregates, concrete building blocks, and ready-mixed concrete produced in Southern Florida.* (1) The maximum price for certain sizes of Miami Oolite Limestone, all of which are hereinafter specifically described, when produced within a radius of 50 air-miles of the Dade County (Florida) Court House and



when used in the building of roads, dams, buildings, and other structures, or when used as aggregates in ready-mixed concrete or job-mixed concrete or in bituminous binder mixtures, or in concrete building blocks, and other cast concrete products, shall be as follows:

Product	Maximum prices f. o. b. plant	Maximum prices delivered to job site within the Miami Area
Crushed stone aggregates (gradation 1 to 11 inclusive)	\$1.10	\$1.85
Cover rock (gradation 12 to 15 inclusive)	1.30	2.10
Coarse aggregate, for hot mixed asphalt	1.30	2.10
Pea rock (gradation 16 to 18 inclusive)	1.50	2.35
Rock screenings, concrete and mason sands fine aggregates for cement concrete, for bituminous binder mixtures and for hot mixed asphalt	1.00	1.75
Lime road rock, grade No. 1 or grade No. 2	.85	1.60

All of the above maximum prices are per cubic yard when sold for delivery by truck or barge, and are per net ton when sold aboard railroad cars, f. o. b. plant or nearest railroad siding.

"Miami Oolite Limestone" as used in this paragraph (a) (32) refers to that term as used in the reports of the Florida State Geological Survey and includes materials defined by the Florida State Road Department as "Crushed Local Stone, Type A and Type B" or as "Miami Oolite Lime Rock Grade No. 1 and Grade No. 2." Miami Oolite Lime Rock Grade No. 1 and Grade No. 2 must also meet the specifications of the Florida State Road Department for gradations.

Gradations 1 to 18, inclusive, as used herein, refer to standards established by the Florida State Road Department to cover percent by weight of coarse aggregate passing through designated square opening laboratory sieves. Gradations established in War or Navy Department Specifications, or in accordance with specifications of the City of Miami, shall likewise apply for generally similar sieve analyses.

The terms "rock screenings," "concrete and mason sands," and "coarse and fine aggregates," as used herein refer to standards established by the Florida State Road Department, by War and Navy Department specifications, or by the City of Miami for these products.

(ii) Any person producing an aggregate from Miami Oolite Limestone not comparable with any of the aggregates hereinbefore specified by reason of a gradation requiring extra or special screening, or because such aggregate is from a deposit composed of stone having especially valuable properties, or for any other reason, provided such material is produced for commercial use in construction or for use as an aggregate and cannot be produced and sold at the maximum prices herein established without hardship to the producer, shall file an application for the establishment of a maximum price for such material

under § 1499.158 of Maximum Price Regulation No. 188. Such application shall be filed with the Office of Price Administration, Building Materials Price Branch, Washington 25, D. C., and shall contain a description of the special aggregate, with a detailed statement showing:

(a) A comparison between the aggregate for which a maximum price is fixed herein and the aggregate for which a price is requested, with definite information showing the claimed superior qualities.

(b) The extra production process used in producing the special aggregate and the extra cost of such process.

(c) The need of a maximum price differing from the maximum prices fixed herein.

(iii) The maximum prices for certain ready-mixed concrete, as hereinafter specified, produced within a radius of 15 air-miles of the Dade County (Florida) Court House, shall be as follows:

Bags of cement per cubic yard of ready-mixed concrete:	Maximum prices, per cubic yard, delivered to job site within the Miami area
4	\$6.30
4½	6.65
5	7.00
5½	7.35
6	7.70
7	8.40
8	9.10
9	9.80
10	10.50

(iv) The maximum prices for certain concrete building blocks, as hereinafter specified, produced within a radius of 15 air-miles of the Dade County (Florida) Court House, shall be as follows:

Size	Maximum prices per block, f. o. b. plant	Maximum prices per block, delivered within the Miami area
8 x 8 x 16	\$0.0950	\$0.1150
8 x 12 x 16	.1650	.19
4 x 8 x 16	.0675	.0775
8 x 8 x 16 (corners and jambs)	.0950	.1150
8 x 12 x 16 corners	.1650	.19
8 x 8 x 8 (single corners and half jambs)	.0675	.0775
8 x 4 x 16 or		
8 x 3 x 16 partition tile	.0675	.0775

(v) Delivery areas for which no additional charges may be made and the conditions under which such charges may be made are to be determined according to the following methods:

(a) *Delivery within the Miami area.* Maximum prices established by this paragraph (a) (32) for delivery "within the Miami area" include delivery by each producer within the area recognized by him during March 1942 as his normal delivery area or zone for the commodity to be delivered. No extra charge may be made for delivery within such area or zone. Any producer who did not have a normal delivery area or zone during March 1942, shall regard the delivery

area or zone of his most comparable seller as his in-area territory covered by the term "within the Miami Area."

(b) *Delivery outside the Miami area.* For delivery outside the Miami area, as described in subdivision (a) above, each producer may add to the maximum prices established herein an amount not in excess of the charge in effect by him during March 1942 for each particular destination. If a producer does not have an established maximum delivery charge for delivery outside the Miami area because he was not in business during March 1942, or, if he was then in business, because he did not deliver outside the Miami area, or for any other reason, he must file a schedule of proposed delivery charges to be added to the maximum prices established by this paragraph (a) (32) with the Jacksonville District Office of the Office of Price Administration. Such charges shall not exceed the charges established for other manufacturers for the same or similar service and shall be subject to approval or disapproval within 20 days of the date of filing.

Before the expiration of the 20-day period the District Director of the Jacksonville District Office either will approve or disapprove the requested charges. In the absence of such approval or disapproval within the 20-day period, the reported delivery charges, if properly filed, shall be deemed to have been approved by that office.

This Amendment No. 41 shall become effective the 17th day of June 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 16th day of June 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-8777; Filed, June 16, 1944; 11:47 a. m.]

[MPR 136, Order 229]

CHRYSLER CORP.

#### AUTHORIZATION OF MAXIMUM PRICES

Order No. 229 under Maximum Price Regulation 136, as amended. Machines and parts, and machinery services. Chrysler Corporation, Docket No. 3136-431.

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, and Executive Orders Nos. 9250 and 9328, and pursuant to § 1390.25a of Maximum Price Regulation 136, as amended, it is hereby ordered:

(a) Chrysler Corporation, Detroit, Michigan, and its factory distributors, are authorized to sell to resellers each Dodge motor truck listed in subparagraph (1), when equipped with synthetic rubber tires delivered to the Chrysler Corporation on and after April 18, 1944, at a price not to exceed the total



of the applicable "Net Wholesale Price", f. o. b. factory, listed in that subparagraph and the applicable allowances in subparagraph (2), subject to the discounts or other allowances in effect on March 31, 1942, to the applicable class of reseller:

(1) Model, Description, and Net Wholesale Price

WF-31 (T-118) Truck, cab and chassis, 1½ ton, 135 5/16" wheelbase, with 1942 standard equipment, plus 2" front springs, 6.285 rear axle, heavy duty transmission, and equipped with synthetic rubber tires of base tire equipment sizes.....	\$740.00
WF-32 (T-118) Truck, cab and chassis, 1½ ton, 160" wheelbase, with 1942 standard equipment, plus 2" front springs, 6.285 rear axle, heavy duty transmission, and equipped with synthetic rubber tires of base tire equipment sizes.....	753.00
WF-32 (T-118) Truck, cab and chassis, 1½ ton, 160" wheelbase, with stake body, 1942 standard equipment, plus 2" front springs, 6.285 rear axle, heavy duty transmission, and equipped with synthetic rubber tires of base tire equipment sizes.....	868.00
WFM-38 (T-128) Truck, cab and chassis, C. O. E. 1½ ton, 159" wheelbase, with 1942 standard equipment, plus 2" front springs, 6.285 rear axle, heavy duty transmission, and equipped with synthetic rubber tires of base tire equipment sizes.....	849.00
WH-45 (T-120) Truck, cab and chassis, 2 ton, 136" wheelbase, with 1942 standard equipment, plus 2" front springs, and 4-speed transmission, and equipped with synthetic rubber tires of base tire equipment sizes.....	838.00
WH-47 (T-120) Truck, cab and chassis, 2 ton, 160" wheelbase, with 1942 standard equipment, plus 2" front springs, and 4-speed transmission, and equipped with synthetic rubber tires of base tire equipment sizes.....	852.00

(2) Allowances. (i) The following applicable allowances when the following applicable extra, special and optional equipment is a part of the truck being sold:

Description	Allowance
(a) Synthetic tires (When used on 1½ ton models instead of synthetic rubber tires of base tire equipment sizes):	
Front: 700 x 20, 8 ply, 6" rims.....	\$18.29
Dual rear:	
750 x 20, 8 ply, 7" rims.....	94.46
825 x 20, 10 ply, 7" rims.....	156.18
(b) Synthetic tires (When used on 2 ton models instead of synthetic rubber tires of base tire equipment sizes):	
Front: 825 x 20, 10 ply, 7" rims, 6 stud hubs.....	66.13
Dual rear: 900 x 20, 10 ply, 8" rims, 6 Stud Hubs.....	180.18
(c) Eaton 2-speed Rear Axle (No. 16050) for 2 ton models.....	118.00

(ii) Allowance to cover handling and delivery expense computed in accordance with the 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, tire-weight tax, and state or local taxes, on the truck being sold, computed in accordance with the seller's method in effect on March 31, 1942.

(b) Chrysler Corporation, Detroit, Michigan, and its factory distributors, are authorized to sell to resellers each Dodge motor truck described in subparagraph (1) of paragraph (a) when equipped with natural rubber tires or synthetic rubber tires delivered to the Chrysler Corporation prior to April 18, 1944 at a price not to exceed the maximum price for the truck determined under paragraph (a) less the difference between its cost of such tires and its cost of synthetic rubber tires delivered to it, the Chrysler Corporation, on and after April 18, 1944.

(c) A reseller of Dodge motor trucks, except when selling as a factory distributor, may sell f. o. b. place of business, each Dodge motor truck listed in subparagraph (1) below, when equipped with synthetic rubber tires delivered to Chrysler Corporation on and after April 18, 1944, at a price not to exceed a total of the applicable "Retail List Price" in subparagraph (1) below and the applicable allowances in subparagraph (2) below, subject to the discounts in effect on March 31, 1942, for the applicable class of purchaser:

(1) Model, Description, and "Retail list price" f. o. b. factory

WF-31 (T-118) Truck, cab, and chassis, 1½ ton, 135 5/16" wheelbase, with 1942 standard equipment, plus 2" front springs, 6.285 rear axle, heavy duty transmission, and equipped with synthetic rubber tires of base tire equipment sizes.....	\$974.00
WF-32 (T-118) Truck, cab and chassis, 1½ ton, 160" wheelbase, with 1942 standard equipment, plus 2" front springs, 6.285 rear axle, heavy duty transmission, and equipped with synthetic rubber tires of base tire equipment sizes.....	990.00
WF-32 (T-118) Truck, cab and chassis, 1½ ton, 160" wheelbase, with stake body, 1942 standard equipment, plus 2" front springs, 6.285 rear axle, heavy duty transmission, and equipped with synthetic rubber tires of base tire equipment sizes.....	1,142.00
WFM-38 (T-128) Truck, cab and chassis, C. O. E. 1½ ton, 159" wheelbase, with 1942 standard equipment, plus 2" front springs, 6.285 rear axle, heavy duty transmission, and equipped with synthetic rubber tires of base tire equipment sizes.....	1,117.00
WH-45 (T-120) Truck, cab and chassis, 2 ton, 136" wheelbase, with 1942 standard equipment, plus 2" front springs, and 4-speed transmission, and equipped with synthetic rubber tires of base tire equipment sizes.....	1,167.00
WH-47 (T-120) Truck, cab and chassis, 2 ton, 160" wheelbase, with 1942 standard equipment, plus 2" front springs, and 4-speed transmission, and equipped with synthetic rubber tires of base tire equipment sizes.....	1,187.00

(2) Allowances. (i) The following applicable allowances when the following applicable extra, special and optional equipment is a part of the truck being sold.

Description	Allowance
(a) Synthetic tires (When used on 1½ ton models instead of synthetic rubber tires of base tire equipment sizes):	
Front: 700 x 20, 8 ply 6" rims.....	\$24.00
Dual rear:	
750 x 20, 8 ply, 7" rims.....	124.25
825 x 20, 10 ply, 7" rims.....	205.50
(b) Synthetic tires (When used on 2 ton models instead of synthetic rubber tires of base tire equipment sizes):	
Front: 825 x 20, 10 ply, 7" rims, 6 stud hubs.....	88.15
Dual rear: 900 x 20, 10 ply, 8" rims, 6 stud hubs.....	240.25
(c) Eaton 2-speed rear axle (No. 16050), for 2 ton models.....	157.30

(ii) Actual freight-in expense.  
(iii) Allowance to cover federal, state, and local taxes on his purchase, and sale or delivery, of the truck being sold 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.

(d) A reseller of Dodge motor trucks, except when selling as a factory distributor, may sell f. o. b. place of business, each Dodge motor truck described in subparagraph (1) of paragraph (c) when equipped with natural rubber tires or synthetic rubber tires delivered to the manufacturer prior to April 18, 1944, at a price determined under paragraph (c) less the amount the Chrysler Corporation notifies the reseller or his factory distributor should be deducted when the truck is equipped with natural rubber tires, or synthetic rubber tires delivered to that manufacturer prior to April 18, 1944.

(e) The reseller, to which Chrysler Corporation delivers a truck equipped with natural rubber tires or synthetic rubber tires delivered to that manufacturer prior to April 18, 1944, shall be notified by that manufacturer of the amount that should be deducted from the applicable "Retail List Price" in paragraph (c) (1) when the reseller determines his maximum price for a truck with such tire equipment. This amount shall consist of the difference between the manufacturer's cost of the applicable sizes of natural rubber tires, or synthetic rubber tires delivered to it prior to April 18, 1944, and the manufacturer's cost of the applicable sizes of synthetic rubber tires delivered to it on and after April 18, 1944, plus the dealer's customary markup on such difference.

(f) A reseller who cannot establish a price in accordance with paragraph (c) or (d) because he was not in business on March 31, 1942, may apply for a price to the Office of Price Administration, Washington, D. C.

(g) All requests in the application not granted in this order are denied.



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

This order shall become effective June 19, 1944.

Issued this 17th day of June 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-8822; Filed, June 17, 1944;  
11:24 a. m.]

[MPR 154, Order 5]

SOUTHERN PROPERTIES, INC.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 5 under Maximum Price Regulation No. 154 as amended. Ice.

Adjustment of maximum prices for artificial ice manufactured and sold by Southern Properties, Incorporated. For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, *It is ordered:*

(a) Southern Properties Company, Incorporated, 6360 Richmond Avenue, Dallas, Texas, may sell and deliver artificial ice from its plant in Palestine, Texas, to the American Refrigerator Transit Company at Palestine, Texas, to be used to ice and re-ice railroad refrigerator cars; and the American Refrigerator Transit Company may buy and receive artificial ice from Southern Properties, Incorporated, at Palestine, Texas, to be used for such purposes, at prices not higher than \$4.75 per ton of ice placed in bunkers of railroad refrigerator cars, for a period of one year from April 29, 1944.

(b) Southern Properties, Incorporated, may sell and deliver artificial ice from its plant in Palestine, Texas, to the I & GN Railroad at Palestine, Texas, to be used for air conditioning passenger cars; and the I & GN Railroad may buy and receive artificial ice from Southern Properties, Incorporated at Palestine, Texas, to be used for such purpose, at a price not to exceed \$3.92 per ton of ice placed on baggage trucks, for a period of one year from April 29, 1944.

(c) The American Refrigerator Transit Company and the I. & G. N. Railroad may not pass on or reflect in the prices or rates charged by them, all or any part of the amount representing the adjustment in their maximum prices under this order, paid to and received by Southern Properties Company, Incorporated.

(d) The maximum prices established by this order are those for which Southern Properties, Incorporated may deliver any artificial ice to the American Refrigerator Transit Company and the I. & G. N. Railroad, which was sold pursuant to the authorization granted to Southern Properties, Incorporated by telegram on April 29, 1944, to sell at prices to be adjusted upward in accordance with action of the Office of Price Administration.

(e) All prayers of the application not granted herein are denied.

(f) This Order No. 5 revokes the order of the Regional Office of the Office of Price Administration at Dallas, Texas, issued March 4, 1944, denying in part and granting in part, price increases requested by Applicant in a petition to that Office dated January 25, 1944.

(g) This Order No. 5 may be revoked or amended by the Price Administrator at any time.

(h) This Order No. 5 shall become effective June 19, 1944.

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

Issued this 17th day of June 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-8840; Filed June 17, 1944;  
4:22 p. m.]

[MPR 120, Corr. to Order 731]

H. M. T. COAL CO., ET AL

ESTABLISHMENT OF PRICES CLASSIFICATIONS  
AND MAXIMUM PRICES

Correction to Order No. 731 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant.

On April 29, 1944, Order No. 731 was issued by which maximum prices were established for certain mines of Ohio, among which was Mine Index No. 4027 of the H. M. T. Coal Company, Bloomingdale, Ohio. Since the issuance of the order, an error has been found in the subdistrict designation for Mine Index No. 4027. The correct designation is Subdistrict No. 1, whereas it appears in Order No. 731 as Subdistrict No. 4. To avoid confusion, a correction should be made.

After due consideration of the foregoing and pursuant to § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

The incorrect Subdistrict No. 4 designation in Order No. 731 under Maximum Price Regulation No. 120 for Mine Index No. 4027 of H. M. T. Coal Company is hereby deleted and Subdistrict No. 1 is inserted in its place.

This Correction to Order No. 731 shall be effective as of May 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 19th day of June, 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-8860; Filed, June 19, 1944;  
11:53 a. m.]

[MPR 399, Order 3]

MCCRAY REFRIGERATOR CO.

APPROVAL OF MAXIMUM PRICES

Order No. 3 under section 1 of Maximum Price Regulation No. 399. New ice boxes. Approval of maximum prices

for resales of one model ice box purchased from Procurement Division, Treasury Department.

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, and in accordance with Section 1 of Maximum Price Regulation No. 399, *It is ordered:*

(a) This order establishes maximum prices for all sales at wholesale and retail of those ice boxes purchased by successful bidders from Procurement Division, Treasury Department, which are described as follows:

Manufacturer: McCray Refrigerator Co.  
Type: A.  
Model No.: 2.  
Rated Ice Capacity: 100 lbs.

(1) For all sales at retail, the maximum price shall be 187½% of the bid amount paid for the particular refrigerator by the original successful bidder.

(2) For all sales at wholesale, the maximum price shall be 62½% of the maximum retail price set forth in subparagraph (1) above. This price is f. o. b. seller's warehouse.

(3) The original successful bidders may add to the maximum prices established by this order no more than the actual transportation cost for the refrigerator by the most economical means from the warehouse of Procurement Division, Treasury Department to his warehouse, provided he separately states the transportation charge on his invoice. Any other seller may add to the maximum prices established by this order, no more than the transportation charge which he was required to pay to his supplier, provided such extra charge is separately stated. No other transportation charges may be added to the maximum prices established by this order.

(4) Prices lower than the maximum prices may be charged and paid.

(b) At the time of or prior to the first invoice to each purchaser for resale, the original successful bidder, and every wholesaler must notify the purchaser for resale, in writing, of the maximum prices established by this order for resales by the purchaser. Those maximum prices must be stated in dollars and cents. This notice may be given in any convenient form.

(c) No person may offer for sale, sell, or deliver an ice box covered by this order, at retail, unless there is securely attached thereto a retail ceiling price tag setting forth, in dollars and cents, the maximum price established by this order for sales at retail of the particular ice box. A tag in the following form is sufficient:

OPA base retail ceiling price..... \$.....  
Transportation charge..... \$.....

OPA approved ceiling price..... \$.....

This tag may not be removed before delivery to the purchaser.



(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.

(f) This order shall become effective June 20, 1944.

Issued this 19th day of June 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-8862; Filed, June 19, 1944; 11:54 a. m.]

[MPR 188, Order 38 Under Order A-2]

CAROLINA WASHBOARD CO.

APPROVAL OF MAXIMUM PRICES

Order No. 38 under paragraph (a) (15) of Order No. A-2 issued under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a glass washboard manufactured by the Carolina Washboard Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328, *It is ordered:*

(a) This order permits the manufacturer, Carolina Washboard Company, Raleigh, North Carolina, and its jobbers to increase its maximum prices for sales of a glass washboard manufactured by Carolina Washboard Company, to the prices set forth below:

(1) *Manufacturer's prices.* On and after June 20, 1944, the Carolina Washboard Company, Raleigh, North Carolina, may sell and deliver the glass washboard manufactured by it to jobbers at a price no higher than \$6.00 per dozen subject to discounts, allowances, and terms no less favorable than those customarily granted by it.

(2) *Jobber's prices.* Each jobber may increase his maximum price for sales of the glass washboard described in (a) above by \$.50 per dozen, unless the increase results in a price higher than \$7.15 per dozen. In that case the jobber may not take the full increase, but may sell and deliver at a price no higher than \$7.15 per dozen.

(b) *Notification by the manufacturer.* The Carolina Washboard Company, at the time it sends its first invoice to each jobber after June 20, 1944, must send to each jobber a written notice listing the maximum price for the glass washboard before the increase, the new maximum price for sales by the manufacturer and the amount of the increase permitted jobbers. The manufacturer must also notify each jobber that he is required to notify each dealer of the increase in the jobber's price permitted by this order.

The notice may be given in any convenient form and must be accompanied by a copy of paragraph (c) of this order or the order itself. A statement in the following form will be sufficient:

The Office of Price Administration has granted permission to the Carolina Washboard Company to increase its maximum price for sales of its glass washboard from \$5.50 per dozen to \$6.00 per dozen. Each jobber may increase his maximum price by \$.50 per dozen but in no event may the jobber's maximum price exceed \$7.15 per dozen after the adjustment. You are required to notify each retailer of the adjustment permitted by this order.

(c) *Notification by jobbers.* If you are a jobber, at the time of the first invoice to each retailer after June 20, 1944, you must notify each retailer in writing of the increase in your maximum price permitted by this order. In addition, you must notify the retailer that no increase in his price is permitted by the order. A statement in the following form will be sufficient:

Order No. 38 issued by the Office of Price Administration grants us permission to increase our maximum price for sales of a glass washboard manufactured by Carolina Washboard Company to \$-----. The order does not permit retailers to increase their maximum prices. Your maximum price remains at the level established under the General Maximum Price Regulation.

(d) This Order may be revoked or amended by the Price Administrator at any time.

	Size groups									
	1	2	3	4	5	6	7	8	9	10
Price classifications.....	D	D	C	A	A	B	B	C	C	C
Rail shipment.....	\$5.70	\$3.90	\$4.00	\$3.55	\$3.45	\$3.80	\$3.50	\$3.15	\$3.10	\$3.05
Truck shipment.....	4.25	3.85	4.15	3.50	3.25	3.20				

RAILROAD LOCOMOTIVE FUEL

All lump and double screened coal...	\$3.65
Run of mine coal.....	3.50
Screenings larger than 1 1/4" x 0 but not exceeding 2 1/2" x 0.....	3.35
Screenings, 1 1/4" x 0 and smaller.....	3.10

(c) The maximum prices established herein are f. o. b the mine for truck shipment and f. o. b. the rail shipping point for rail shipment and for railroad locomotive fuel use.

(d) All prayers not granted herein are hereby denied.

(e) This order may be revoked or amended at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

This order shall become effective June 20, 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 19th day of June 1944.

JAMES G. ROGERS, JR.,  
Acting Administrator.

[F. R. Doc. 44-8861; Filed, June 19, 1944; 11:54 a. m.]

This order shall become effective June 20, 1944.

Issued this 19th day of June 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-8863; Filed, June 19, 1944; 11:55 a. m.]

[MPR 120, Order 819]

RAINELLE COAL CO.

ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MAXIMUM PRICES

Order No. 819 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant.

For the reasons given in the opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

(a) The Rainelle Mine of the Rainelle Coal Company located in Greenbrier County, West Virginia in Subdistrict No. 1, District No. 7 operating in the Sewell Seam, is hereby assigned Mine Index No. 1030.

(b) Coals produced at the Rainelle Mine, Mine Index No. 1030 of the Rainelle Coal Company, located in Greenbrier County, West Virginia in Subdistrict No. 1, District No. 7 for uses indicated and by methods of transportation appearing herein may be sold and purchased at per net ton prices not exceeding the following:

[MPR 188, Rev. Order 1336]

AMERICAN FURNITURE CO.

APPROVAL OF MAXIMUM PRICES

Revised Order No. 1336 under § 1499.157 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 three articles of dining room furniture manufactured by American Furniture Co.

Order No. 1336 under § 1499.157 of Maximum Price Regulation No. 188, 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 the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, and Executive Orders Nos. 9250 and 9328, *it is ordered:*

(a) This order establishes maximum prices for sales and deliveries, since the effective date of Maximum Price Regulation No. 188, of three articles of dining room furniture manufactured by American Furniture Co., Martinsville, Virginia.

(1) (i) For all sales and deliveries by the manufacturer to retailers, and by the



manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		<i>Per unit</i>	<i>Per unit</i>
Buffet.....	124	\$16.45	\$19.35
China.....	124	15.17	17.85
Table.....	124	12.54	14.75

These prices are all f. o. b. factory, and are subject to the manufacturer's customary terms, discounts, and allowances.

(i) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subparagraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries to retailers by persons who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		<i>Per unit</i>
Buffet.....	124	\$19.35
China.....	124	17.85
Table.....	124	14.75

These prices are subject to the seller's customary terms, discounts, and allowances.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 20th day of June 1944.

Issued this 19th day of June 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-8864; Filed, June 19, 1944, 11:59 a. m.]

#### Regional and District Office Orders.

[Region I Order G-27 Under RMPR 122, Revocation]

#### SOLID FUELS IN SPRINGFIELD, MASS.

Order revoking Order No. G-27 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers.

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) of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, *It is hereby ordered*, That Region I Order No. G-27 under Revised Maximum Price Regulation No. 122 (Solid Fuels—Springfield, Massachusetts) be and it hereby is revoked.

This order shall become effective June 20, 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 his 12th day of June 1944.

ELDON C. SHOUP,  
Regional Administrator.

[F. R. Doc. 44-8824; Filed, June 17, 1944; 11:26 a. m.]

[Region I Order G-70 Under RMPR 122, Amdt. 4]

#### SOLID FUELS IN SPRINGFIELD, MASS., AREA

Amendment No. 4 to 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 § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, subparagraph (4) containing Appendix 4, is hereby added to paragraph (c) of Region I Order No. G-70 under Revised Maximum Price Regulation No. 122 to read as follows:

(c) *Appendices establishing specific maximum prices.* \* \* \*

(4) *Appendix 4: Specified solid fuels in Springfield, Massachusetts, area.* (a) Maximum prices established by this

Appendix 4. This Appendix 4 establishes specific maximum prices for sales of Pennsylvania anthracite, ambricoal, Koppers coke and Springfield coke in the Springfield, Massachusetts, area by dealers, and for specified services rendered by dealers in connection with the sale or handling of said solid fuels. Price Schedule I contains prices for sales on a delivered basis; Price Schedule II contains prices for yard sales to consumers; and Price Schedule III sets forth prices for yard sales to dealers. The Springfield, Massachusetts, area shall include the following cities and towns in the Commonwealth of Massachusetts: Agawam, Brimfield, East Longmeadow, Hampden, Longmeadow, Ludlow, Monson, Palmer, Southampton, Southwick, Springfield, Wales, Ware, Westfield, West Springfield and Wilbraham. The term "Springfield coke" means the retort gas coke produced by the Springfield Gas Light Company, Springfield, Massachusetts.

(b) *Price Schedule I; sales on a delivered basis.* (1) Base maximum prices for sales on a "direct delivery" basis to consumers at any point in the Springfield, Massachusetts, area:

Kind and size	Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs.
Pennsylvania anthracite:				
Broken, egg, stove and chestnut.....	\$16.65	\$8.75	\$4.65	\$0.95
Pea.....	14.95	7.90	4.20	.90
Buckwheat.....	12.65	6.75	3.65	.75
Rice.....	11.50	6.15	3.35	.70
Yard screenings.....	4.50			
Coke—Koppers and Springfield: Egg, stove and chestnut.....	16.40	8.60	4.55	.95
Ambricoal.....	14.30	7.55	4.05	.85

(2) *Discount to certain class of purchaser.* The foregoing per net ton prices, except that for Pennsylvania anthracite yard screenings, shall be reduced by fifty cents (50¢) per ton on all sales to persons who use solid fuel for commercial and industrial purposes other than, or in addition to, space heating, and who customarily use solid fuel throughout the year.

(3) *Maximum authorized service and deposit charges.* (a) The maximum prices per 100 pounds include carrying or wheeling to consumer's bin or storage space. If the buyer requests such service of him, the dealer may make the following charges for carrying or wheeling of quarter-ton and larger quantities to the consumer's bin or storage space:

	Per net ton	Per ½ ton	Per ¼ ton
For any carry or wheel from a "direct delivery" point, exclusive of charges for carries up or down flights of stairs.....	\$0.50	\$0.25	\$0.15
For carries up or down flights of stairs:			
First flight.....	.25	.15	.10
Each flight thereafter.....	.50	.25	.15

(b) If the buyer requests that fuel delivered in burlap bags furnished by the



dealer be left in the bags, the maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, the bags shall be 25 cents per bag.

(c) *Price Schedule II; yard sales to consumers.* (1) Maximum prices for sales delivered at the yard of any dealer in the Springfield, Massachusetts Area to consumers:

Kind and size	Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs.
Pennsylvania anthracite: Broken, egg, stove, and chestnut.....	\$13.65	\$7.85	\$3.95	\$0.85
Pea.....	13.95	7.00	3.50	.80
Buckwheat.....	11.65	5.85	2.95	.65
Rice.....	10.50	5.25	2.65	.60
Yard screenings.....	3.00			
Coke—Koppers and Springfield: Egg, stove and chestnut.....	15.40	7.70	3.85	.85
Ambricoal.....	13.30	6.65	3.35	.75

(2) The provisions of paragraph (b) (2) shall be applicable to the foregoing maximum prices for yard sales to consumers.

(3) *Maximum authorized bagging and deposit charges.* (a) The maximum prices per 100 pounds are for 100 pounds bagged, but do not include the bag. If the buyer requests such service of him, the dealer may make the following charges for bagging quarter-ton and larger quantities in 100 pound bags, exclusive of any deposit charges on bags furnished by the dealer.

	Cents
Per net ton.....	50
Per half-ton.....	25
Per quarter-ton.....	15

(b) The maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, burlap bags furnished by the dealer shall be 25 cents per bag.

(d) *Terms of sales; sales to consumers.* (1) Terms of sale for Pennsylvania anthracite yard screenings, and for less than ton lots of any other solid fuel for which specific maximum prices are established by subparagraphs (b) and (c), may be net cash, but no additional charge shall be made for the extension of credit terms of net 30 days or net 10 days E. O. M.

(2) In all other cases, the following "cash discounts" for payment within the periods specified shall be granted from the maximum per net ton prices set forth in subparagraphs (b) and (c), including those prices as reduced in accordance with subparagraphs (b) (2) and (c) (2):

Period	Cash discount
At time of delivery or by close of next business day.....	\$1.00
After close of next business day but within 10 days after date of delivery.....	.50

If payment is not made within 10 days after the date of delivery, terms shall be net 30 days.

(e) *Price Schedule III; yard sales to dealers.* (1) Maximum prices for sales delivered at the yard of any dealer in the Springfield, Massachusetts area to dealers in fuels who resell them:

Kind and size	Per net ton	Per ½ ton	Per ¼ ton
Pennsylvania anthracite: Broken, egg, stove, and chestnut.....	\$13.65	\$6.85	\$3.45
Pea.....	11.95	6.00	3.00
Buckwheat.....	9.65	4.85	2.45
Rice.....	8.75	4.40	2.20
Yard screenings.....	3.00		
Coke—Koppers and Springfield: Egg, stove and chestnut.....	13.40	6.70	3.35
Ambricoal.....	11.55	5.80	2.90

(2) *Terms of sale.* Terms of sale may be net cash, but no additional charge shall be made for the extension of credit terms of net 30 days or net 10 days E. O. M.

(3) *Maximum authorized bagging and deposit charges.* (a) If the buyer requests such service of him, the seller may make the following charges for bagging in 100 pound bags, exclusive of any deposit charges on bags furnished by the seller.

	Cents
Per net ton.....	50
Per half-ton.....	25
Per quarter-ton.....	15

(b) The maximum amount which may be required by the seller as a deposit on, or as predetermined liquidated damages for failure to return, burlap bags furnished by the seller shall be 25 cents per bag.

(f) *Certain named Pennsylvania anthracite coals.* The specific maximum prices set forth above for Pennsylvania anthracite may be increased by the following amounts when the following sizes of listed named Pennsylvania anthracite coals are sold:

Kind and size	Amount of addition			
	Per net ton	Per ½-ton	Per ¼-ton	Per 100 lbs.
Jeddo Highland: Broken, egg, stove, chestnut, pea and buckwheat.....	\$0.25	\$0.15	\$0.05	None
Rice.....	.15	.10	None	None
Greenwood: egg, stove, chestnut and pea.....	.25	.15	.05	None
Silver Brook: Broken, egg, stove, chestnut, pea and buckwheat.....	.45	.25	.10	None
Rice.....	.35	.20	.10	None
Raven Run: Broken, egg, stove, chestnut, pea, buckwheat and rice.....	.10	.05	None	None

This Amendment No. 4 shall become effective June 20, 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 12th day of June 1944.

ELDON C. SHOUP,  
Regional Administrator.

[F. R. Doc. 44-8825; Filed, June 17, 1944; 11:26 a. m.]

[Region II Rev. Order G-7 Under RMPR 122, Amdt. 2]

SOLID FUELS IN DESIGNATED AREAS IN PENNSYLVANIA

Amendment No. 2 to Revised Order No. G-7 under §§ 1340.259 (a) (1) and 1340.-

260 of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Pennsylvania anthracite delivered by dealers in Philadelphia County, Delaware County and designated townships and boroughs in Bucks and Montgomery Counties, Commonwealth of Pennsylvania in Coal Area 1.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, Revised Order No. G-7 is amended in the following respects:

1. Paragraph (d) (1) is amended to read as follows:

(d) *Schedule I; sales on a "direct-delivery" basis.* \* \* \*

(1) *For sales of anthracite of the sizes and in the quantities specified:*

Size	Per net ton	Per net ½ ton	Per 100 lbs. (for sales of 100 lbs. or more,) but less than ½ ton	Per 50 lb. paper bag
Broken, egg, stove, nut.....	\$13.50	\$7.25	\$0.80	\$0.475
Pea.....	11.70	6.35	.70	.425
Buckwheat.....	10.05	5.55	.60	
Rice.....	8.90	4.95	.55	
Barley.....	7.75	3.90		
Buckwheat number 4.....	5.85	2.95		
Screenings.....	3.95	2.00		

2. Paragraph (e) (1) and (2) is amended to read as follows:

(e) *Schedule II; "yard sales."* \* \* \*

(1) *Sales by dealers except those who normally sold exclusively to equipped dealers:*

Size	Per net ton, (for sales of ½ ton or more)	Per 100 lbs. (for sales of 100 lbs. or more,) but less than ½ ton	Per 50 lb. paper bag
Broken, egg, stove, nut.....	\$10.65	\$0.70	\$0.425
Pea.....	9.05	.60	.375
Buckwheat.....	7.40	.50	
Rice.....	6.45	.45	
Barley.....	5.45		
Screenings.....	2.20		

(2) *Wholesale yard sales.* (Sales from yards of dealers who normally sold exclusively to equipped dealers.)

Size:	Per net ton
Broken, egg, stove, nut.....	\$10.45
Pea.....	8.85
Buckwheat.....	7.25
Rice.....	6.35
Screenings.....	2.20

3. Paragraph (q) (14) is amended to read as follows:

(q) \* \* \*

(14) The sizes of "Pennsylvania anthracite" described as broken, egg, stove, nut, pea, buckwheat, rice, barley, buckwheat #4 and screenings shall refer to the same sizes of the same fuel as were sold and delivered in Coal Area I with such designation during December 1941. Under no circumstances, however, shall the anthracite contain an ash content in excess of the limits specified



by Amendment No. 1 to Solid Fuels Administration for War Regulation No. 9.

This Amendment No. 2 to Revised Order No. G-7 shall become effective June 11, 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 10th day of June 1944.

DANIEL P. WOOLLEY,  
Regional Administrator.

[F. R. Doc. 44-8827; Filed, June 17, 1944;  
11:26 a. m.]

[Region II Order G-43 Under RMPR 122]

#### SOLID FUELS IN NEW YORK REGION

Order No. G-43 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Limitation on maximum prices for solid fuels sold and designated as "anthracite", etc. other than "Pennsylvania anthracite".

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, *It is ordered:*

(a) Any dealer in solid fuels, making sales of "Pennsylvania anthracite" subject to the area dollars-and-cents orders enumerated in paragraph (b) hereof, shall not exceed the maximum prices established therein for "Pennsylvania anthracite" on sales of any other solid fuel designated as anthracite, semi-anthracite, Virginia anthracite, sub-anthracite, or by any combination of words including the word "anthracite". This prohibition shall not be construed as permitting the application of "Pennsylvania anthracite" maximum prices to sales of other solid fuels designated by the word "anthracite", alone or in combination. Where specific maximum prices have been established for any such solid fuel in a dollars-and-cents order issued by the Regional Office of the Office of Price Administration, such maximum prices shall govern. In all other cases, maximum prices for such other solid fuels shall be governed by Revised Maximum Price Regulation No. 122, subject to the limitations contained in this paragraph (a).

(b) *Area dollars-and-cents orders which this Order No. G-43 is directed.* The following orders and any subsequent revisions thereof:

Second Revised Order No. G-1 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G-3 under § 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G-5 under § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122.

Order No. G-6 under § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122.

Revised Order No. G-7 under § 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G-8 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G-9 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G-11 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G-12 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G-13 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G-14 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G-15 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G-16 under § 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G-17 under § 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G-18 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G-19 under § 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G-20 under § 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G-22 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G-24 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G-25 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G-27 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G-29 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G-32 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G-35 under § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122.

Order No. G-36 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G-38 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G-41 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. 50 under Revised Maximum Price Regulation No. 122. (Issued by the National Office).

(c) *Definitions:* When used in this Order No. G-43 the term:

(1) "Pennsylvania anthracite" means all coal produced in the Lehigh, Schuylkill, and Wyoming regions in the Commonwealth of Pennsylvania.

This Order No. G-43 shall become effective June 5, 1944.

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

Issued this 5th day of June 1944.

DANIEL P. WOOLLEY,  
Regional Administrator.

[F. R. Doc. 44-8828; Filed June 17, 1944;  
11:27 a. m.]

[Raleigh Order G-2 Under MPR 426, Amdt. 2]  
FRESH FRUITS AND VEGETABLES IN DESIGNATED COUNTIES OF NORTH CAROLINA

Amendment No. 2 to Order No. G-2 under Maximum Price Regulation 426. Fresh fruits and vegetables for table use, sales except at retail. Adjustment of

certain maximum prices of service wholesalers.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Office of Price Administration, Raleigh, North Carolina by Regional Delegation Orders Nos. 33 and 35 issued by the Atlanta Regional Office pursuant to section 2 of Maximum Price Regulation 426 and section (f) of Appendix H and section (g) of Appendix I of that regulation; *It is hereby ordered,* That paragraph (a) of Order No. G-2 under Maximum Price Regulation No. 426 issued by the Raleigh, North Carolina District Office on April 15, 1944 be amended to read as follows:

(a) On and after the effective date of this order, the maximum delivered prices of service wholesalers whose places of business are located in the counties of Alamance, Beaufort, Bertie, Bladen, Brunswick, Camden, Carteret, Caswell, Chatham, Chowan, Columbus, Craven, Cumberland, Currituck, Dare, Duplin, Durham, Edgecombe, Franklin, Gates, Granville, Greene, Halifax, Harnett, Hertford, Hoke, Hyde, Johnston, Jones, Lee, Lenoir, Martin, Moore, Nash, New Hanover, Northampton, Onslow, Orange, Pamlico, Pasquotank, Pender, Perquimans, Person, Pitt, Robeson, Sampson, Scotland, Tyrrell, Vance, Wake, Warren, Washington, Wayne and Wilson, North Carolina, selling commodities covered by Appendices A, B, D, G, H and I of Maximum Price Regulation No. 426, are hereby increased 6¢ per container of less than 40 pounds, gross weight; 12¢ per container of 40 pounds to 60 pounds, gross weight; and 15¢ per container of over 60 pounds, gross weight, over and above the maximum prices established by Appendices A, B, D, G, H and I aforesaid. If the prices established in any of said Appendices shall have been modified by any order issued by the Raleigh, North Carolina District Office of the Office of Price Administration which order is in effect at the time of the sale or delivery the increases above stated shall be made to those prices as modified. These maximum delivered prices shall apply irrespective of the distance involved in making delivery to the purchaser. Less than the maximum delivered prices may always be charged.

It is further ordered that paragraph (b) of said order is amended to read as follows:

(b) If the purchaser elects to take delivery at the service wholesaler's platform there shall be no increase allowed over the maximum prices as established by Appendices A, B, D, G, H and I of Maximum Price Regulation No. 426.

This amendment shall become effective May 24, 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 this 22d day of May 1944.

THEODORE S. JOHNSON,  
District Director.

[F. R. Doc. 44-8823; Filed, June 17, 1944;  
11:26 a. m.]



[Maryland Order G-1 Under Rev. SR 19 to MPR 165]

#### OIL BURNER SERVICE IN MARYLAND AREA

Order No. G-1 under § 1499.671 of Revised Supplementary Service Regulation No. 19 to Maximum Price Regulation No. 165, as amended. Oil burner service.

For the reasons set forth in an opinion issued simultaneously herewith and under authority vested in the Regional Administrator of Region II of the Office of Price Administration by § 1499.671 (e) of Revised Supplementary Service Regulation No. 19 to Maximum Price Regulation No. 165, as amended, and order of special delegation to the District Director of the Maryland District Office issued May 2, 1944 by the Regional Administrator of Region II; *It is hereby ordered:*

(a) That for the purposes of § 1499.671 (a) (5) (iii) the applicable city rate for the City of Baltimore, Maryland a city of 500,000 population or more, is extended to the "Baltimore Metropolitan Area" as defined in paragraph (b).

(b) "Baltimore Metropolitan Area" is defined as follows:

All that part of Maryland lying within a fifteen mile radius of the dome of the City Hall of the City of Baltimore, Maryland, which includes, but is not limited to Arbutus, Ashland, Baltimore City, Bosley, Brooklandville, Carney, Catonsville, Chase, Cockeysville, Columbia, Dundalk, Elkridge, Ellicott City, Essex, Glenarm, Glen Burnie, Guilford, Gwynn Oak Park, Halethorpe, Hansonville, Ingleside, Jessup, Lakeshore, Lansdowne, Linthicum, Long Green, Lorely, Lutherville, Marley, Middle River, North Point, Overlea, Owings Mills, Perry Hall, Pikesville, Pumphrey, Randallstown, Riderwood, Ruxton, St. Helena, Severn, Shipley, Sollers Point, Solley, Sparrows Point, Stemmers Run, Stoneleigh, Sudbrook Park, Towson.

(c) This order may be revoked, amended or corrected at any time.

This order shall become effective June 9, 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 8th day of June 1944.

LEO H. McCORMICK,  
District Director.

[F. R. Doc. 44-3826; Filed, June 17, 1944; 11:27 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 June 9, 1944.

##### REGION I

Boston Order 4-F, Amendment 5, covering certain fresh fruits and vegetables in specified counties in Mass. Filed 9:47 a. m.

##### REGION II

Albany Order 1-F, Amendment 10, covering fresh fruits and vegetables in Albany, Rensselaer, Troy, Schenectady, Green Island, Cahoes and Watervliet, filed 3:05 p. m.

Buffalo Order 9, covering certain food items in certain areas in New York, filed 2:58 p. m.

Buffalo Order 10, covering certain food items in Monroe and Livingston Counties, N. Y., filed 3:07 p. m.

New York Order 1-F, Amendment 10, covering fresh fruits and vegetables in the five Boroughs of New York City, filed 3:06 p. m.

New York Order 15, covering certain food items in certain counties in N. Y., filed 3:06 p. m.

Newark Order 4-F, Amendment 3, covering certain fresh fruits and vegetables in certain counties in New Jersey, filed 9:46 a. m.

Pittsburgh Order 1-F, Amendment 8, covering fresh fruits and vegetables in Pittsburgh and certain surrounding communities, filed 9:53 a. m.

Philadelphia Order P-2, Amendment 1, covering fresh fish and seafood in certain designated areas in Penna., filed 9:46 a. m.

Syracuse Order 1-F, Amendment 8, covering fresh fruits and vegetables in Syracuse, N. Y., filed 9:45 a. m.

Syracuse Order 20, covering certain food items in certain specified counties in N. Y., filed 2:58 p. m.

Syracuse Order 21, covering certain food items in certain named counties in N. Y., filed 2:55 p. m.

Syracuse Order 22, covering certain food items in Jefferson, Lewis, Oswego & St. Lawrence, N. Y., filed 2:57 p. m.

Williamsport Order W-1, Amendment 1, covering dry groceries in Cameron, Centre, Clinton, Elk, McKean & Petter in Pa., filed 3:04 p. m.

Williamsport Order W-1, Amendment 2, covering dry groceries in named counties in Pa., filed 3:04 p. m.

Wilmington Order 2-F, Amendment 7, covering certain fresh fruits and vegetables in certain areas in Delaware, filed 9:45 a. m.

##### REGION III

Columbus Order 3-F, Amendment 25, covering fresh fruits and vegetables in Franklin County, Ohio, filed 9:59 a. m.

Columbus Order 4-F, Amendment 8, covering fresh fruits and vegetables in certain counties in Ohio, filed 9:59 a. m.

Columbus Order 5-F, Amendment 9, covering fresh fruits and vegetables in named counties in Ohio, filed 10:00 a. m.

Detroit Order 1-F, Cor. to Amendment 17, covering fresh fruits and vegetables in designated counties, filed 9:44 a. m.

Detroit Order 1-F, Amendment 19, covering fresh fruits and vegetables in designated counties of Michigan, filed 9:54 a. m.

Detroit Order 1-F, Amendment 20, covering fresh fruits and vegetables in designated counties, filed 3:08 p. m.

Detroit Order 1-F, Amendment 21, covering fresh fruits and vegetables in designated counties, filed 3:07 p. m.

Escanaba Order 9-F, Amendment 14, covering fresh fruits and vegetables in certain counties in Michigan, filed 9:54 a. m.

Escanaba Order 10-F, Amendment 14, covering fresh fruits and vegetables in certain named counties of Michigan, filed 9:54 a. m.

Escanaba Order 11-F, Amendment 14, covering fresh fruits and vegetables in certain named counties of Michigan, filed 9:55 a. m.

Escanaba Order 12-F, Amendment 13, covering fresh fruits and vegetables in certain named counties of Michigan, filed 9:55 a. m.

Escanaba order 13-F, Amendment 13, covering fresh fruits and vegetables in certain areas in Michigan, filed 9:55 a. m.

Escanaba Order 14-F, Amendment 13, covering fresh fruits and vegetables in certain areas in Wisconsin & Michigan, filed 9:55 a. m.

Escanaba Order 15-F, Amendment 13, covering fresh fruits and vegetables in certain areas in Wisconsin & Michigan, filed 9:56 a. m.

Escanaba Order 16-F, Amendment 13, covering fresh fruits and vegetables in Sault

Ste. Marie, Chippewa County, Michigan. Filed 9:56 a. m.

Escanaba Order 17-F, Amendment 12, covering fresh fruits and vegetables in certain areas in Michigan, filed 9:56 a. m.

Indianapolis Order 4-F, Amendment 17, covering fresh fruits and vegetables in Marion, Tippecanoe, and Vigo Counties, Indiana, filed 3:04 p. m.

Indianapolis Order 5-F, Amendment 17, covering fresh fruits and vegetables in Wayne, Delaware and Allen Counties, Indiana, filed 3:03 p. m.

Indianapolis Order 6-F, Amendment 17, covering fresh fruits and vegetables in St. Joseph County, Indiana, filed 3:03 p. m.

Indianapolis Order 7-F, Amendment 4, covering fresh fruits and vegetables in Vanderburgh County, Indiana, filed 3:02 p. m.

Indianapolis Order 8-F, Amendment 17, covering fresh fruits and vegetables in Central Indiana, filed 3:02 p. m.

Indianapolis Order 9-F, Amendment 17, covering fresh fruits and vegetables in North-eastern Indiana, filed 3:02 p. m.

Indianapolis Order 10-F, Amendment 17, covering fresh fruits and vegetables in North-western Indiana, filed 3:01 p. m.

Indianapolis Order 11-F, Amendment 17, covering fresh fruits and vegetables in South-eastern Indiana, filed 3:00 p. m.

Indianapolis Order 12-F, Amendment 2, covering fresh fruits and vegetables in South-western Indiana, filed 3:00 p. m.

Lexington Order 1-F, Amendment 32, covering fresh fruits and vegetables in Fayette County, Ky., filed 9:57 a. m.

Lexington Order 2-F, Amendment 26, covering fresh fruits and vegetables in Campbell & Kenton Counties, Ky., filed 9:58 a. m.

Lexington Order 3-F, Amendment 23, covering fresh fruits and vegetables in Boyd Co., Ky., filed 9:57 a. m.

Louisville Order 1-F, Amendment 33, covering fresh fruits and vegetables in certain counties in Ky. & Ind., filed 2:48 p. m.

Louisville Order 2-F, Amendment 27, covering fresh fruits and vegetables in Paducah, McCracken County, Ky., filed 2:49 p. m.

Louisville Order 3-F, Amendment 20, covering fresh fruits and vegetables in Daviess & Henderson Counties, Ky., filed 2:59 p. m.

Louisville Order 4-F, Amendment 3, covering fresh fruits and vegetables in certain Counties in Ky., filed 2:59 p. m.

Louisville Order 5-F, Amendment 3, covering fresh fruits and vegetables in certain counties in Ky., filed 3:00 p. m.

Louisville Order 6-F, Amendment 3, covering fresh fruits and vegetables in certain counties in Ky., filed 2:50 p. m.

Louisville Order 7-F, Amendment 3, covering fresh fruits and vegetables in certain counties in Ky., filed 2:49 p. m.

##### REGION IV

Birmingham Order 16, covering dry groceries & certain perishables in counties in Alabama, filed 3:12 p. m.

Jacksonville Order 3-F, Amendment 8, covering fresh fruits and vegetables in Tampa, Florida, filed 10:04 a. m.

Jacksonville Order 6-F, Amendment 4, covering fresh fruits and vegetables in Jacksonville, Florida, filed 10:03 a. m.

Jacksonville Order 7-F, Amendment 5, covering fresh fruits and vegetables in named cities and towns in Florida, filed 2:55 p. m.

Jacksonville Order 3-W, covering dry groceries in the Northern Florida Area, filed 2:48 p. m.

Jacksonville Order 4-W, covering dry groceries in the Southern Florida Area, filed 2:56 p. m.

Jacksonville Order 17, Revocation, covering community food prices in the Jacksonville Florida Area, filed 10:00 a. m.



Jacksonville Order 18, Revocation, covering community food prices in the Northern Florida Area, filed 10:01 a. m.

Jacksonville Order 19, Revocation, covering community food prices in the Miami-Tampa, Florida Area, filed 10:01 a. m.

Jacksonville Order 20, Revocation, covering community food prices in the Southern Florida Area, filed 10:01 a. m.

Jacksonville Order 21, Revocation, covering community food prices in the Key West, Florida Area, filed 10:02 a. m.

Montgomery Order 2-W, covering certain food items in certain counties in Alabama, filed 3:12 p. m.

Montgomery Order 16, covering certain food items of dry groceries and perishables in certain areas in Alabama, filed 2:50 p. m.

Savannah Order 1-F, Amendment 38, covering fresh fruits and vegetables in Chatham, Bryan, Liberty, & Effingham Counties, Ga., filed 9:44 a. m.

#### REGION V

Arkansas Order 2-F, Amendment 14, covering fresh fruits and vegetables in Pulaski County, Ark., filed 10:15 a. m.

Arkansas Order 3-F, Amendment 12, covering fresh fruits and vegetables in Craighead County, Ark., filed 10:15 a. m.

Arkansas Order 4-F, Amendment 15, covering fresh fruits and vegetables in Miller County, Ark., filed 10:16 a. m.

Arkansas Order 6-F, Amendment 15, covering fresh fruits and vegetables in Sebastian & Crawford Counties, Ark., filed 10:16 a. m.

Arkansas Order G-18, Correction, covering dry groceries and certain perishables in certain counties in Arkansas, filed 9:49 a. m.

Dallas Order 1-F, Amendment 19, covering fresh fruits and vegetables in County of Dallas, Tex., filed 10:18 a. m.

Dallas Order 2-F, Amendment 5, covering fresh fruits and vegetables in certain named areas in Texas, filed 10:19 a. m.

Dallas Order 3-F, Amendment 14, covering fresh fruits and vegetables in Bowie County, Texas, filed 10:15 a. m.

Dallas Order G-18, Amendment 1, covering poultry in the Dallas District except Texarkana, Tex., filed 10:18 a. m.

Dallas Order G-19, Amendment 1, covering poultry in the Dallas District except Texarkana, Tex., filed 10:17 a. m.

Fort Worth Order 1-F, Amendment 20, covering fresh fruits and vegetables in Tarrant County, filed 2:51 p. m.

Fort Worth Order 2-F, Amendment 20, covering fresh fruits and vegetables in Taylor County, Tex., filed 2:51 p. m.

Fort Worth Order 3-F, Amendment 20, covering fresh fruits and vegetables in Green County, Tex., filed 2:52 p. m.

Fort Worth Order 4-F, Amendment 20, covering fresh fruits and vegetables in McLennan County, Tex., filed 2:52 p. m.

Fort Worth Order 5-F, Amendment 20, covering fresh fruits and vegetables in Wichita County, Tex., filed 2:52 p. m.

Fort Worth Order 6-F, Amendment 5, covering fresh fruits and vegetables in certain counties in Texas, filed 2:53 p. m.

Oklahoma City Order 2-W, covering dry groceries in Oklahoma City District, filed 2:53 p. m.

Oklahoma City Order G-11, covering dry groceries and certain perishables in certain counties in the Oklahoma District, filed 2:55 p. m.

Oklahoma City Order G-12, covering dry groceries and perishables in certain counties in the Oklahoma City District, filed 2:54 p. m.

San Antonio Order 1-F, Amendment 6, covering fresh fruits and vegetables in portions of San Antonio, Tex., filed 10:19 a. m.

San Antonio Order 2-F, Amendment 6, covering fresh fruits and vegetables in Bexar County, Tex., filed 10:20 a. m.

San Antonio Order 3-F, Amendment 2, covering fresh fruits and vegetables in Austin, Tex., filed 10:20 a. m.

San Antonio Order 4-F, Amendment 3, covering fresh fruits and vegetables in Corpus Christi, Tex., filed 10:21 a. m.

Shreveport Order 2-F, Amendment 17, covering fresh fruits and vegetables in Shreveport, Bossier City, Monroe and W. Monroe, La., filed 3:08 p. m.

St. Louis Order 3-F, Amendment 6, covering fresh fruits and vegetables in City of St. Louis and County of St. Louis, Mo., filed 10:14 a. m.

Wichita Order 4-F, covering fresh fruits and vegetables in certain named areas in Kansas, filed 9:52 a. m.

Wichita Order G-21, covering dry groceries and certain perishables in certain counties in Kansas, filed 9:50 a. m.

Wichita Order G-22, covering dry grocery items and perishables in certain counties in Kansas, filed 9:52 a. m.

Wichita Order G-24, covering dry grocery items and perishables in certain areas in Kansas, filed 9:52 a. m.

#### REGION VI

Milwaukee Order 2-F, Amendment 17, covering fresh fruits and vegetables in Dane County, filed 10:30 a. m.

Milwaukee Order 3-F, Amendment 17, covering fresh fruits and vegetables in Milwaukee Counties and Cities of Racine & Kenosha, filed 10:30 a. m.

Milwaukee Order 5-F, Amendment 16, covering fresh fruits and vegetables in Milwaukee, Counties of Sheboygan & Fond Du Lac Counties, filed 10:24 a. m.

Twin Cities Rev. Order 1-W, covering dry groceries in Twin Cities Area, filed 10:31 a. m.

#### REGION VII

New Mexico Order F-2, covering fresh fruits and vegetables in the City of Santa Fe, filed 9:49 a. m.

#### REGION VIII

Sacramento Order 1-P, Amendment 1, covering fresh fish and seafood in the Sacramento Area, filed 3:10 p. m.

Sacramento Order 2-P, Amendment 1, covering fresh fish and seafood in the Stockton-Marysville Area, filed 3:10 p. m.

Sacramento Order 3-P, Amendment 1, covering fresh fish and seafood in the Chico-Red Bluff Area, filed 3:11 p. m.

Sacramento Order 4-P, Amendment 1, covering fresh fish and seafood in the Redding Area, filed 3:11 p. m.

Sacramento Order 14, Amendment 3, covering chickens, turkeys and poultry in the Sacramento District, filed 3:09 p. m.

Seattle Order 3-F, Amendment 18, covering fresh fruits and vegetables in Everett, Washington, filed 9:48 a. m.

San Diego Order 1-F, Amendment 40, covering fresh fruits and vegetables in the San Diego Area, filed 10:31 a. m.

San Diego Order 3-F, covering certain food items in Imperial County, filed 3:09 p. m.

San Francisco Order 4-F, Amendment 8, covering fresh fruits and vegetables in Watsonville, Salinas, Monterey, Carmel, Pacific Grove, & Santa Cruz, filed 10:23 a. m.

San Francisco Order 5-F, Amendment 7, covering fresh fruits and vegetables in certain counties in Calif., filed 10:23 a. m.

San Francisco Order 6-F, Amendment 3, covering fresh fruits and vegetables in the Palo Alto Area, filed 10:24 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,

Secretary.

[F. R. Doc. 44-8837; Filed, June 17, 1944; 4:21 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 June 10, 1944.

#### REGION IV

Jackson Order 2-F, Amendment 14, covering fresh fruits and vegetables in certain named counties in Mississippi, filed 4:10 p. m.

Jackson Order 3-F, Amendment 3, covering fresh fruits and vegetables in specified counties in Jackson District Area, filed 4:09 p. m.

Jackson Order 10, Amendment 1, covering poultry in the Mississippi Area, filed 4:10 p. m.

#### REGION V

Dallas Order G-20, Amendment 1, covering poultry in Texarkana, Tex., filed 4:09 p. m.

Dallas Order G-21, Amendment 1, covering poultry in Texarkana, Tex., filed 4:08 p. m.

#### REGION VI

Des Moines Order 3A, Amendment 4, covering community food prices in certain named counties in Iowa, filed 4:14 p. m.

Des Moines Order 4A, Amendment 4, covering community food prices in Grand Rapids and Certain Counties in Iowa, filed 4:13 p. m.

Des Moines Order 5A, Amendment 4, covering community food prices in Waterloo and named counties in Iowa, filed 4:12 p. m.

North Platte Order 18, Correction, covering certain food items in named areas in Nebraska, filed 4:12 p. m.

North Platte Order 17, Correction, covering certain food items in named counties in Nebraska, filed 4:12 p. m.

Sioux City Order 14, covering community food prices in certain areas in Iowa, S. Dakota, and Nebraska, filed 4:08 p. m.

#### REGION VII

New Mexico Order F-3, covering fresh fruits and vegetables in Gallup, filed 3:59 p. m.

Montana Order 40, covering community food prices in the Helena and East Helena Area, filed 3:49 p. m.

Montana Order 41, covering community food prices in the Great Falls Area, filed 3:49 p. m.

Montana Order 42, covering community food prices in the Butte Area, filed 3:48 p. m.

Montana Order 43, covering community food prices in the Billings Area, filed 3:48 p. m.

Montana Order 44, covering community food prices in the Miles City Area, filed 4:01 p. m.

Montana Order 45, covering community food prices in the Bozeman & Livingston Area, filed 4:01 p. m.

Montana Order 46, covering community food prices in the Missoula Area, filed 4:01 p. m.

Order 47 of Montana, covering community food prices in the Kalispell Area, filed 4:00 p. m.

Montana, Order 47, covering community food prices in the Anaconda Area, filed 4:00 p. m.

Montana Order 49, covering community food prices in the Wolf Point Area, filed 4:03 p. m.

Montana Order 50, covering community food prices in the Glasgow Area, filed 4:03 p. m.

Montana Order 51, covering community food prices in the Chinook and Havre Area, filed 4:02 p. m.

Montana Order 52, covering community food prices in the Cut Bank and Shelby Areas, filed 4:02 p. m.

Montana Order 53, covering community food prices in the Hamilton Area, filed 4:05 p. m.



Montana Order 54, covering community food prices in the Dillon Area, filed 4:05 p. m.

Montana Order 55, covering community food prices in the Roundup and Klein Areas, filed 4:05 p. m.

Montana Order 56, covering community food prices in the Lewistown Area, filed 4:07 p. m.

Montana Order 57, covering community food prices in the Columbus, Park City and Laurel Areas, filed 4:07 p. m.

#### REGION VIII

Los Angeles Order L. A.-5, Amendment 16, covering fresh and canned food items, in the Los Angeles Metropolitan Area, filed 3:54 p. m.

Los Angeles Order L. A.-6, Amendment 16, covering community food prices in the San Bernardino-Riverside Area, filed 3:56 p. m.

Los Angeles Order L. A.-7, Amendment 16, covering community food prices in the Santa Barbara-Ventura Area, filed 3:58 p. m.

Los Angeles Order L. A.-8, Amendment 16, covering community food prices in the San Luis Obispo Area, filed 3:57 p. m.

Los Angeles Order L. A.-10, Amendment 5, covering community food prices in certain communities in California, filed 3:58 p. m.

Los Angeles Order L. A.-11, Amendment 4, covering community food prices in certain communities in California, filed 3:59 p. m.

Phoenix Adopting Order 4 under Basic Order 1-B, covering community food prices in the "Central Navajo-Apache Area", filed 3:54 p. m.

Phoenix Adopting Order 5 under Basic Order 1-B, covering community food prices in the "Southern Navajo-Apache Area", filed 3:53 p. m.

San Diego Order 10, covering certain food items in the San Diego Metropolitan Market District, filed 3:50 p. m.

Spokane Order 1-F, Amendment 12, covering fresh fruits and vegetables in Areas of Spokane County, Washington, filed 3:52 p. m.

Spokane Order 2-F, Amendment 9, covering fresh fruits and vegetables in certain areas of Kootenai County, Idaho, filed 3:52 p. m.

Spokane Order 13, Amendment 2, covering certain food items in certain areas in Spokane County, Washington, filed 3:50 p. m.

Spokane Order 14, Amendment 2, covering certain food items in certain areas in Spokane County, Washington, filed 3:51 p. m.

Spokane Order 17, Amendment 2, covering certain food items in certain areas of Kootenai County, Idaho, filed 3:51 p. m.

Spokane Order 22, Amendment 2, covering certain food items in certain areas of Columbia and Walla Walla Counties, Washington, filed 4:15 p. m.

Spokane Order 24, Amendment 2, covering certain food items in certain areas of Shoshone and Kootenai Counties, Idaho, filed 4:14 p. m.

Copies of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,  
Secretary.

[F. R. Doc. 44-8838; Filed, June 17, 1944;  
4:21 p. m.]

#### LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on April 19, 1944.

#### REGION VII

Montana Order 6-F, covering certain fresh fruits and vegetables at retail in the Great Falls Area, filed 3:27 p. m.

No. 122—7

Montana Order 7-F, covering certain fresh fruits and vegetables at retail in the Butte Area, filed 3:27 p. m.

Montana Order 16-F, covering certain fresh fruits and vegetables at retail in the Havre and Chinook Areas, filed 3:21 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,  
Secretary.

[F. R. Doc. 44-8839; Filed, June 17, 1944;  
4:21 p. m.]

#### SECURITIES AND EXCHANGE COMMISSION.

TWIN STATE GAS & ELECTRIC CO., ET AL.

[File Nos. 70-684, 54-86]

ORDER RELEASING JURISDICTION WITH RESPECT TO LEGAL FEES

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 15th day of June 1944.

In the Matter of The Twin States Gas & Electric Company, Public Service Company of New Hampshire, Central Vermont Public Service Corporation, New England Public Service Company, File No. 70-684; The Twin State Gas & Electric Company, Central Vermont Public Service Corporation, New England Public Service Company, File No. 54-86.

New England Public Service Company, a registered holding company, and certain of its subsidiaries, The Twin State Gas & Electric Company, Public Service Company of New Hampshire and Central Vermont Public Service Corporation, having filed applications and declarations and amendments thereto pursuant to sections 6, 7, 9, 10, 11 (e) and 12 of the Public Utility Holding Company Act of 1935 and the Rules promulgated thereunder, proposing, among other things, the sale and acquisition of the New Hampshire and Maine Properties of The Twin State Gas & Electric Company, the merger of The Twin State Gas & Electric Company's remaining properties into Central Vermont Public Service Corporation and the issuance and sale of securities by Public Service Company of New Hampshire and Central Vermont Public Service Corporation; and

Said amended applications and declarations having estimated fees payable by applicants and declarants to (a) Ropes, Gray, Best, Coolidge & Rugg, (b) E. H. Maxcy and (c) Sulloway, Piper, Jones, Hollis and Godfrey, for legal services performed in connection with the transactions at an aggregate of \$72,200; and

The Commission, by orders dated November 25, 1943, December 6, 1943 and December 21, 1943 (Holding Company Act Releases Nos. 4711, 4741 and 4776), having granted said amended applications and having permitted said amended declarations to become effective subject, however, to certain conditions, including a reservation of jurisdiction with respect to the determination of the reasonableness of the legal fees incurred in connection with the transactions discussed at

length in our findings and opinion entered concurrently with the above orders; and

Applicants and declarants having filed various data with respect to the legal services performed for them in connection with the transactions, together with a statement of the actual legal fees incurred by them in the total amount of \$69,903.60, such total consisting of \$45,000 to Ropes, Gray, Best, Coolidge & Rugg, \$14,453.60 to E. H. Maxcy and \$10,450.00 to Sulloway, Piper, Jones, Hollis and Godfrey; and

It appearing to the Commission that such legal fees are not unreasonable and that jurisdiction over such matters should now be released.

It is hereby ordered, That the jurisdiction reserved in the orders heretofore entered herein on November 25, 1943, December 6, 1943 and December 21, 1943 with respect to the reasonableness of the legal fees incurred and to be paid by applicants and declarants in connection with said transactions be, and the same is hereby, released.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 44-8810; Filed, June 17, 1944;  
10:35 a. m.]

[File No. 70-735]

#### CONSUMERS GAS COMPANY

ORDER GRANTING REQUEST FOR EXTENSION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 16th day of June 1944.

Consumers Gas Company, a subsidiary of The United Gas Improvement Company, a registered holding company and in turn a subsidiary of The United Corporation, also a registered holding company, having requested a one-year extension (to July 2, 1945) of the time fixed by our order of July 2, 1943 (Holding Company Act Release No. 4409) within which Consumers Gas Company may purchase a maximum of 800 shares of capital stock of Reading Gas Company from non-affiliated interests as shares become available for purchase at prices which would yield a favorable return on the funds so invested as compared with other available investments; and

Consumers Gas Company having stated that to date no shares of capital stock of Reading Gas Company have been purchased, nor is it anticipated that any such shares will be purchased before the expiration of the period (July 2, 1944) fixed by our outstanding order, and that a one-year extension is desired in order to consummate said purchase program; and

It appearing to the Commission that the requested extension of time is reasonable and not detrimental to the public interest or the interest of investors and consumers;

It is ordered, That Consumers Gas Company be, and hereby is, granted an additional period of one year from July 2, 1944 within which to consummate the



proposed purchase program covered by our order of July 2, 1943, subject, however, to the same conditions and reservation of jurisdiction as is imposed by said order.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 44-8811; Filed, June 17, 1944;  
10:35 a. m.]

MISSISSIPPI RIVER POWER CO., ET AL.

[File No. 54-96]

NOTICE OF FILING AMENDED PLAN

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 16th day of June 1944.

In the matter of Mississippi River Power Company, Union Electric Company of Missouri, Iowa Union Electric Company, Union Electric Company of Illinois.

Mississippi River Power Company, a subsidiary of Union Electric Company of Missouri, a registered holding company, having filed a plan on April 26, 1944 pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 for the simplification of the structure of the holding company system of Union Electric Company of Missouri; and said plan having been set for hearing on June 8, 1944, pursuant to an order of this Commission entered in the above-styled matter on May 5, 1944; and the hearing on said plan having commenced on June 8, 1944; and Mississippi River Power Company having filed an amended plan during the course of said hearing, to wit, on June 12, 1944; and all persons appearing at the hearing on June 8, 1944 having been notified of the filing of the amended plan, hearings were held on the amended plan on June 12, 1944; and

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors that notice of the filing of the amended plan be given to the public and to all interested persons;

Notice is hereby given that on June 12, 1944 Mississippi River Power Company filed an amended plan pursuant to section 11 (e) of the act. The amended plan differs from the original plan in only one material respect, namely, the treatment accorded the preferred stock of Mississippi River Power Company, with regard to which the amended plan provides that (a) Union Electric Company of Missouri will offer to purchase such preferred stock of Mississippi River Power Company as may be tendered for that purpose (during a limited period of time to be later designated and concerning which stockholders will be notified) for the sum of \$115 in cash plus accrued dividends, and (b) upon the proposed merger of Mississippi River Power Company into Union Electric Company of Missouri, each share of preferred stock of Mississippi River Power Company remaining outstanding after the expiration of the period for the aforesaid purchase will be converted into one share of the Preferred Stock, \$4.50 series, of

Union Electric Company of Missouri; the holders of such remaining shares of Mississippi River Power Company will also be paid the sum of \$2.00 per share in cash plus accrued dividends.

It further appearing to the Commission that it is appropriate that the hearings be reconvened for the purpose of affording an opportunity to any interested person, who may so desire, to appear and be heard with respect to said amended plan;

It is hereby ordered, That the hearings upon the amended plan be reconvened on July 6, 1944, at 10 o'clock a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated on such date by the hearing room clerk in Room 318, at which time any interested person may appear and be heard with respect to said amended plan.

It is further ordered, That a copy of this notice and order be sent by registered mail to Mississippi River Power Company, Union Electric Company of Missouri, Iowa Union Electric Company, Union Electric Company of Illinois, Illinois Commerce Commission and Public Service Commission of Missouri; that notice be given to all other persons by publication in the FEDERAL REGISTER, and by general release of this Commission which shall be distributed to the press and mailed to the mailing list; and

It is further ordered, That Mississippi River Power Company mail a copy of the amended plan filed pursuant to section 11 (e) of the act together with a copy of this notice and order to each of its stockholders at his last known address at least fifteen days prior to July 6, 1944.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 44-8809; Filed, June 17, 1944;  
10:35 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 52-25]

INLAND POWER & LIGHT CORP. AND COMMONWEALTH LIGHT AND POWER CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 15th day of June, A. D. 1944.

In the matter of John E. Dwyer, trustee of the estate of Inland Power & Light Corporation and Walter Bachrach, trustee of the estate of the Commonwealth Light and Power Company, File No. 52-25.

Notice is hereby given that an application for approval of a Plan of Reorganization of Inland Power & Light Corporation (Inland) and The Commonwealth Light and Power Company (Commonwealth), both registered holding companies, subsidiaries of The Middle West Corporation (Middle West), also a registered holding company, has been filed with this Commission pursuant to

section 11 (f) of the Public Utility Holding Company Act of 1935. The application was filed by John E. Dwyer, Trustee of the Estate of Inland, and Walter Bachrach, Trustee of the Estate of Commonwealth, both of whom were appointed by the District Court of the United States for the Northern District of Illinois, Eastern Division (Court), in a reorganization proceedings involving Inland and Commonwealth pursuant to Chapter X of the "Bankruptcy Act".

All interested persons are referred to said application, which is on file in the offices of this Commission, for a statement of the transactions therein proposed which are summarized as follows:

The proposed reorganization plan contemplates certain transactions which, when consummated, will bring about the liquidation and dissolution of Inland and Commonwealth and the distribution of assets among the respective security holders and creditors upon surrender of all securities held and cancellation and discharge of all claims.

I. The plan affects the following securities and claims:

(a) Against Inland.

Secured claims	Principal amount
6% collateral trust bonds, Series A.....	\$651,900.00
6% collateral trust bonds, Series B.....	1,336,600.00
6% collateral trust bonds, Series C.....	2,794,000.00
<i>Unsecured claims</i>	
Debenture claims: Sinking fund debentures.....	1,161,900.00
<i>Other allowed claims:</i>	
The Kansas Power Co.....	60,000.00
Commonwealth of Virginia.....	10,941.86
Central Hanover Bank and Trust Co.....	1,107.73
Guaranty Trust Co of New York.....	750.00
United States Corporation.....	200.00
Missouri Edison Co.....	48.61
Mary Frances Merrick.....	7.20
Girard Trust Co., as Trustee u/d of Morris E. Stern, u/w of Joseph Allen Burton.....	6.20
Union & New Haven Trust Co., Trustee u/d of Sarah E. Johnson.....	4.00
John J. Shonk, Executor of the estate of Albert D. Shonk.....	1.83
Commonwealth.....	3,449,646.89
Middle West.....	1,032.26

(b) Against Commonwealth.

Secured claims: 7% refunding and unifying bonds.....	\$1,664,216.94
<i>Unsecured claims:</i>	
State of Maryland.....	1,150.00
Middle West.....	53,848.60

II. The following is a statement of assets at May 15, 1944:

(a) Inland.

(1) Cash.....	\$3,223,589.84
(2) Securities:	
Missouri Edison Company common stock, 2,400 shares @ assigned value.....	285,000.00
Arkansas-Missouri Power Corporation common stock, 39,278 shares @ assigned value.....	315,000.00



(2) Securities—Continued.  
 Peabody Coal Company  
 Class B Common Stock,  
 300 shares @ assigned  
 value ----- \$1,000.00

601,000.00

3,824,589.84

(3) Contingent assets:  
 Interest in tax escrow fund  
 of \$361,092.28 resulting  
 from sale of The Kansas  
 Power Company common  
 stock.

(b) Commonwealth.

(1) Cash ----- \$754.34  
 (2) Claim against Inland ----- 3,449,646.89

III. The assets of Inland and Commonwealth will be distributed as follows:

1. Public holders of 6% Collateral Trust Sinking Fund Gold Bonds of Inland (\$3,621,900 principal amount) will be paid (a) an initial distribution of \$66.75 in cash for each \$100 in principal amount of said bonds (\$2,417,618.25 aggregate payment) and (b) a 74% share of a fund hereinafter called Remaining Fund, made up of the cash remaining after (1) the initial distribution of cash and securities to creditors and security holders as provided in the Plan, (2) all taxes and all fees and expenses of the reorganization proceedings have been determined and paid and (3) a release of any balance remaining in any tax escrow fund established or to be established in connection with the sale of The Kansas Power Company common stock and the proposed sale of Missouri Edison Company common stock. The three (A, B, and C) series of such bonds will be treated on an equal basis.

2. Public holders of 7% Sinking Fund Debentures of Inland (\$823,200 principal amount) will be paid \$30 in cash for each \$100 in principal amount of said debentures (\$246,660 aggregate payment).

3. Public holders of 7% Refunding and Unifying bonds of Commonwealth (\$107,419.75 principal amount) will be paid \$30 in cash for each \$100 in principal amount of said bonds (\$32,225.93 aggregate payment).

4. Middle West will be paid in full satisfaction of all claims against Inland or Commonwealth (principal amounts, as follows: \$1,160,600 Inland Bonds, \$339,700 Inland Debentures, \$1,556,797.19 Commonwealth Bonds, \$53,848.60 unsecured claims against Commonwealth and \$1,032.26 unsecured claims against Inland).

(a) \$260,785.98 in cash.

(b) 39,278 shares of the common stock of Arkansas-Missouri Power Corporation (all such shares held by Inland) to which there has been assigned a value of \$315,000.

(c) 2,400 shares of the common stock of Missouri Edison Company (all such common stock outstanding) to which there has been assigned a value of \$235,000 (if such common stock is under contract for sale, then an assignment of such contract or if said common stock is sold prior to the effective date of said Plan of Reorganization, then Middle West will receive the proceeds of any sale thereof exclusive of the proceeds of any tax escrow fund established in connection with such sale).

(d) A 26% share of the Remaining Fund referred to above.

5. Central Hanover Bank and Trust Company will be paid \$1,107.73 for services as Trustee under an indenture securing the Collateral Trust Sinking Fund Gold Bonds of Inland. Guaranty Trust Company of New York will be paid \$750 for services as Trustee under an indenture securing the Sinking Fund Debentures of Inland. Such payments are in full, for claims for services rendered.

6. The following creditors of Inland and Commonwealth will be paid \$30 in cash for each \$100 in principal amount thereof (the claim of Commonwealth against Inland in the amount of \$3,449,646.89 is excluded):

Creditor	Principal amount of claim
The Kansas Power Co.-----	\$60,000.00
Commonwealth of Virginia-----	10,941.86
State of Maryland-----	1,150.00
United States Corporation-----	200.00
Missouri Edison Co-----	48.61
Mary Frances Merrick-----	7.20
Girard Trust Co., as Trustee u/d of Morris E. Stern, u/w of Joseph Allen Burton-----	6.20
Union & New Haven Trust Co., Trustee u/d of Sarah E. Johnson-----	4.00
John J. Shonk, Executor of the Estate of Albert D. Shonk-----	1.88

7. No provision is made for participation in the Estate of Inland by any of its preferred stockholders or common stockholders, or in the Estate of Commonwealth by its common stockholders, for the stated reason that the fair value of the assets is substantially less than the aggregate amount of indebtedness.

All holders of securities and claims who fail to present or surrender their securities as provided in the Plan or fail to release their claims within five years after the final decree shall lose all rights to participate in the distribution provided for in said Plan.

The application states that the purpose of the Plan is to avoid further litigation relating to any claims against Inland and Commonwealth and to facilitate the reorganization of Inland and Commonwealth and bring the reorganization proceedings to a conclusion. If said Plan is confirmed, it is stated that a Settlement Agreement and Order regarding certain claims against Commonwealth and Inland entered by the Court on June 8, 1937, shall be modified to the extent necessary to conform with the provisions of the Plan.

It is ordered, That a hearing on said application under the applicable provisions of said act and rules of the Commission thereunder be held on July 31, 1944, at 11:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pa. On such day the hearing room clerk in Room 318 will advise as to the room where such hearing will be held.

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That without limiting the scope of the issues presented by said application to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the proposed Reorganization Plan is fair and equitable to the persons affected thereby.

2. Whether the proposed plan is feasible.

3. Whether adequate notice and opportunity are afforded to claimants to obtain payment of proceeds as provided under the Plan.

4. To what extent, if any, the proposed Plan should be modified or amended to render it feasible and fair and equitable to the persons affected.

5. What terms or conditions should be imposed in accordance with the requirements of the Public Utility Holding Company Act of 1935 or in the public interest or the interest of investors or consumers.

6. Generally, whether the various transactions proposed in connection with the Plan meet the requirements of applicable sections of the Public Utility Holding Company Act of 1935 and the rules, regulations and orders promulgated thereunder.

It is further ordered, That the Secretary of the Commission shall serve notice of the hearing aforesaid by mailing a copy of this order by registered mail to John E. Dwyer, Trustee of the Estate of Inland Power & Light Corporation; Walter Bachrach, Trustee of the Estate of The Commonwealth Light and Power Company; Arthur E. Swanson, Kellogg Logsdon and Gary Barthell, constituting a Bondholders Committee for 6% Collateral Trust Sinking Fund Gold Bonds of Inland acting under Deposit Agreement dated December 6, 1932; The Middle West Corporation; Central Hanover Bank and Trust Company, Trustee under an Indenture dated April 1, 1927; Guaranty Trust Company of New York, Trustee under an Indenture dated June 1, 1927; New York Trust Company, Trustee under an Indenture dated January 1, 1922; Arkansas-Missouri Power Corporation; East Missouri Power Company; Peabody Coal Company; Missouri Edison Company and The Kansas Power Company not less than twenty days prior to the date hereinbefore fixed as the date of the hearing; and that John E. Dwyer, Trustee of the Estate of Inland, and Walter Bachrach, Trustee of the Estate of Commonwealth shall serve notice of the hearing aforesaid by mailing a copy of this order by registered mail to all parties of record in the consolidated proceedings for the reorganization of certain corporations No. 52028 in the United States District Court for the Northern District of Illinois, Eastern Division, not less than fifteen days prior to the date hereinbefore fixed as the date of the hearing; and that notice of said hearing is hereby given to the security holders of Inland and Commonwealth and of the subsidiaries thereof, consumers of said companies, States, municipalities and political subdivisions of States within which are located any of the utility assets of Inland and Commonwealth and all subsidiaries thereof or under the laws of which any of such



companies are incorporated, all State Commissions, State Securities Commissions, and all agents, authorities, judicial bodies or instrumentalities of the United States of America and of one or more States, municipalities or other political subdivisions having jurisdiction over Inland and Commonwealth or any subsidiaries thereof or over any of the businesses, affairs or operations of any of them; that such notice shall be given further by a general release of the Commission distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935; and that further notice is given to all persons by publication of this order in the FEDERAL REGISTER not later than fifteen days prior to the date hereinbefore fixed as the date of hearing.

*It is further ordered.* That John E. Dwyer, Trustee of the Estate of Inland, and Walter Bachrach, Trustee of the Estate of Commonwealth, on or before June 28, 1944, mail to all known security holders of Inland Power & Light Corporation and Commonwealth Light and Power Company respectively, at their last known addresses, copies of this notice of and order for hearing and that such Trustees have available copies of the Plan of Reorganization to be forwarded to such security holders of their respective estates as may request a copy.

*It is further ordered.* That any persons desiring to be heard in connection with this proceeding, or proposing to intervene herein, shall file with the Secretary of this Commission on or before July 22, 1944, his request or application therefor as provided in Rule XVII of the rules of practice of the Commission.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 44-8846; Filed, June 19, 1944;  
9:43 a. m.]

[File No. 31-84]

INTERNATIONAL UTILITIES CORPORATION  
AND DOMINION GAS AND ELECTRIC COMPANY

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 16th day of June, A. D., 1944.

Notice is hereby given that an amendment to the application filed in the above matter has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by International Utilities Corporation ("International"), a registered holding company, and Dominion Gas and Electric Company ("Dominion"), a subsidiary of International and also a registered holding company. All interested persons are referred to said document which is on file in the office of this Commission for a statement of the transaction therein proposed, which is summarized as follows:

On June 12, 1941, this Commission entered an order in the above proceedings (Holding Company Act Release No.

2810) granting exemptions to Dominion from the provisions of sections 13 (a) and 13 (b) of the act and to its Canadian subsidiary companies from certain specified provisions of said Act; such exemptions to expire on June 30, 1943. By subsequent orders said exemptions were extended to June 30, 1944.

On April 15, 1944, this Commission approved the amended plan for recapitalization of International and Dominion which provided, among other things, for the merger of Dominion into International. On April 19, 1944, the Commission made application for enforcement of said plan to the United States District Court for the Southern District of New York. Such application is presently pending before said Court.

The amendment to the application requests the further extension of said exemptions granted to Dominion and its subsidiaries for an additional period to December 31, 1944 and further requests that, upon the consummation of the proposed merger of Dominion into International, similar exemptions from the provisions of section 13 (a) of said act be granted to International in respect to its Canadian subsidiaries as have been granted to Dominion.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters, and that said application, as amended, shall not be granted except pursuant to further order of the Commission;

*It is ordered.* That a hearing on said matters under the applicable provisions of the Act and the rules of the Commission thereunder be held on June 29, 1944 at 10:00 A. M., E. W. T., in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such day, the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held.

*It is further ordered.* That Charles S. Lobingier, or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

*It is further ordered.* That, without limiting the scope of the issues presented by said amended application, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the granting of a further extension of time of the exemptions previously granted to Dominion and its subsidiaries from certain specified sections of the act will be detrimental to the public interest or the interest of investors or consumers;

2. Whether, in the event a further extension of time is granted Dominion, International should be granted similar exemptions upon the consummation of the merger of the two companies;

3. Whether, it is necessary or appropriate to impose any terms or conditions in the public interest or in the interest of investors or consumers and if so, what terms and conditions should be imposed;

*It is further ordered.* That the Secretary of the Commission shall serve notice of the aforesaid hearing by mailing a copy of this order to the applicants; and that the notice of said hearing be given to all persons by publication of this order in the FEDERAL REGISTER. Any other person desiring to be heard in connection with these proceedings, or proposing to intervene herein, shall file with the Secretary of the Commission, on or before June 26, 1944, his request or application therefor, as provided by Rule XVII of the rules of practice of the Commission.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 44-8847; Filed, June 19, 1944;  
9:43 a. m.]

[File No. 43-198]

OKLAHOMA POWER AND WATER COMPANY

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 15th day of June, A. D. 1944.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by the above named party; and

Notice is further given that any interested person may, not later than June 30, 1944 at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application as filed or as amended may become effective or may be granted as provided in Rule U-23 of the rules and regulations promulgated pursuant to said Act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Philadelphia 3, Pennsylvania.

All interested persons are referred to said declaration or application, which is on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized below:

Oklahoma Power and Water Company, a subsidiary of The Middle West Corporation, a registered holding company, proposes to issue \$850,000 principal amount of 2% promissory notes to certain banks in exchange for \$850,000 principal amount of 3¾% notes of the company now held by said banks which mature on July 27, 1944. The new notes will be secured by the pledge of \$1,200,000 principal amount of First Mortgage Five Percent Gold Bonds, Series C, due February 1, 1948 of the company and will be due and payable as follows: \$100,000 on November 27, 1944, \$100,000 on March 27, 1945 and \$650,000 on July 27, 1945.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 44-8848; Filed, June 19, 1944;  
9:43 a. m.]