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FEDERAL REGISTER

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Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[WFO 79-8, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN OMAHA-COUNCIL BLUFFS 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. 79-8 (8 F.R. 13372, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Omaha-Council Bluffs milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401.35 (k) (2) and inserting, in lieu thereof, the numeral "12."

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. 79-8, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79-8, 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 21st day of June 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-9069; Filed, June 21, 1944;
3:33 p. m.]

[WFO 79-48, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN THE DES MOINES, IOWA, 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. 79-48 (8 F.R. 14070, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Des Moines, Iowa, metropolitan milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401.81 (1) (2) and inserting, in lieu thereof, the numeral "12."

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. 79-48, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79-48, 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 21st day of June 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-9070; Filed, June 21, 1944;
3:33 p. m.]

[WFO 79-106, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN THE NASHVILLE, TENN., 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. 79-106 (9 F.R. 139, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Nashville, Tennessee, metropolitan milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401.137 (n) (2) and inserting, in lieu thereof, the numeral "10."

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

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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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w. t., July 1, 1944. With respect to violations of said War Food Order No. 79-106, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79-106, 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 21st day of June 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-9076; Filed, June 21, 1944; 3:34 p. m.]

[WFO 79, Amdt. 2]

PART 1401—DAIRY PRODUCTS

CONSERVATION AND DISTRIBUTION OF FLUID MILK AND CREAM

War Food Order No. 79, 9 F.R. 4321, 4319 (previously issued by the War Food

Administrator on September 7, 1943, as Food Distribution Order No. 79, 8 F.R. 12426, as amended, 8 F.R. 13283) is hereby further amended as follows:

1. By deleting therefrom the provisions in § 1401.29 (c) (2) (vi) and (xii) and inserting, in lieu thereof, the following:

(vi) Receive a transfer of funds from time to time, from the War Food Administration, in order to enable the market agent to perform his duties and functions hereunder; and expend such funds and give an accounting therefor in accordance with such instructions or requirements as may be specified, from time to time by the Director.

(xii) Pay out of the funds received by him as market agent the cost of his bond and of the bonds of his employees, his own compensation and that of his employees, and all other expenses necessarily incurred by him, in the performance of his duties and functions hereunder, in accordance with the provisions hereof and such additional instructions or requirements as may be specified by the Director.

2. By inserting after § 1401.29 (c) (2) (xiv) the following additional provision:

(xv) The market agent shall complete the collection of assessments for quota periods prior to June 1, 1944.

3. By deleting therefrom the provisions in § 1401.29 (c) (4).

The provisions of this amendment shall be effective as of 12:01 a. m., e. w. t., June 1, 1944. With respect to any violation of said War Food Order No. 79, as amended, or any Director's order issued pursuant thereto, any right accrued, or liability incurred, prior to the effective time of this amendment, all of the provisions in said War Food Order No. 79, as amended, in effect prior to the effective date hereof, and the Director's orders issued pursuant thereto, in effect prior to the effective date hereof, shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability. (E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 21st day of June 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-9067; Filed, June 21, 1944; 3:33 p. m.]

[WFO 79-1 to 79-33, inc.; 79-35; 79-38 to 79-81, inc.; 79-83 to 79-101, inc.; 79-103 to 79-139, inc.; 79-141 to 79-144, inc.; Gen. Amdt. 2]

PART 1401—DAIRY PRODUCTS

CONSERVATION AND DISTRIBUTION OF FLUID MILK AND CREAM

General amendment to certain war food orders allocating milk, milk by-products, and cream pursuant to War Food Order No. 79, as amended.

The following orders issued by the Director of Distribution in accordance with the provisions of War Food Order No. 79, 9 F. R. 4321, 4319 (previously issued by the War Food Administrator on September 7, 1943, as Food Distribution Order No. 79, 8 F. R. 12426, as amended, 8 F. R. 13283), as amended, are hereby further amended by deleting therefrom the provisions, in each of said orders issued by the Director, with respect to the payment of assessments by handlers, and by relettering all subsequent paragraphs so as to follow in logical sequence after the provisions which precede the deletion: War Food Orders Nos. 79-1 to 79-33, inclusive; 79-35; 79-38 to 79-81, inclusive; 79-83 to 79-101, inclusive; 79-103 to 79-139, inclusive; and 79-141 to 79-144, inclusive.

The provisions of this amendment shall be effective as of 12:01 a. m., e. w. t., June 1, 1944. With respect to any violation of said War Food Order No. 79, as amended, or any of the aforesaid orders issued pursuant thereto, any right accrued, or liability incurred, prior to the effective time of this amendment, all of the provisions in each of the aforesaid orders issued by the Director, in effect prior to the issuance of this order, 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.

(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 21st day of June 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44-9068; Filed, June 21, 1944;
3:33 p. m.]

[WFO 79-85, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN SIOUX CITY, IOWA, 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. 79-85 (8 F. R. 14723, 9 F. R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Sioux City, Iowa, metropolitan milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401.119 (1) (2) and inserting, in lieu thereof, the numeral "12."

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. 79-85, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79-85, 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 21st day of June 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-9071; Filed, June 21, 1944;
3:34 p. m.]

[WFO 79-95, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN LINCOLN, NEBR., 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. 79-95 (8 F. R. 15479, 9 F. R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk by-products, and cream in the Lincoln, Nebraska, milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401.124 (1) (2) and inserting, in lieu thereof, the numeral "12."

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. 79-95, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79-95, 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 21st day of June 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-9072; Filed, June 21, 1944;
3:34 p. m.]

[WFO 79-103, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN MEMPHIS, TENN., 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. 79-103 (9 F. R. 135, 9 F. R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Memphis, Tennessee, metropolitan milk sales area, is hereby further amended by deleting therefrom the numeral "20" in

§ 1401.136 (n) (2) and inserting, in lieu thereof, the numeral "10."

The provisions of this amendment shall become effective at 12:01 a. m. e. w. t., July 1, 1944. With respect to violations of said War Food Order No. 79-103, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79-103, 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 21st day of June 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-9073; Filed, June 21, 1944;
3:34 p. m.]

[WFO 79-104, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN CHATTANOOGA, TENN., 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. 79-104 (9 F. R. 137, 9 F. R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Chattanooga, Tennessee, metropolitan milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401.144 (n) (2) and inserting, in lieu thereof, the numeral "10."

The provisions of this amendment shall become effective at 12:01 a. m. e. w. t., July 1, 1944. With respect to violations of said War Food Order No. 79-104, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79-104, 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 21st day of June 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-9074; Filed, June 21, 1944;
3:34 p. m.]

[WFO 79-105, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN THE KNOXVILLE, TENN., 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. 79-105 (9 F.R. 138, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Knoxville, Tennessee, metropolitan milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401.138 (n) (2) and inserting, in lieu thereof, the numeral "10."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., July 1, 1944. With respect to violations of said War Food Order No. 79-105, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79-105, 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 21st day of June 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-9075; Filed, June 21, 1944;
3:34 p. m.]

[WFO 79-135, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN AMARILLO, TEX., 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. 79-135 (9 F.R. 1079, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Amarillo, Texas, milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401.165 (n) (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. 79-135, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79-135, 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 21st day of June 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-9077; Filed, June 21, 1944;
3:34 p. m.]

TITLE 15—COMMERCE

Subtitle A—Office of the Secretary of Commerce

PART 4—FELLOWSHIPS IN GEODETIC SURVEYING, MAP AND CHART PRODUCTION AND HYDROGRAPHIC SURVEYING FOR CITIZENS FROM OTHER AMERICAN REPUBLICS

Pursuant to the following authority and official recommendations and subject to appropriations available, fellowships in the United States Coast and Geodetic Survey, for training in geodetic surveying, map and chart production and hydrographic surveying, will be awarded to qualified applicants from other American republics:

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

(b) The Department of State Appropriation Act, 1944, approved July 1, 1943, appropriating funds for tuition, compensation, monthly allowances and enrollment, laboratory, insurance, and other fees incident to training, including traveling expenses in the United States and abroad in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended, of educational, professional, and artistic leaders and professors, students, internes, and persons possessing special scientific or other technical qualifications, who are citizens of the United States or the other American republics;

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

(d) Title 5, U.S.C., sec. 591, 596, 597 and 599, establishing the Department of Commerce, naming its constituent agencies and indicating its purpose.

Fellowships will be awarded, subject to the following regulations:

Sec.

- 4.1 Type of fellowship.
- 4.2 Qualifications.
- 4.3 Award of fellowships.
- 4.4 Allowances and expenses.
- 4.5 Duration of fellowships.
- 4.6 Progress reports.
- 4.7 Official notification.

AUTHORITY: §§ 4.1 to 4.7, inclusive, issued under R. S. 161, 5 U.S.C. 22; 53 Stat. 1290, 22 U.S.C. 501 and 502; 5 U.S.C. 591, 596, 597 and 599; Pub. Law 105, 78th Cong., 1st Sess., approved July 1, 1943.

§ 4.1 *Type of fellowship.* Fellowships shall be of the interne-training type and may include instruction and practical training in one or more of the following branches of surveying or chart production:

(a) *Geodetic surveying.* Triangulation, base measuring, astronomic observation and leveling; and related office practices.

(b) *Chart production.* Planning and administration of chart production programs; basic cartographic procedures; preparation and use of fundamental field data; elements of map projection; and methods of reproduction of maps and charts.

(c) *Hydrographic surveying.* Hydrographic surveying and mapping practices, including training in tide and current surveys, magnetic work, assembling and processing field data as necessary for chart and map compilation.

Fellows may be assigned for study and training in the headquarters offices of the United States Coast and Geodetic Survey in Washington, D. C., and in the offices of other governmental offices and agencies engaged in related work, and may also be afforded opportunities for practical training and experience with field parties of the United States Coast and Geodetic Survey operating in the United States, its Territories or Possessions.

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

(a) A bona fide citizen of one of the American republics other than the United States;

(b) In possession of a certificate of medical examination issued by a licensed physician within 60 days of the date of application, describing the applicant's physical condition and stating that he is free from any communicable disease or disability that would interfere with the proper pursuit of studies or training, or the performance of any activity incident to his fellowship;

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

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

(e) In possession of an official statement or transcript of studies showing that he has the requisite experience and has successfully completed the minimum educational requirement corresponding to the field of studies in which application for a fellowship is made, as follows:

(1) *Geodetic surveying.* A standard four-year course (or the equivalent) in civil engineering at a recognized institution of learning, which included a course in surveying (or a special branch thereof); or in lieu of such civil engineering course, practical field experience of a responsible nature (in surveying) for an equal length of time;

(2) *Map and chart production.* A standard four-year course (or the equivalent) in civil engineering at a recognized institution of learning, which included a course in surveying (or a special branch thereof); or in lieu of such civil engineering course, practical field experience of a responsible nature in surveying for an equal length of time; or ten years of practical experience in the graphic arts, at least three years of which shall have been in the reproduction of maps or charts.

(3) *Hydrographic surveying.* (i) At least five years of service with the gov-

ernmental agency of his country (of which he shall be a responsible staff member or technician at the time of the award of fellowship) which is engaged in substantially the same work performed by the United States Coast and Geodetic Survey; and (ii) some familiarity with modern hydrographic methods and practices.

§ 4.3 *Award of fellowships.* Fellowships shall be awarded by the Director of the Coast and Geodetic Survey with the approval of the Secretary of Commerce and the Secretary of State, or the duly authorized representative of the Secretary of State. Applications shall be transmitted to the Secretary of State by the government of the American republic of which the applicant is a citizen through the American diplomatic mission accredited to that government.

§ 4.4 *Allowances and expenses.* An applicant awarded a fellowship may be entitled to any or all of the following:

(a) *Monthly allowances.* Monthly allowances for quarters and subsistence during the entire period spent in the United States, or its Territories or Possessions, in pursuance of a fellowship, beginning on the date of arrival at his initial headquarters and ending on the date of departure for his home, at the following rates: (1) Not exceeding \$180 per month while under assignment to headquarters in a Department or agency of the Federal Government in a city of more than 100,000 population, or not exceeding \$150 per month while under such assignment in a city of less than 100,000 population; and (2) not exceeding \$120 per month while under assignment to receive training as a member of a field party of the United States Coast and Geodetic Survey.

(b) *Transportation expenses.* Transportation expenses from the home of the applicant (or place in which appointment is accepted) to the place or places in the United States, its Territories or Possessions, where studies and training are to be pursued, and return to the home of the applicant (or point of departure), including travel via Washington, D. C., en route to the place of studies or training and from the place of studies or training to Washington, D. C., and return to that place, if necessary, for consultation with reference to the fellowship, and between places of studies and training in the United States, its Territories or Possessions, in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended, in which connection claim for reimbursement may be made only for items in the following schedule and contingent upon prior authorization:

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

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

(2) *Pullman fare.*¹ Lower berth or parlor car seat. No receipts are necessary if Government transportation requests are used. If purchased with cash the Pullman stub must be attached to the reimbursement voucher.

(3) *Steamer fare.*¹ Not exceeding the lowest minimum first-class fare of the ship on which travel is performed. American vessels must be used if available (section 901 of the Merchant Marine Act of 1936, 49 Stat. 2015). (This requirement has been suspended with respect to appropriations for the fiscal year 1944 by section 302 of Public Law 216, 78th Congress, approved December 23, 1943.) No receipts are necessary.

(4) *Airplane fare.*¹ Transportation by air will be allowed regardless of the cost when authorized by the Director of the Coast and Geodetic Survey. When air travel has not been specifically authorized, the traveler may proceed by air with the understanding that he may claim reimbursement therefor only in an amount not exceeding what it would have cost had the travel been performed by public conveyance over land or water. No receipts are necessary.

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

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

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

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

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

(c) *Per diem.* Per diem in lieu of subsistence while in travel status proceeding from, and to, his home at the following rates: \$6.00 over land and by air in and outside of the United States, and \$4.00 aboard vessels outside of the United States. No per diem will be allowed concurrently with monthly allowances, but per diem may be substituted therefor at the rate of \$6.00 per day for any period of authorized travel.

§ 4.5 *Duration of fellowships.* Fellowships may be awarded for periods varying in accordance with the field of studies in which application for a fellowship is made; as follows:

(a) *Geodetic surveying.* Not exceeding eight months of actual study and training.

(b) *Map and chart production.* Not exceeding six months of actual study and training.

(c) *Hydrographic surveying.* Not exceeding three months of actual study and training.

Fellowships may be extended for not exceeding the same periods in the manner prescribed under § 4.3 of these regulations and subject to the availability of appropriations. Fellowships may be cancelled for cause by the Director of the United States Coast and Geodetic Survey, with the approval of the Secretary of Commerce and the Secretary of State, or the duly authorized representative of the Secretary of State.

§ 4.6 *Progress reports.* Progress reports indicating experience and giving general impressions shall be submitted by each fellow at such intervals as the Director of the Coast and Geodetic Survey may determine. At the conclusion of the fellowship a general report shall be submitted.

§ 4.7 *Official notification.* Each applicant selected for a fellowship by the Director of the Coast and Geodetic Survey, and approved by the Secretary of Commerce and the Secretary of State, or the duly authorized representative of the Secretary of State, shall be notified of his award through diplomatic channels. The notification shall name the field of study in which the award is made, describe the program of studies and training, and state the duration of the fellowship and the allowances authorized: *Provided, however,* That the Director of the Coast and Geodetic Survey may subsequently amend the program of study and training and the duration of the fellowship if in his opinion such action would be in the interest of obtaining a program better suited to the needs and capabilities of the fellow than that prescribed in the notification. The amount originally authorized for monthly allowances and other expenses may also be amended, if necessary, with the approval of the Secretary of Commerce and the Secretary of State, or the duly authorized representative of the Secretary of State.

Dated: June 7, 1944.

[SEAL] L. O. COLBERT,
Director,
U. S. Coast and Geodetic Survey.

Approved: June 9, 1944.

JESSE H. JONES,
Secretary of Commerce.

Approved: June 20, 1944.

CORDELL HULL,
Secretary of State.

[F. R. Doc. 44-9135; Filed, June 22, 1944;
12:16 p. m.]

Chapter I—Bureau of the Census, Department of Commerce

PART 40—FELLOWSHIPS IN VITAL STATISTICS

Pursuant to the following authority and official recommendations and subject to appropriations available, fellowships in the United States Bureau of the Census in vital statistics, including re-

¹ In all cases, round trip tickets must be purchased if possible. In the event that the return portion of the ticket cannot be used, it should be returned to the Coast and Geodetic Survey.

lated public health and demographic statistics, will be awarded to qualified applicants from other American republics.

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

(b) The Department of State Appropriation Act, 1944, approved July 1, 1943 (Public Law 105, 78th Congress, 1st Session) appropriating funds for tuition, compensation, monthly allowances and enrollment, laboratory, insurance, and other fees incident to training, including traveling expenses in the United States and abroad in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended, of educational, professional, and artistic leaders and professors, students, internes, and persons possessing special scientific or other technical qualifications, who are citizens of the United States or the other American republics; and

(c) Title 5 U.S.C. sec. 22 (R.S.), sec. 161, authorizing the head of each department to prescribe regulations for the government of his department and the performance of his business; the permanent Census Act of March 16, 1902, 32 Stat. 51; sec. 8, as amended by the Act of April 27, 1904, 33 Stat. 362, authorizing the Director of the Census to collect statistics of the births and deaths in registration areas annually; and sec. 4 of the Organic Act creating the Department of Commerce, 32 Stat. 826, transferring the Census Office to the Department of Commerce; and the Census Act of June 18, 1929, 46 Stat. 21.

Fellowships will be awarded, subject to the following regulations:

- Sec.
- 40.1 Type of fellowship.
- 40.2 Qualifications.
- 40.3 Award of fellowships.
- 40.4 Allowances and expenses.
- 40.5 Progress reports.
- 40.6 Duration of fellowships.
- 40.7 Official notification.

AUTHORITY: §§ 40.1 to 40.7, inclusive, issued under R.S. 161, 5 U.S.C. 22; 53 Stat. 1290, 22 U.S.C. 501, 502; Act of March 16, 1902, 32 Stat. 51, sec. 8, 52, amended by Act of April 27, 1904, 33 Stat. 362; Act of Feb. 14, 1903, sec. 4, 32 Stat. 825, 826; Act of June 18, 1929, 46 Stat. 21; Pub. Law 105, 78th Cong., 1st Sess., approved July 1, 1943.

§ 40.1 Type of fellowship. Fellowships shall be of the combined interne-training and training-in-research type, and may include any or all of the following courses:

(a) Orientation courses consisting of lectures and conferences in the United States Bureau of the Census on (1) organization and administration of the

Bureau of the Census, (2) civil registration systems and procedures, (3) population trends, (4) organization and functioning of vital statistics systems, (5) organization and administration of public programs,

(b) Seminars in the U. S. Bureau of the Census in specific topics of vital statistics and demography and in their relationship to other public health fields; including (1) classification and tabulation of data, (2) methods of testing completeness and accuracy of birth and death registration, (3) cause-of-death classification, (4) residence allocation, (5) uses of mechanical equipment, (6) sampling, (7) rates and ratios, (8) fertility and population growth, and (9) related topics.

(c) Courses of instruction or research assignments supplementing the topics covered in the conference courses and seminars, in universities or colleges selected by the Director of the Census.

(d) Practical observation and training courses in one or more state and local vital statistics organizations, demographic and public health research foundations, and similar institutions and agencies selected by the Director of the Census.

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

(a) A citizen of an American republic other than the United States;

(b) In possession of a certificate of medical examination issued by a licensed physician within 60 days of the date of application, describing the applicant's physical condition and stating that he is free from any communicable disease, physical deformity, or disability that would interfere with the proper pursuit of training, research, or any other activity or work incident to the fellowship;

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

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

(e) In possession of acceptable evidence that he has successfully completed the equivalent of a four-year university course, with some training or experience in any one of the branches of learning related to vital statistics, such as public health statistics, hospital or institutional statistics, demography, theoretical statistics. Equivalent experience may be substituted for the university training described.

§ 40.3 Award of fellowships. Fellowships shall be awarded by the Director of the Census, with the approval of the Secretary of Commerce and the Secretary of State, or the duly authorized representative of the Secretary of State. Applications shall be transmitted to the Secretary of State by the government of the American republic of which the applicant is a citizen through the American diplomatic mission accredited to that government.

§ 40.4 Allowances and expenses. An applicant awarded a fellowship may be entitled to any or all of the following:

(a) **Monthly allowances.** Monthly allowances for quarters and subsistence during the entire period spent in the

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

(b) **Transportation expenses.** Transportation expenses from the home of the applicant (or place in which appointment is accepted) to the place or places in the United States, its Territories or Possessions, where the training and research are to be pursued, and return to the home of the applicant (or point of departure), including travel via Washington, D. C., en route to the place of training or research and from the place of training or research to Washington, D. C., and return to that place, if necessary, for consultation with reference to the fellowship, and between places of training and research in the United States, its Territories or Possessions, in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926 as amended, in which connection claim for reimbursement may be made only for items in the following schedule and contingent upon prior authorization:

(1) **Rail fare.**¹ First-class fare. If travel is performed on an extra-fare train, expenses in excess of the first-class fare must be borne by the traveler. No receipts are necessary. (Government transportation requests are to be used, if practicable, within the United States.)

(2) **Pullman fare.**¹ Lower berth or parlor car seat. No receipts are necessary if Government transportation requests are used. If purchased with cash the Pullman stub must be attached to the reimbursement voucher.

(3) **Steamer fare.**¹ Not exceeding the lowest minimum first-class fare of the ship on which travel is performed. American vessels must be used if available (section 901 of the Merchant Marine Act of 1936, 49 Stat. 2015. This requirement has been suspended with respect to appropriations for the fiscal year 1944 by section 302 of Public Law 216, 78th Congress, approved December 23, 1943.) No receipts are necessary.

(4) **Airplane fare.**¹ Transportation by air will be allowed regardless of the cost when authorized or approved by the Secretary of Commerce. When air travel has not been specifically authorized, the

¹ In all cases, round trip tickets must be purchased if possible. In the event that the return portion of the ticket cannot be used, it should be returned to the Director of the Census.

traveler may proceed by air with the understanding that he may claim reimbursement therefor only in an amount not exceeding what it would have cost had the travel been performed by public conveyance over land or water. No receipts are necessary.

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

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

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

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

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

(c) *Per diem.* Per diem in lieu of subsistence while in travel status proceeding from, and to, his home at the following rates: \$6.00 over land or by air in and outside of the continental limits of the United States, and \$4.00 aboard vessels outside of the United States. No per diem will be allowed concurrently with monthly allowances, but per diem may be substituted therefor at the rate of \$6.00 per day for any period of authorized travel.

(d) *Other expenses.* Enrollment fees, tuition, medical and infirmary fees, laboratory fees, cost of textbooks and rental of equipment, payable to the institution, person, firm or corporation that may have rendered the services or furnished the supplies, upon prior authorization of the Director of the Census. Such expenses may be billed directly to the Bureau of the Census, Department of Commerce, and shall bear the signature of the fellow receiving the services or using the supplies. However, should that procedure not be practicable, the fellow may pay the bill, if authorized to do so, and render an appropriate account to the Bureau of the Census.

§ 40.5 *Progress reports.* Applicants awarded fellowships under these regulations shall submit written reports of progress in training and research at such intervals as the Director of the Census may determine.

§ 40.6 *Duration of fellowship.* Fellowships may be awarded for periods of varying length, not exceeding one 12-month period of actual training and research, and may be extended for not exceeding the same periods in the manner prescribed under § 40.3 of these regulations and subject to the availability of appropriations. Fellowships may be cancelled for cause by the Director of the Census, with the approval of the

Secretary of Commerce and the Secretary of State, or the duly authorized representative of the Secretary of State.

§ 40.7 *Official notification.* Each applicant selected by the Director of the Census and approved by the Secretary of Commerce and the Secretary of State, or the duly authorized representative of the Secretary of State, shall be notified of his award through diplomatic channels. The notification shall state the duration and type of fellowship, outline the program of training and research, and state the allowances authorized: *Provided, however,* That the Director of the Census may subsequently amend the program and duration of the fellowship if in his opinion such action would be in the interest of obtaining training or research better suited to the needs and capabilities of the fellow than those prescribed in the notification. The amount originally authorized for monthly allowances and other expenses may also be amended, if necessary, with the approval of the Secretary of Commerce and the Secretary of State, or the duly authorized representative of the Secretary of State.

Dated: June 5, 1944.

[SEAL]

J. C. CAPT,
Director of the Census.

Approved: June 12, 1944.

JESSE H. JONES,
Secretary of Commerce.

Approved: June 20, 1944.

CORDELL HULL,
Secretary of State.

[F. R. Doc. 44-9137; Filed, June 22, 1944;
12:16 p. m.]

Chapter III—Bureau of Foreign and Domestic Commerce, Department of Commerce

PART 310—FELLOWSHIPS IN FOREIGN TRADE STATISTICS FOR QUALIFIED CITIZENS OF OTHER AMERICAN REPUBLICS

Pursuant to the following authority and official recommendations and subject to appropriations available, fellowships for the study of foreign trade statistics, in the Bureau of Foreign and Domestic Commerce, will be awarded to qualified applicants from other American republics:

(a) Public Law 355, 76th Congress, approved August 9, 1939 (53 Stat. 1290) authorizing the President to utilize the services of the Departments, agencies and independent establishments of the Government of the United States for the purpose of rendering closer and more effective the relationship between the American republics (see Resolutions adopted at the Eighth International Conference of American States held at Lima, Peru, December 9-27, 1936, No. 62, providing that the American Governments will mutually make available information respecting legislative and administrative measures in the financial and economic fields; and No. 81, providing for reciprocal admission of technicians to private and official institutes for scientific research, and recommending

that the American Governments facilitate and support compliance with requests from each other for scientific investigations):

(b) The Department of State Appropriation Act, 1944, approved July 1, 1943, appropriating funds for tuition, compensation, monthly allowances and enrollment, laboratory, insurance, and other fees incident to training, including traveling expenses in the United States and abroad in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended, of educational, professional, and artistic leaders, and professors, students, internes, and persons possessing special scientific or other technical qualifications, who are citizens of the United States or the other American republics; and

(c) Title 5, U.S.C., sec. 22 (R.S., sec. 161) authorizing the head of each department to prescribe regulations for the government of his department and the performance of its business; Title 15, U.S.C., sec. 175 (Act of February 14, 1903, 32 Stat. 827; Act of August 23, 1912, 37 Stat. 407) authorizing the Bureau of Foreign and Domestic Commerce, under the direction of the Secretary of Commerce, to foster, promote and develop the various manufacturing industries of the United States, and markets for the same at home and abroad, domestic and foreign, by such methods and means as may be prescribed by the Secretary of Commerce or provided by law.

Fellowships will be awarded subject to the following regulations:

Sec.

- 310.1 Type of fellowship.
- 310.2 Qualifications.
- 310.3 Award of fellowships.
- 310.4 Allowances and expenses.
- 310.5 Progress and other reports.
- 310.6 Duration of fellowships.
- 310.7 Official notification.

AUTHORITY: §§ 310.1 to 310.7, inclusive, issued under R. S. 161; 53 Stat. 1290; 32 Stat. 827; 37 Stat. 407; and Pub. Law 105, 78th Cong., 1st Sess., approved July 1, 1943.

§ 310.1 *Type of fellowship.* Fellowships shall be of the interne-training type and may include instruction and practical training in all phases of the collection, processing and utilization for analytical purposes of the foreign trade statistics of the United States.

Fellows may be assigned for study and training in the Washington, D. C. offices of the Bureau of Foreign and Domestic Commerce, in other offices of the Department of Commerce whose work is concerned with foreign trade statistics and in one or more of the regional and district offices of the Department of Commerce in the United States. Fellows may also be afforded special opportunities for observation or research in other institutions designated by the Bureau of Foreign and Domestic Commerce.

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

- (a) A bona fide citizen of an American republic other than United States;
- (b) In possession of a certificate of medical examination issued by a licensed physician within 60 days of the date of application, describing the applicant's

physical condition and stating that he is free from any communicable disease, and from any disease or disability that would interfere with the proper pursuit of studies or training or the performance of any activity or work incident to the fellowship;

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

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

(e) Actively engaged in a responsible capacity in the work of a governmental agency that is charged with the collection, processing and analysis of foreign trade statistics (or have been so engaged at any time during the past five years); or similarly engaged in comparable technical or professional work in a private agency or organization.

§ 310.3 *Award of fellowships.* Fellowships shall be awarded by the Director of the Bureau of Foreign and Domestic Commerce with the approval of the Secretary of Commerce and the Secretary of State, or the duly authorized representative of the Secretary of State. Applications shall be transmitted to the Secretary of State by the government of the American republic of which the applicant is a citizen through the American diplomatic mission accredited to that government.

§ 310.4 *Allowances and expenses.* An applicant awarded a fellowship may be entitled to any or all of the following:

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

(b) *Transportation expenses.* Transportation expenses from the home of the applicant (or place in which appointment is accepted) to the place or places in the United States, its Territories or Possessions, where studies and training are to be pursued, and return to the home of the applicant (or point of departure), including travel via Washington, D. C., en route to the place of studies or training and from the place of studies or training to Washington, D. C., and return to that place, if necessary, for consultation with reference to the fellowship, and between places of studies and training in the United States, its Territories or Possessions, in accordance with

the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended, in which connection claim for reimbursement may be made only for items in the following schedule and contingent upon prior authorization:

(1) *Rail fare.*¹ First-class fare. If travel is performed on an extra-fare train, expenses in excess of the first-class fare must be borne by the traveler. No receipts are necessary. (Government transportation requests are to be used, if practicable, within the United States.)

(2) *Pullman fare.*¹ Lower berth or parlor car seats. No receipts are necessary if Government transportation requests are used. If purchased with cash the Pullman stub must be attached to the reimbursement voucher.

(3) *Steamer fare.*¹ Not exceeding the lowest minimum first-class fare of the ship on which travel is performed. American vessels must be used if available (section 901 of the Merchant Marine Act of 1936, 49 Stat. 2015). (This requirement has been suspended with respect to appropriations for the fiscal year 1944 by section 302 of Public Law 216, 78th Congress, approved December 23, 1943). No receipts are necessary.

(4) *Airplane fare.*¹ Transportation by air will be allowed regardless of cost when authorized by the Director of the Bureau of Foreign and Domestic Commerce. When air travel has not been specifically authorized, the traveler may proceed by air with the understanding that he may claim reimbursement therefor only in an amount not exceeding what it would have cost had the travel been performed by public conveyance over land or water. No receipts are necessary.

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

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

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

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

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

(c) *Per diem.* Per diem in lieu of subsistence while in travel status proceeding from, and to, his home at the following

rates: \$6.00 over land and by air in and outside of the United States and \$4.00 aboard vessels outside of the United States.

No per diem will be allowed concurrently with monthly allowances, but per diem may be substituted therefor at the rate of \$6.00 per day for any period of authorized travel.

(d) *Other expenses.* Enrollment fees, tuition, medical and infirmary fees, laboratory fees, cost of textbooks and rental of equipment, payable to the institution, person, firm or corporation that may have rendered the services or furnished the supplies, upon prior authorization of the Director of the Bureau of Foreign and Domestic Commerce. Such expenses, may be billed directly to the Bureau of Foreign and Domestic Commerce, U. S. Department of Commerce, and shall bear the signature of the fellow receiving the services or using the supplies. However, should that procedure not be practicable, the fellow may pay the bill, if authorized to do so, and render an appropriate account to the Bureau of Foreign and Domestic Commerce.

§ 310.5 *Reports.* Applicants awarded fellowships shall submit written reports of progress in studies and training and other reports, at such intervals as the Director of the Bureau of Foreign and Domestic Commerce may determine.

§ 310.6 *Duration of fellowships.* Fellowships may be awarded for periods of varying length, not exceeding six months of actual studies and training in the United States.¹ Fellowships may be extended for not exceeding the same period in the manner prescribed under § 310.3 of these regulations, and subject to the availability of appropriations. Fellowships may be cancelled for cause by the Director of the Bureau of Foreign and Domestic Commerce, with the approval of the Secretary of Commerce and the Secretary of State, or the duly authorized representative of the Secretary of State.

§ 310.7 *Official notification.* Each applicant selected for a fellowship by the Director of the Bureau of Foreign and Domestic Commerce, and approved by the Secretary of Commerce and the Secretary of State, or the duly authorized representative of the Secretary of State, shall be notified of his award through diplomatic channels. The notification shall state the duration and type of fellowship, outline the course of studies and training, name the place or places of studies and training, and state the allowances authorized: *Provided, however,* That the Director of the Bureau of Foreign and Domestic Commerce may subsequently amend the program of studies and training, and the duration of the fellowship if in his opinion such action would be in the interest of obtaining a program better suited to the needs and capabilities of the fellow than that prescribed in the notification. The amount originally authorized for monthly allowances and other expenses may also be amended, if necessary, with the approval of the Secretary of Commerce and the

¹ In all cases, round trip tickets must be purchased if possible. In the event that the return portion of the ticket cannot be used, it should be returned to the Bureau of Foreign and Domestic Commerce.

Secretary of State, or the duly authorized representative of the Secretary of State.

Dated: June 13, 1944.

[SEAL] AMOS E. TAYLOR,
Director, Bureau of Foreign
and Domestic Commerce.

Approved: June 14, 1944.

WILLIAM A. M. BURDEN,
Acting Secretary of Commerce.

Approved: June 20, 1944.

CORDELL HULL,
Secretary of State.

[F. R. Doc. 44-9136; Filed, June 22, 1944;
12:16 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter A—General Provisions

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 903—DELEGATIONS OF AUTHORITY [Directive 36]

RATIONING OF NEW COMMERCIAL VEHICLES

§ 903.49 *Directive No. 36*—(a) *Rationing authority transferred to Director of Office of Defense Transportation.* The Director of the Office of Defense Transportation (hereafter referred to as the Director) is hereby authorized to perform the functions and exercise the power, authority and discretion conferred upon the President by section 2 (a) of the Act of June 28, 1940 (Pub. Law 671, 76th Cong.) as amended by the Act of May 31, 1941 (Pub. Law 89, 77th Cong.) and by Title III of the Second War Powers Act, 1942 (Pub. Law 507, 77th Cong.) with respect to the exercise of rationing control over the transfer, sale, delivery, use or other disposition of new commercial motor vehicles as defined herein. Nothing in this directive shall be deemed in any way to limit the functions and authority of the Director under the Act of December 1, 1942 (Pub. Law 779, 77th Cong.) and Executive Order No. 9294, dated January 4, 1943.

(b) *Information, reports and records.* In connection with the exercise of rationing control, the Director is further authorized to exercise the power, authority and discretion conferred upon the President by the Second War Powers Act, 1942 (Pub. Law 507, 77th Cong.), except with respect to vehicle production and distribution by manufacturers, to obtain information, to require reports and keeping of records; to make inspection of books, records and other writings; to make investigations; to administer oaths and affirmations and to require the attendance and testimony of witnesses and the production of books, records or other documentary or physical evidence pursuant to said statute.

(c) *Limitations on the authority delegated.* The power, authority and discre-

tion hereby delegated to the Director in respect to the rationing of new commercial motor vehicles shall be exercised under the following conditions:

(1) Quotas have been and will be established by the War Production Board, from time to time, fixing the number of new commercial motor vehicles to be made available from the existing stockpile of vehicles and from new production to the Army and Navy of the United States, the Office of Defense Transportation, the Foreign Economic Administration (including the Office of Lend-Lease Administration and the Office of Economic Warfare), Canada, the United States Maritime Commission, the Panama Canal, the Procurement Division of the Treasury Department, the War Production Board and to any other agency which the War Production Board determines is entitled to a quota. These quotas shall not be altered or modified in total amount over the period for which they are established except when approved by the War Production Board.

(2) Within the limits of its own quota each such agency shall determine the use to which the particular vehicle is to be put and the Director shall not refuse to authorize the transfer on any ground other than that the particular quota has been exhausted.

(3) In the rationing of new commercial motor vehicles from the quota established for the Office of Defense Transportation, the Director shall authorize the transfer, sale, delivery, use or other disposition of new commercial motor vehicles pursuant to such standards, orders and regulations as he may deem necessary in the public interest and to promote the national defense.

(d) *Delegation of authority by the Director.* The Director may exercise the power, authority and discretion conferred upon him by this directive through such officials and employees of the Office of Defense Transportation, or other officials of the Government of the United States, as he may determine and pursuant to such orders and regulations as he may deem requisite in the public interest.

(e) *Reports to War Production Board.* The Director shall furnish reports at monthly intervals to the War Production Board covering the number of vehicles transferred from each of the established quotas, and such other reports as may be required by the Board.

(f) *Definition.* "New commercial motor vehicle" means any light, medium or heavy motor truck, truck-tractor or trailer, or the chassis therefor, or any chassis on which a bus body is to be mounted, and which (1) was manufactured subsequently to July 31, 1941; (2) was designed to be propelled or drawn by mechanical power; (3) was designed for use on or off the highways for transportation of property or persons; (4) was manufactured otherwise than under specification of the United States Army or Navy; (5) has not been transferred to any person other than a sales agency for the purpose of resale; including vehicles of the following types: trucks, truck chassis, truck tractors, off-the-highway

motor vehicles, full-trailers, semi-trailers, ambulances, hearses, bus chassis, station wagons, carry-all suburbans, sedan deliveries, utility sedans, coupes fitted with pickup boxes, and cab pickups, but not including taxicabs, and integral type buses.

(g) *Modification of this directive.* The War Production Board may from time to time amend this directive in such manner and to such extent as it may determine to be necessary. This directive modifies Supplementary Directive LC, issued February 23, 1942, to the extent applicable.

(h) *Executive orders not affected.* Nothing in this directive affects the respective obligations and authorities of the Director and the Chairman of the War Production Board with respect to determining the relative importance of deliveries required for defense, by such instructions, certifications and directives as may be issued by the Chairman, as stated in paragraph 4 of Executive Order 8989, dated December 18, 1941, and any other applicable executive orders.

(i) *Effective date of this directive.* This directive shall become effective on and after July 1, 1944.

Issued this 23d day of June 1944.

WAR PRODUCTION BOARD,
By S. W. ANDERSON,
Program Vice Chairman.

[F. R. Doc. 44-9173; Filed, June 23, 1944;
11:48 a. m.]

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 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 3, as Amended June 23, 1944]

§ 944.23 *Priorities Regulation 3*—(a) *Purpose of this regulation.* This regulation states the rules for the use of preference ratings, what kind of purchase orders or services may be rated and how a rating may be put on an order. It also places restrictions on the use of ratings and includes lists of products for which ratings may not be used at all or for which certain kinds of ratings may not be used. In general this regulation should be consulted before using a rating whether it was gotten directly from the War Production Board or from a customer.

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

(1) "Person" and "material" mean the same thing they do in Priorities Regulation 1.

(2) "Assignment" of a preference rating. A preference rating is assigned to a person when the War Production Board or someone that it has authorized issues an order or preference rating certificate giving him the right to use the rating.

(3) "Application" of a preference rating. A preference rating is applied when

the person to whom it is assigned uses the rating. A rating is applied also when any governmental agency which is authorized by the War Production Board rates an order for delivery of material directly to it.

(4) "Extension" of a preference rating. A preference rating is extended when it is used by the person to whom it is applied or extended by another person.

(c) *Use of ratings in general.* (1) When a regulation, preference rating order or preference rating certificate assigns a rating to any person, either by naming him or by describing the class of persons to which he belongs (as is done in the schedules to CMP Regulation 5), that person may apply the rating to get delivery of material or the performance of certain services. Also, a person may under certain conditions extend a rating which has been applied or extended to his deliveries of material, but not one applied to services. More detailed rules as to how and when ratings may be applied or extended are set out below in this regulation.

(2) When a War Production Board order or certificate states the quantities and kinds of material or the particular services which are rated, the person to whom it is assigned may use the rating to get only that quantity and kind of material or that particular service named in the order or certificate. If the quantities of material are not stated in the order or certificate assigning the rating it may be applied only to get the minimum amount needed.

(3) No person may place rated orders for more material than he is authorized to rate even though he intends to cancel some of the orders or reduce the quantity of material ordered to the authorized amount before it is all delivered.

(d) *When ratings may be extended for material.* The following provisions of this paragraph (d) apply to all extensions of preference ratings to get deliveries of material, unless they are modified by or are inconsistent with the provisions of any particular order.

(1) A manufacturer of Class B products under the Controlled Materials plan and a holder of Form WPB-2613 (formerly PD-870) may not extend his customers' ratings (except AAA) as explained in more detail in CMP Regulation 3 and in Priorities Regulation 11B.

(2) When a person has received a rated order for the delivery of material, he may extend the rating to get the material which he will deliver on that order, or which will be physically incorporated in material which he will deliver. If the material is to be processed, this includes the portion of it which would normally be consumed or converted into scrap or by-products in the course of processing.

(3) If a person has made delivery of material, or has incorporated it into other material which he has delivered on a rated order, he may extend the rating to replace it in his inventory. However, if after delivering the material he still has a practicable working minimum

inventory he may not extend the rating to replace the material delivered; and if by making the delivery his inventory is reduced below this minimum, the rating may be extended to get only the amount necessary to restore the inventory to a practicable working minimum. Any material ordered to replace in inventory must be substantially the same as the material which the person delivered or incorporated in the material which he delivered, except for minor variations in size, shape or design. Substitution of less scarce materials which do not substantially alter the purpose for which the material is to be used is, however, permitted. The Conservation Division of the War Production Board from time to time publishes a list showing the relative scarcity of materials, entitled "Materials Substitution and Supply List." The latest copy may be obtained from any War Production Board office.

(4) A person to whom a rating has been applied or extended to get material may not extend that rating to get containers or closures to pack the material except as permitted by any order in the Containers, Part 3270, Series (Orders P-140 and P-146 are the only ones that now permit the extension of such ratings). Nor may he extend such rating to get any material for his own plant improvement, expansion or construction, or to get machine tools or other items which he will carry as capital equipment, or to get business machines for his own use whether purchased or leased, or to get maintenance, repair or operating supplies for his own use. Other orders or regulations, such as CMP Regulation 5 and some orders in the "P" series, assign ratings which may be used by the proper persons to get maintenance, repair or operating supplies and minor capital additions.

(e) *Additional restrictions upon use of ratings for certain materials.* Because of special circumstances which exist with respect to certain materials and products, the use of preference ratings to get items on Lists A or B attached to this regulation is restricted as follows:

(1) *Items as to which preference ratings have no effect; List A.* Any item on List A may be produced or delivered without regard to preference ratings. No person shall apply or extend any rating to get any of these items and no person selling any such item shall require a rating as a condition of sale. Any rating purporting to be applied or extended to any such item shall be void and no person shall give any effect to it in filling an order.

(2) *Items to which blanket MRO ratings do not apply; List B.* Blanket MRO ratings may not be applied to get any item on List B, except as permitted by the list. A blanket MRO rating means a rating assigned by CMP Regulation 5 or 5A, or by any other War Production Board regulation, order (including an order in the "P" series), form or certificate which assigns a rating for maintenance, repair or operating sup-

plies without specifying the kind and quantity of the material to which the rating may be applied. Where the quantity of material is specified in terms of dollar value only, the rating is a blanket MRO rating. No person shall give any effect to any rating applied to his deliveries of any item on List B if he knows or has reason to believe that it is a blanket MRO rating. Any blanket MRO rating applied to an order for any item on List B which was not delivered before the date the item was added to the list shall be deemed void. The restrictions of this paragraph are not applicable when the blanket MRO rating is applied to get an item on the list for use on board ship, but in such a case the rating may not be extended by the person to whom it is applied.

(3) *Illustration.* A manufacturer of a product listed in Schedule II of CMP Regulation 5 is assigned a rating of AA-2 for operating supplies. He may not use the rating to buy wooden shelving for his own use since it is on List B. A contractor has received an order bearing a rating of AA-3 to install wooden shelving in an Army camp. He may extend that rating to get the wooden shelving from the manufacturer since in this case the shelving is production material as to him and not operating supplies. If, however, wooden shelving were on List A instead of List B, neither rating could be used.

(f) *Use of ratings for services—(1) Ratings may not be used for personal services.* Preference ratings may never be used to get labor or personal services as distinct from services performed in the course of a regular business involving the use of plant, machinery or equipment owned by the person furnishing the services. For example, ratings may be used to get a repair job done in a repair shop as explained below but may not be used to compel an individual employee to work on a repair job or to obtain the services of a consulting engineer.

(2) *Three cases where ratings may be used for services.* There are only three situations in which a preference rating may be used to get services, as distinct from the production or delivery of material:

(i) *A rating assigned for the purpose.* If the War Production Board assigns a rating to a named person to get specified services, he may use the rating for that purpose.

(ii) *For processing.* When a person has a rating which he may use to get processed material, he may (unless prohibited by another regulation or order) furnish the unprocessed material to a processor and use the same rating to get it processed.

(iii) *For repairs.* A blanket MRO rating may be applied by the person to whom it is assigned to get his plant, machinery or equipment repaired even if the repair job does not involve the delivery of repair parts or materials. See paragraph (e) (2) for definition of a blanket MRO rating. A rating assigned on Form WPB-541 (formerly PD-1A) or WPB-542

(formerly PD-3A), or any other rating which may be applied to the delivery of specific repair parts or materials, may also be applied to the installation of the repair parts or materials or to the repair job alone if it is found that installing the parts or materials is not necessary. However, in the case of ordinary plumbing, heating, electrical, automotive or refrigeration repairs, a rating may not be applied to repair work even if the rating is expressly applicable to repair parts or materials. As used in this subparagraph, "repair" means to fix a plant, machinery or equipment after it has broken down or when it is about to break down. "Repair" does not mean upkeep or maintenance service such as periodic inspection, cleaning, painting, lubricating, etc.

(3) *Ratings for services only may not be extended.* A person to whom a rating for services, as distinct from the production or delivery of material, has been applied or extended may not extend the rating for any purpose.

(g) *How to apply or extend a rating.*

(1) When a person applies or extends a preference rating he must put the rating (and symbol, if appropriate) on the order together with a certification signed as prescribed in Priorities Regulation 7. He may use the standard certification set out in that regulation, or if he prefers the following:

CERTIFICATION

The undersigned purchaser hereby represents to the seller and to the War Production Board that he is entitled to apply or extend the preference ratings indicated opposite the items shown on this order, and that such application or extension is in accordance with Priorities Regulation 3 as amended, with the terms of which the undersigned is familiar.

(Name of Purchaser)

(Address)

By
(Signature and Title of
Duly Authorized Officer)

(Date)

The person who receives the certification shall be entitled to rely on it as a representation of the buyer unless he knows or has reason to know that it is false.

NOTE: (Subparagraphs (2) and (3) deleted April 25, 1944. They are superseded by paragraphs (c) and (p) of Priorities Regulation 7, which state the rules for placing rated orders orally or by telephone or telegraph.)

(4) When a person applies or extends a rating he shall also include on his purchase order or contract any information which may be required by any applicable War Production Board order. However, he is not required to include the serial number of the preference rating certificate assigning the rating.

(5) Each person who applies or extends a rating must keep at his regular place of business all documents including purchase orders and preference rating

orders and certificates which authorize him to apply or extend the rating. These documents, orders and certificates must be kept in such a way that they can be readily segregated and furnished to representatives of the War Production Board for inspection.

(6) When either certification authorized in this paragraph (g) is used it will not be necessary to use any other certification in order to apply or extend a preference rating, nor will it be necessary to furnish a copy of any preference rating order no matter what any regulation, preference rating order or preference rating certificate says unless it expressly states that this regulation does not apply. This does not affect the requirements of Priorities Regulation No. 9 (§ 944.30) when ratings are applied to certain types of exports, in which case its terms control.

(7) No person shall knowingly purport to apply or extend a preference rating to any order unless he is entitled to do so. No person shall apply or extend a rating for material or services after he has received the material or after the services have been performed, and any person who receives such a rating shall not extend it.

(h) *Provisions applicable to extensions; deferment and grouping.* No matter what any applicable preference rating order or certificate may say,

(1) No person may extend any rating to replace inventory after three months have passed from the time he could have first extended it;

(2) When a person has two or more ratings of the same grade which were assigned by different preference rating certificates or orders he may combine them and extend them to one delivery; and

(3) When a person has two or more ratings of different grades, or where they were assigned by the same or different certificates or orders, he may extend them to deliveries under one purchase order. However, the purchase order must show the amount of each material to which a particular grade of rating is extended. If the type and quantity of the material is such that the supplier can readily determine the exact effect of the extension of the rating on his production and delivery schedule from percentage figures alone, then the purchase order may show the amount of the material to which the particular grade of rating is extended on a percentage basis; otherwise, it must be shown as a separate item. In order to avoid production or delivery of material in quantities smaller than the minimum commercially practicable a person may combine ratings of different grades and extend the rating of the lowest grade to the total production or delivery.

(i) *Restrictions in other orders.* When any person applies or extends a rating he shall be subject to any applicable rule or restriction which may be set forth in the order of the War Production Board which assigns the rating or

any other order which regulates transactions in the material or the facilities for which he is using the rating. This includes restrictions as to the kind and amount of material to which ratings may be applied or extended, requirements for written approval of any particular transaction, restrictions on certain uses of material or facilities and any other rules which may be applicable to the particular transaction. However, the rules of paragraphs (g) (4) and (g) (6) apply unless some other order or certificate expressly says that they do not.

Issued this 23d day of June 1944.

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

LIST A

The following items may be delivered without regard to any War Production Board preference ratings:

Chemicals of the following types manufactured or produced for exclusive use in the petroleum industry, as petroleum industry is defined in Preference Rating Order P-98-b:

- a. Antioxidants (gum inhibitors) for motor fuels.
- b. Chemical additives and compound bases for heavy duty gasoline engine, diesel engine and aviation engine oils.
- c. Chemical additives and compound bases for hypoid gear oils.
- d. Synthetic catalysts for oil cracking operation.
- e. Synthetic catalysts for cumene and co-dimer manufacture.
- f. Synthetic catalysts for petroleum isomerization operations.
- g. Synthetic catalysts for petroleum sweetening operations.
- Communications services.
- Dental burs.
- Electric energy.
- Gas, manufactured combustible, of the type generally distributed by utilities.
- Gas, natural.
- Petroleum; restricted products as defined in Order M-201.
- Steam heating, central.
- Sterilizer equipment, as defined in Order L-266.
- Track-laying tractor repair parts (See Limitation Order L-53-b).
- Ice.
- Tobaccoes.¹
- Vegetable, fish, marine animal and animal fats and oils, whether edible or inedible, and including their by-products and residues (whether resulting from refining, distillation, saponification, pressing or settling).¹
- Sulfated, sulfonated, and sulfurized fats and oils.¹
- Tall oil.¹
- Wool grease.¹
- Soap (other than metallic).¹
- Fatty acids.¹
- Food for human or animal consumption.¹
- Glycerine.¹
- Graphite crucibles.
- Pig iron.
- Alarm clocks.
- Waste paper.
- Water.
- Containerboard, as defined in Order M-290.
- Low and high temperature fractional distillation equipment for gas and gasoline analysis.

¹ Subject to FD Regulation No. 1 of the War Food Administration.

LIST B

NOTE: "Light power driven tools" deleted June 23, 1944.

Blanket MRO ratings, as defined in paragraph (e) (2), may not be used to obtain the items on this list. If a rating is needed to get a specified quantity of any product on the list, application may be made on Form WPB-541 (formerly PD-1A) or on any other form which may be designated for a particular product or person in a War Production Board order.

Adhesive tape backed with cellophane or similar transparent material derived from cellulose.

Animal traps.

Anti-freeze, all types.

Athletic and sport equipment.

Auger Bits, Type 1 as defined in Schedule VIII to Order L-157.

Automotive maintenance equipment as defined in Limitation Order L-270.

Automotive replacement batteries as defined in Limitation Order L-180.

Automotive replacement parts as defined in Limitation Order L-158.

Award emblems, badges, buttons and other similar award pins (not including identification badges).

Blowers and industrial vacuum cleaners governed by Limitation Order L-222.

Capping, closing and sealing machinery and equipment for cans, jars and bottles (other than screw capping machines) having a retail sales value of \$25 or more, inclusive of motor, as listed in Schedule A of Order L-332 (except for replacement of existing machinery or equipment).

Cast iron ware, as defined by Limitation Order L-30-c.

Cellophane and cellulose acetate film less than three one thousandths (0.003) of one inch thick.

Cellulose caps or bands of any gauge.

Chemicals listed in Direction No. 5 of this regulation. (See that direction for MRO ratings which may be used.)

Chinaware.

Civilian defense devices: any device, equipment, instrument, preparation or other material designed or adapted for use in connection with:

a. Air raid warnings or detection of the presence of enemy aircraft; or

b. Blackouts or dimouts; or

c. The protection of civilians, either individually or collectively, against enemy action or attack.

Clocks and watches.

Clock and watch repair materials including mainsprings.*

Closures and closing devices required for packaging products to be shipped or delivered, as follows:

a. Closures for glass containers.

b. Gummed stay and sealing tape, paper and cloth.

c. Paper and paperboard bottle caps, closures, and hoods.

Containers, fabricated (in knock-down or set-up form, whether assembled or unassembled) required for packaging products to be shipped or delivered. For the purpose of this item the word "containers" shall not include steel strapping, shipping reels and skids, or any item which is specifically excluded from the following sub-items (such as "shell containers" in sub-item f.). It shall, however, include but is not limited to:

a. Bags, all types, and specialty envelopes (including those made of paper, textile, combinations of materials, transparent films, metallic foils, parchment, kraft or sulphite).

b. Baskets and hampers.

c. Cans, as defined in Order M-81.

d. Collapsible tubes.

e. Cooperage, tight and slack.

f. Fibre cans, fibre tubes (except shell containers), fibre bottles, fibre mailing cases, and fibre drums.

g. Folding and set-up boxes (paperboard).

h. Gas cylinders, as defined in M-233.

i. Glass containers.

j. Ice cream cans (paperboard) and paraffin cartons and pails.

k. Paper cups and paper food containers, except as permitted by Order L-336.

l. Paper milk containers.

m. Steel shipping drums as defined in Order L-197.

n. Wooden and fibre inner containers.

o. Wooden and fibre shipping containers and parts, as defined in Order P-140.

Corrugated and solid fibre sheets, not constituting "fibre shipping containers" as defined in Order P-146.

Cutlery, as defined in any order of the L-140 series.

Electrical appliances as defined in Order L-65.

Electronic intercommunicating systems, including public address systems.

Enameled ware, as defined by Limitation Order L-30-b.

Filing cabinets, wooden.

Fire protective equipment, including

a. Couplings, playpipes and allied fittings;

b. Fire hose, hose dryers, racks and reels;

c. (Revoked.)

d. Fire pumps;

e. Fire sprinkler systems;

f. Foam generators;

g. Indicator posts;

h. Lightning rod systems;

i. Piped extinguishing systems;

j. Portable fire extinguishers;

k. Stirrup pumps;

l. Water spray nozzles.

Flatware.

Frying pans.

Fuel.

Furniture for any use, except furniture specifically designed for schools.

Galvanized ware and non-metal coated metal articles as governed by Limitation Order L-30-a (except for funnels, oil and gasoline cans having a capacity of from 1 to 5 gallons, inclusive, and flexible spout measures).

Glass tableware.

Glass tumblers.

Industrial air circulators, new.

Kitchen ware, heavy duty (except ratings applied by a food "processor" as defined in Order L-292:

a. Bakery utensils;

b. Butcher benches;

c. Butcher blocks;

d. Canopies or hoods;

e. Carriers, food;

f. Carriers, tray;

g. Coffee mills and grinders;

h. Counters, cafeteria, lunch and serving;

i. Counter protectors;

j. Cutters, french fry;

k. Cutters, meat, bone and fish;

l. Dispensers, milk and cream;

m. Display racks;

n. Dough dividers;

o. Dough troughs;

p. Knife sharpeners and grinders;

q. Pans, cold;

r. Potato mashers;

s. Potato and vegetable parers or peelers;

t. Racks, bread (bakery);

u. Racks, dump (bakery);

v. Racks, pans (bakery);

w. Sandwich units;

x. Slicers, meat and bread;

y. Tables, bakers;

z. Tables, cooks, chef, salad and work;

aa. Tables, soiled and clean dish;

bb. Toaster stands;

cc. Tray stands;

dd. Trucks, food;

ee. Urn stands;

Insulation blowing machines complete (new only), and the following parts thereof:

(a) Internal combustion engines, or electric motors.

(b) Blowers.

(c) Speed reduction units.

Kitchen household and miscellaneous articles governed by Limitation Order L-30-d.

Laboratory instruments and equipment, including parts thereof. (Except ratings assigned by Preference Rating Orders P-43,

P-68, P-89, and P-98-b, and ratings assigned pursuant to Orders P-56, P-58 and P-73.)

Lawn mowers, including power and gang mowers.

Lighting fixtures, fluorescent (as defined in Order L-78), and incandescent (as defined in Order L-212), and electric floodlights.

Blanket MRO ratings of AA-2 or higher may, however, be used.

Lockers, wooden, for offices and factories.

Medical, surgical and dental equipment and supplies (except parts for the maintenance or repair of existing equipment) including:

a. Anaesthesia and oxygen equipment and accessories;

b. Atomizers;

c. Clinical thermometers;

d. Crutches;

e. Dental consumable supplies;

f. Dental equipment and appliances (except dental lathes);

g. Diagnostic instruments and apparatus;

h. Electric light bulbs for diagnostic instruments;

i. Hearing aids;

j. Hospital and medical rubber drug sundries;

k. Hospital enamelware and stainless steel ware;

l. Hypodermic needles and syringes;

m. Operating and examining room furniture;

n. Operating and examining room lights;

o. Ophthalmic goods.

p. Orthopedic appliances including splints, belts and trusses;

q. Physical therapy equipment and supplies;

r. Sterilizers;

s. Surgical dressings;

t. Suture needles;

u. Sutures;

v. X-ray equipment and supplies.

Medical, surgical and dental instruments.

Medicinal preparations, including vitamins.

Monorail system and additions thereto, except one complete addition valued at less than \$200.00.

Pails and tubs, wooden, including wooden mop pails.

Paper and paperboard and products manufactured therefrom and molded pulp products; excluding carbon paper, tracing paper, reproduction paper, sensitized paper,

* It is not contemplated that any preference ratings will be assigned by the War Production Board on Form WPB-541 for clock and watch repair materials including mainsprings.

engineering graph paper, chemically treated paper for engineering use, litmus paper and filter paper and paper tags.

Pencils, mechanical.
Pencils, wood cased.
Pens, fountain.
Pen holders.
Pen nibs, steel.
Photographic film sensitized, as controlled by Order L-233.

Pins, common and safety.
Precision measuring instruments and testing equipment—Preference Rating Order E-9.
Printing and publishing:

a. Printed matter including items such as letterheads, envelopes, forms and printed and ruled stationery;

b. Processed printing plates;

c. Type metal, stereotyping metal and electrotypes backing-metal;

d. Printing paper, paperboard and binders' board;

e. Book cloth;

f. Blankbook and loose-leaf binders, metal parts and units;

g. Mechanical bindings.

Radio transmitters, receivers and transceivers.

Signal and alarm equipment, including:

a. Central Station, proprietary, auxiliary and automatic fire alarms;

b. Watchman's time recording, burglar, bank vault, holdup and intrusion systems.

Slide rules, precision engineering, having a list price of \$7.50 or more.

Venetian blinds.

Wire intercommunicating systems.

Wooden shelving.

Woodworking machinery, Class I, as defined in Order L-311.

NOTE: Lists A and B of this regulation will, in general, be revised on or about the 15th of every second month. Another revision may be expected about August 15, 1944.

INTERPRETATION 1, REVOCATION

Interpretation 1 of Priorities Regulation 3 is hereby revoked. (Issued Nov. 17, 1943.)

INTERPRETATION 2

The restrictions on the use of ratings for the items on Lists A and B apply to orders for such items which had been placed before the date the item was put on the list but were not yet filled. (Issued Nov. 17, 1943.)

INTERPRETATION 3

FIRE PROTECTIVE EQUIPMENT

Blanket MRO ratings may be used to obtain repair parts and material for existing fire protective equipment, but may not be used to obtain end items of fire protective equipment. The term "Fire protective equipment", on List B attached to Priorities Regulation 3, includes only end items and does not include materials or parts required for the repair or maintenance of existing fire protective equipment.

For example, a fire extinguisher or a fire hose coupling is an end item of fire protective equipment and therefore may not be obtained on blanket MRO ratings, whereas a part required to repair an extinguisher or coupling is not an end item and therefore may be obtained on blanket MRO ratings. Similarly, blanket MRO ratings may not be used to obtain a fire sprinkler system nor to extend an existing sprinkler system, but such ratings may be used to repair or replace sprinkler heads which have been opened up by fire or damaged in any other way. However, blanket MRO ratings may not be

used to repair or replace new equipment which is still usable. (Issued Feb. 26, 1944.)

INTERPRETATION 4

A great many orders of the War Production Board permit the delivery of materials pursuant to preference ratings assigned by a P-19-h Order, or by an order in the P-19 series. Forms CMPL-224 and CMPL-127 are generally used in place of orders in the P-19 series. It is expressly stated on Form CMPL-224:

"This authorization is issued in lieu of preference rating order of the P-19 series. Any reference in any order of the War Production Board to said preference rating orders shall constitute a reference to this authorization."

It is set forth in CMPL-127:

"This authorization is issued in lieu of Preference Rating Order P-19-h or P-55. Any reference in any order of the War Production Board to said Preference Rating Order P-19-h or P-55 shall constitute a reference to this authorization."

Consequently, it is proper for any person to deliver material or equipment pursuant to a rating assigned by Forms CMPL-224 or CMPL-127, if he is permitted under existing orders of the War Production Board to deliver said material pursuant to a rating assigned by a P-19-h order or an order in the P-19 series. (Issued Aug. 13, 1943.)

INTERPRETATION 5

(a) *Restrictions of other orders on use of ratings or delivery.* The provisions of paragraph (e) relate only to the items which appear on the lists. When any other order of the War Production Board restricts the use of preference ratings to obtain any product, or restricts delivery of a product in any way, those restrictions are applicable even though that product is not listed in Priorities Regulation 3 (§ 944.23). This rule specifically applies to the items which were on List C before the amendment of August 10, 1943.

(b) *"Masking" tape.* Blanket MRO ratings may be used to get industrial pressure sensitive adhesive tape (paper and cloth), also called "masking" tape. This type of tape is not included in "Gummed stay and sealing tape, paper and cloth."

This interpretation is not applicable to adhesive tape backed with cellophane or similar transparent materials derived from cellulose which may not be obtained with blanket MRO ratings. (Issued Dec. 18, 1943.)

INTERPRETATION 6

EFFECT OF PREFERENCE RATING CERTIFICATE REFERRING TO PRODUCT OF A PARTICULAR MANUFACTURER

(a) When a preference rating certificate in assigning a rating to a product describes the product by its trade name or by the manufacturer's name and catalogue number, the rating may ordinarily be used to get the product from any manufacturer if the model actually obtained is substantially identical in size, operation and function with that named in the certificate.

(b) The rule stated in the preceding paragraph is consistent with the statement in paragraph (c) (2) of Priorities Regulation 3 (§ 944.23), that a preference rating may be applied only to the specific quantities and kinds of material authorized. Ordinarily a reference in a preference rating certificate to a particular product of a particular manufacturer is no more than a shorthand way of describing the product. It is safe to assume, unless the certificate clearly states otherwise, that what is being rated is a certain kind and size of product which may be obtained from any manufacturer who

makes that kind and size. If it is intended to confine the rating to a particular product of a particular manufacturer, the certificate should say so explicitly. (Issued Sept. 8, 1943.)

INTERPRETATION 7

LIMITATIONS ON THE RIGHT TO USE RATINGS TO GET MATERIALS PROCESSED

(a) *What this interpretation covers.* This interpretation explains the limitations on the use of a preference rating assigned to the delivery of a material to get material processed under paragraph (f) (2) (ii) of the regulation.

(b) *Controlled materials.* Preference ratings cannot be used to buy controlled materials (steel, copper, and aluminum in controlled material form) from a producer or warehouse and consequently no rating may be used to get material processed into a controlled material by a producer or warehouse. There is one exception to this general rule which is covered by paragraph (d-1) of CMP Regulation No. 8, which assigns a preference rating to steel producers for use in getting steel processed into a controlled material form.

(c) *Class B products.* Paragraph (g) (3) of CMP Regulation No. 1 prohibits allotments of controlled materials to B product manufacturers except by the War Production Board and, as explained in Interpretation No. 16 to CMP Regulation No. 1, also prohibits a customer from furnishing controlled materials to a B product manufacturer. A special exception to this general rule is provided in Direction 36 to CMP Regulation No. 1. In all cases not covered by the exception, it is improper for a person to furnish controlled materials to a B product manufacturer for processing and consequently no preference rating can be used to get such processing done. In this connection, attention is called to the fact that all products, whether Class A products or Class B products, which are bought for use as maintenance, repair, or operating supplies are treated as though they were Class B products. This is covered by paragraph (k-1) (2) of CMP Regulation No. 1. As pointed out in Interpretation No. 13 to CMP Regulation No. 1, a Class A repair part is handled on a Class B basis and therefore paragraph (g) (3) of the regulation is applicable.

(d) *Ratings not to interfere with authorized controlled material orders.* While a person who has been assigned a rating to get material may use the rating to get the use of the facilities of a controlled materials producer to have the material processed (if the material, when processed, is not a controlled material) rated orders for the use of a controlled materials producer's facilities must not interfere with the acceptance, production, or delivery of orders which he is permitted to fill under paragraph (t) (3) of CMP Regulation No. 1. Attention is called to Interpretation No. 4 to Priorities Regulation No. 1 on this subject. (Issued Nov. 18, 1943.)

INTERPRETATION 8

ELECTRONIC INTERCOMMUNICATING SYSTEMS AND WIRE INTERCOMMUNICATING SYSTEMS

List B of Priorities Regulation 3 (§ 944.23) forbids the use of blanket MRO ratings to obtain electronic intercommunicating systems or wire intercommunicating systems. This restriction applies only to getting systems not yet installed. Therefore, blanket MRO ratings may be used to obtain repair parts and materials for existing intercommunicating systems. Also, those blanket MRO ratings which may be used for minor capital additions, may within prescribed

dollar limits be used to add stations to an existing intercommunicating system to bring it to its designed capacity. Thus, if an intercommunicating system is designed for 16 stations, with only 12 stations originally installed, four stations may be added by the use of blanket MRO ratings. However, an expansion beyond the 16 stations, or any enlargement of or an extension beyond the designed capacity, may not be obtained by use of blanket MRO ratings.

In conjunction with the above interpretation, it should be pointed out that a related item, signal and alarm equipment, also appears on List B of Priorities Regulation 3. With respect to signal and alarm equipment, blanket MRO ratings may be used to get parts and materials for repair and maintenance of existing equipment. However, since signal and alarm equipment is generally installed without a specific margin of unused designed capacity, no additions or extensions by the use of blanket MRO ratings are permitted. (Issued Jan. 6, 1944.)

INTERPRETATION 9

CERTAIN MRO RATINGS ASSIGNED UNDER P-98-b ARE NOT BLANKET MRO RATINGS

Paragraph (e) (2) of Priorities Regulation 3 prohibits the use of a "blanket MRO rating" to get any item on List B. See that paragraph for a definition of a "blanket MRO rating". Some of the items which are on List B also appear on Schedule B of Preference Rating Order P-98-b. That schedule provides a way to get a rating for the items which appear on it so that such P-98-b ratings will not be "blanket MRO ratings". These ratings are assigned to specific purchase orders for a specific kind and quantity of the material desired.

Therefore, when a rating assigned pursuant to Schedule B of P-98-b (as evidenced by the symbol MRO-P-3) is applied to a purchase order for any item which is set out on Schedule B of that order that rating is valid, despite the fact the item is also on List B of Priorities Regulation 3.

The order does not require the purchaser to furnish a copy of his approved purchase order to the supplier, and the supplier should give effect to the rating and certification unless he knows or has reason to believe that the purchase order has not been rated as provided in Schedule B of Order P-98-b. (Issued Jan. 24, 1944.)

INTERPRETATION 10

USE OF RATING TO OBTAIN LEASED MACHINERY.

(a) A preference rating which has been assigned for the delivery of an item of machinery or equipment may be used to lease the equipment as long as the following conditions are fulfilled:

(1) The lease must be a long-term semi-permanent arrangement where both parties contemplate the comparatively permanent installation of the machine or equipment. For instance, a rating could be used to obtain a machine under lease where the lease was for one year, with provision for renewal at the end of each year, and both parties expected that the lease would be renewed from time to time. However, the rating could not be used to obtain a machine for a month's use.

(2) If the rating is limited by specific dollar amount, it may be used only to lease machinery or equipment whose fair market value is no greater than the amount specified. For example, CMP Regulation No. 5 assigns a rating for the purchase of minor capital additions not exceeding \$500. This rating can be used to lease a machine if its fair market value is not more than \$500.

(b) If the instrument assigning the ratings specifies a lease rather than a purchase, it is not necessary to comply with the above conditions. (Issued April 25, 1944.)

INTERPRETATION 11

IDENTIFICATION OF BLANKET MRO RATINGS

Generally speaking, ratings accompanied by the symbol "MRO" are blanket MRO ratings when they are applied to get an item on List B of Priorities Regulation 3. Therefore, any person receiving an order for a List B item bearing a rating accompanied by the symbol "MRO" must assume that the rating is a blanket MRO rating and give it no effect, unless the person who applied or extended it demonstrates (1) that it is not a blanket MRO rating or (2) that it is an extension of a blanket MRO rating applied on an order which was filled before the item was added to List B. (See paragraph (e) (2) of Priorities Regulation 3 for definition of "blanket MRO rating".)

It should not be assumed, however, that all blanket MRO ratings are accompanied by the "MRO" symbol. Several "P" and "U" Orders assign blanket MRO ratings which are accompanied by symbols other than "MRO." For example, a blanket MRO rating is assigned by Preference Rating Order P-68, but the symbol accompanying the rating is "S-8".

The question has been raised whether the War Production Board assigns the symbol "MRO" in connection with the assignment of a rating on Form WPB-541 (PD-1A) for a List B item. The answer to this question is "No." Therefore, no rating which was assigned on Form WPB-541 for a List B item could properly be accompanied by the "MRO" symbol. (Issued April 25, 1944.)

INTERPRETATION 12

RECORDS OF EXPORTERS

Paragraph (g) (5) of Priorities Regulation No. 3 requires each person who applies or extends a rating to keep all documents including preference rating orders and certificates which authorize him to apply or extend the rating at his regular place of business. The Foreign Economic Administration and its predecessors, the Board of Economic Warfare and the Office of Economic Warfare, have assigned preference ratings to exporters for export by endorsing appropriate legends upon export licenses. The original of every export license, however, is required by other government regulations to be surrendered to export officials at the time of shipment. Consequently, persons who receive their assignments of preference ratings on export licenses are not in a position to retain the original of the export license and thus are not required to do so by paragraph (g) (5) except only in those cases where other government regulations do not require the surrender to the government of the documents referred to. (Issued April 25, 1944.)

[F. R. Doc. 44-9154; Filed, June 23, 1944; 10:54 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Regulation 3, Interpretation 13]

TIME LIMIT ON USE OF RATINGS

The following interpretation is issued with respect to Priorities Regulation 3:

Preference ratings may not be extended to replace material in inventory after three months from the time delivery was made to the customer. This is the rule of paragraph (h) (1) of the regulation.

When a rating is being applied (except a blanket rating such as one assigned by CMP Regulation 5) or when any rating is extended for some purpose other than to replace inventory, this may be done only within a reasonable time after the rating was received. Generally speaking, more than three months is deemed to be an unreasonable delay in the use of a rating. In a particular case there may be circumstances which make a reasonable time shorter or longer than three months. For example,

(1) A rating assigned to a construction project on a form which says when the rating expires (such as GA-1456 or CMPL 593) may be applied for material going into the project until the expiration date stated, even though more than three months may have elapsed.

(2) A rating assigned in connection with an export license may be applied as long as the license is valid and expires when the license expires or is revoked. (For explanation of this rule see Interpretation 2, Directive 27.)

(3) When a rating is applied to a long term contract (such as the construction of a ship), it may be extended for material needed to fill the contract, even though more than three months have elapsed.

(4) If the purpose for which the rating was assigned no longer exists, the rating may not be applied even though three months have not elapsed.

(5) When a rating is extended by a person to get material to deliver to his customer, or to incorporate in such material, the time within which it may be done will, in general, be controlled by the delivery date on his customer's order.

The fact that a person has not been able to get his rated order accepted by a supplier does not lengthen the time within which he may use his rating.

Issued this 23d day of June 1944.

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

[F. R. Doc. 44-9155; Filed, June 23, 1944; 10:54 a. m.]

PART 3002—PLASTICS MOLDING MACHINERY

[Allocation Order L-159, Revocation]

Section 3002.1 Allocation Order L-159 is revoked.

This revocation does not affect any liabilities incurred under the order.

Some of the items previously subject to Order L-159 are now subject to General Scheduling Order M-293, Table 15 as amended June 23, 1944.

Issued this 23d day of June 1944.

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

[F. R. Doc. 44-9157; Filed, June 23, 1944; 10:55 a. m.]

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M-293, Table 15, as Amended June 23, 1944]

CHEMICALS BUREAU

§ 3208.16 Table for Chemicals Bureau. (a) The following table is issued pursuant to the provisions of General Scheduling Order M-293:

Type of M-293 product	Designation	Applicable form column			Calendar months frozen
		Operations	Shipping schedule	Application and authorization	
Processing machinery and equipment designated as the types and/or kinds used in the processing of (or in connection with the processing of) the following: (A) Animal, fish and vegetable oils; chemicals; fats and greases; fertilizers; petroleum products. See CMP codes 241 and 247. (B) Cosmetics, drugs, pharmaceuticals. See CMP code 243. (C) Plastic molding machinery. See CMP code 244. (D) Paint, varnish and lacquer making machinery. See CMP code 242. (Items covered by the provisions of Limitation Order L-292 are excluded.)					
1. Crushers, grinders of the following types: to produce wet, dry, paste or granulated products, bone crushers, crushing rolls, crystallizer combinations, diamond type hogs, Mill pulverizers, roller, ball, pebble, colloid, and stone mills. Mitts Merrill hogs, mixer combinations ¹	Y		3001.71	1319	
2. Driers of the following types: bone, blood, citrus products, cooke, copra, cottonseed, drum, fertilizer, fiber, fishmeal, flake, flaxseed, hemp, rice, oilseed, rotary, salt processing, soybean, steam, tankage, paint ¹	Y		3001.71	1319	
3. Evaporators	Y		3001.71	1319	
(a) fertilizer, fish stick, salt processing, solvent extraction.					
(b) digesters.					
4. Presses for edible and inedible oils and greases of the following types: cage, cake forming, cracking, curb, expeller (including unloader attachments), filter, hydraulic, platen frame, mechanical screw ¹	Y		3001.71	1319	
5. Processing equipment: attrition mills, bleachers, blenders, cookers and melters, feeder hoppers, glass-lined equipment (chemical processing), hashers and washers, "Karbate" products, pairers, percolators, roller and flake mills, samplers, scrubbers, thermo-chemical units, trimmers, fillers, filling machines ¹	Y		3001.71	1319	
6. Centrifuges, concentrators, extractors, precipitators, purifiers, separators ¹	Y		3001.71	1319	
7. Votators ¹	Y		3001.71	1319	
(a) chilling rolls, lard rolls					
(b) grease, oil, wax					
(c) Texturators, crystallizers					
8. Columns ¹	Y		3001.71	1319	
Absorbing (not including fractionating columns for the petroleum industry) denitrating, distilling, oxygen					
9. Machines ¹	Y		3001.71	1319	
(a) capsule, pellet, pill powder filling, tablet					
(b) degreasing, vapor solvent type: (not anodizing, automotive, electroplating)					
(c) glass manufacturing					
(d) weathering					
10. Plastic Molding Machinery: compression, (automatic, hydraulic, mechanical), extruders, injection, laminators, laminating process (laboratory type), preformers (not ceramic) ¹	Y		3001.71	1319	

¹ Exempt from paragraph (f) of M-293.

Issued this 23d day of June 1944.

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

[F. R. Doc. 44-9149; Filed, June 23, 1944;
10:55 a. m.]

PART 3270—CONTAINERS

[Preference Rating Order P-140, Direction 1]
RATING FOR CONTAINERS FOR LEND-LEASE
SHIPMENTS OF MILK POWDER

The following direction is issued pursuant to Preference Rating Order P-140:

Order P-140 assigns a rating of AA-2X for wooden shipping containers for the shipment of foods. However, any person who has received an order from War Food Administration for milk powder bearing an endorsement that it is for Lend-Lease purposes may use a rating of AA-2 to get the slack barrels for delivery on or before August 1, 1944 that he will need to fill that order. The certification accompanying the order for the barrels shall refer to "Direction 1" instead of "Paragraph —."

Issued this 23d day of June 1944.

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

[F. R. Doc. 44-9156; Filed, June 23, 1944;
10:54 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Limitation Order L-218, Revocation]

DOUGLAS FIR LUMBER

Effective August 1, 1944, Limitation Order L-218 is revoked. This revocation does not affect any liabilities incurred under the order. Order L-218 is superseded by Order L-335, as amended June 23, 1944 which becomes effective August 1, 1944.

Issued this 23d day of June 1944.

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

[F. R. Doc. 44-9158; Filed, June 23, 1944;
10:55 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Limitation Order L-290, Revocation]

DELIVERIES OF WESTERN LUMBER FROM SAW-MILL STOCK

Effective August 1, 1944, Limitation Order L-290 as amended March 20, 1944 is revoked. This revocation does not affect any liabilities incurred under the order. Order L-290 is superseded by

Order L-335, as amended June 23, 1944 which becomes effective August 1, 1944. Issued this 23d day of June 1944.

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

[F. R. Doc. 44-9151; Filed, June 23, 1944;
10:55 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Order L-335, as Amended June 23, 1944]

LUMBER CONTROL ORDER

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

§ 3285.121 Order L-335—(a) *What this order does.* This order explains procedures that persons must follow in getting lumber and that sawmills and distributors must follow in delivering lumber. It applies to sawmills that produce over 100,000 board feet of lumber a year and to persons who sell or distribute new lumber within or export new lumber from the continental United States (meaning only the 48 states and the District of Columbia). It applies to every person who receives new lumber from a sawmill or distributor and it provides a procedure for controlling the amount of lumber that large consumers can receive.

Definitions

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

(1) "Lumber" means any sawed lumber of any species, size or grade, including round edge, rough, dressed on one or more sides or edges, dressed and matched, shiplapped, worked to pattern, or grooved for splines, except: (i) dogwood, persimmon, rattan, balsa, and aircraft grade of sitka spruce; (ii) shingles, lath and slabs; mine ties and railway cross ties (sawed or hewed); (iii) edgings, trim, and off-fall less than three inches wide or less than four feet long unless made into standard commercial lumber sizes or patterns; (iv) hardwood flooring; (v) items produced from lumber but not classified in the trade as lumber, such as box shook, dimension stock, cut stock, and millwork; and (vi) used lumber.

(2) "Distributor" means any person who buys lumber for resale as lumber either at wholesale or retail. It does not include any part of a person's operations which would make him also either a sawmill or consumer.

(3) "Distributor stock" means any lumber which a distributor has in his possession for resale.

(4) "Sawmill" means: (i) any mill or plant, stationary or portable, which produced more than 100,000 board feet of lumber in 1943 or expects to produce more than 100,000 board feet in 1944;

and (ii) any concentration yard or plant which processes (by drying, sawing, edging, planing or some other comparable method) 25 percent or more of the total volume of logs and lumber which it receives from the area in which it is located, into an item which is defined as lumber. However, the term "sawmill" does not include any establishment known in the trade as a distribution yard, engaged in either retail or wholesale business, even though it may process, for the servicing of special orders from customers, more than 25 percent of the lumber it receives.

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

(6) "Consumer" means any person, (or any part of a person's operations, such as a plant, branch, or department which regularly maintains a separate lumber inventory record) who receives lumber (except for resale) and uses it in the United States. "Consumer" does not include persons (including contractors) who receive lumber for use on construction work done for other persons. The person for whom the construction work is done is the consumer.

(7) A "certified order" is any order for delivery of lumber bearing one of the certifications prescribed by this order or by any direction issued pursuant to this order.

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

Lumber Consumers and How They Get Their Lumber

(c) *General.* For the purposes of this order lumber consumers are grouped according to the quantity of lumber they use and the purpose for which they use it. Because a person may be included in more than one group, he must read the provisions relating to each in order to determine the procedure or procedures he must follow in getting his lumber. Lumber which a person gets as a production material is subject to the limitations which may be imposed by directions to this order.

"Class I Consumers" and How They Get Their Lumber

(d) *Who a "Class I consumer" is.* A "Class I consumer" is any consumer who has been granted an authorization to receive lumber on Form WPB-3640.

(e) *Who is required to get an authorization on Form WPB-3640.* The following are required to file Form WPB-3640 and get an authorization from the War Production Board to receive lumber:

(1) Any consumer who has previously been granted an authorization to receive lumber on Form WPB-3640. If a consumer has received an authorization on Form WPB-3640 for one quarter, he must continue to apply for authorizations for subsequent quarters (though his requirements drop below 50,000 board feet) unless otherwise notified by the War Production Board.

(2) Any consumer who expects that he will need to receive 50,000 or more board feet of lumber in a particular quarter

for all purposes except: (i) resale; (ii) mining or smelting operations for which he has been assigned a serial number under P-56; (iii) operations directly incident to the discovery, development, or depletion of a petroleum pool as authorized by Petroleum Administrative Order 11; (iv) farm operations for which he may get lumber through the War Food Administration as explained in paragraph (1) below; and (v) construction jobs which have been expressly authorized by the War Production Board or the National Housing Agency or any other Federal agency that authorizes construction on behalf of the War Production Board.

(f) *Separate branches and departments.* If a consumer has two or more branches, plants, departments or other divisions which regularly maintain separate lumber inventory records, each of them is to be treated as a separate consumer for purposes of determining whether it must get an authorization as a Class I consumer. Inventories may not be split for the purpose of evading this order.

(g) *A consumer required to file Form WPB-3640 may not receive lumber in a quarter unless authorized.* Any consumer who is required to file Form WPB-3640 but does not file his application and get an authorization, is forbidden to receive any lumber in the quarter for which the authorization was necessary. This does not apply to lumber received for one of the excepted purposes mentioned in paragraph (e) (2) above.

(h) *How receipts are authorized.* Applications on Form WPB-3640 covering requirements for the second and third quarters, as filed under this order before the amendment of June 23, 1944, will be returned to the applicant with an authorization saying how much he may receive during the third quarter. Applications for the fourth and subsequent quarters may be filed on Form WPB-3640 revised, in accordance with the instructions on that form.

(i) *Extent to which authorization can be used.* The following provisions govern the extent to which authorizations granted on Form WPB-3640 can be used:

(1) *Quarterly receipts by Class I consumers restricted to amounts authorized.* A Class I consumer may not order for delivery in, or receive in, any quarter (beginning with the third quarter of 1944) more lumber than the amount authorized on Form WPB-3640. This does not apply to lumber ordered or received for the excepted purposes mentioned in paragraph (e) (2) above. Lumber ordered for delivery in one quarter but shipped during the first month of the following quarter may be received without charging it against the following quarter's authorization.

(2) *Delivery must be ordered for quarter in which authorized.* A Class I consumer may order lumber only for delivery in the quarter in which he is authorized to receive it. This does not prohibit a Class I consumer from placing orders for lumber prior to the quarter in which he is authorized to receive it.

(3) *Class I consumers may place certified orders in advance of authorization on Form WPB-3640.* In order to assure

the fulfillment of long-term programs and schedules, Class I consumers who are authorized to place certified orders may place such orders for delivery of lumber in future quarters in an amount not to exceed 50 percent of the amount they are authorized to receive in any current quarter. These orders may be rated to the extent that the person placing them has received ratings which are valid for delivery in future quarters. These orders will be subject to such adjustments as may be necessary at the time the War Production Board's quarterly determination of essential requirements is made.

(4) *Additional authorizations and return of authorizations.* A Class I consumer who needs more lumber than he is authorized to receive may file a supplementary application on Form WPB-3640 for an additional amount. If he finds that he will not need as much lumber as authorized, he must notify the War Production Board on Form WPB-3773 of the amount of lumber he does not need and has not received and must cancel or reduce his outstanding delivery orders accordingly.

(5) *Restrictions on Class I consumer's use of ratings to get fabricated wooden products which he can produce.* A Class I consumer may not use a rating of AA-3 or higher to order for delivery after July 31, 1944 fabricated wooden products if he has the facilities to make them himself, except that he may use such a rating to buy in any quarter the same amount of any fabricated wooden products that he bought during the corresponding quarter of 1943.

(6) *Certification of delivery orders and use of ratings.* Every Class I consumer must certify all his purchase orders, sales tickets, or other orders requesting the delivery or transfer of lumber as explained in paragraph (q) below. A Class I consumer who has received a rating to get production materials for a product may use that rating, and only that rating to get lumber that he needs as a production material for that product. A Class I consumer who has a rating higher than AA-5 MRO to get material for maintenance, repair and operating supplies (including MRO shipping material or dunnage) may use it to get lumber for such purposes. If a Class I consumer has no rating (or only an AA-5 MRO rating) for a part of his operations which requires lumber, he must place certified but unrated orders for the lumber which he needs for that purpose.

"Class II Consumers" and How They Get Their Lumber

(j) *Who a "Class II consumer" is.* A "Class II consumer" is:

(1) Any consumer who has a preference rating (except AA-5 MRO) and who would have to file an application as a Class I consumer except for the fact that he will need less than 50,000 board feet of lumber in a calendar quarter. (If, after the beginning of a quarter, this type of Class II consumer finds that he will need to receive 50,000 or more board feet of lumber in the quarter, he must immediately file an application on Form WPB-3640.)

(2) Any consumer who needs lumber (regardless of amount) for: (i) mining and smelting operations for which he has been assigned a serial number under Order P-56; or (ii) operations directly incident to the discovery, development or depletion of a petroleum pool as authorized by Petroleum Administrative Order 11.

(3) Any consumer who needs lumber (regardless of amount) for construction jobs which have been expressly authorized by the War Production Board or the National Housing Agency or any other Federal agency that authorizes construction on behalf of the War Production Board.

(k) *Class II consumers must place certified and rated orders.* Class II consumers do not, under this order, file special applications for authority to receive lumber unless specifically required to by a direction issued under this order. Any Class II consumer who has received a rating to get production materials for a product may use that rating and only that rating to get lumber he needs as a production material for that product. A Class II consumer who has a rating higher than AA-5 MRO to get material for maintenance, repair and operating supplies (including MRO shipping material and dunnage) may use that rating to get lumber for such purposes. A Class II consumer in placing a certified order must use his appropriate rating and endorse his delivery order with the certificate as explained in paragraph (q) below. As to any part of his operations for which he does not have a rating (or only an AA-5 MRO rating) he is not a Class II consumer and may not place a certified order or use a rating.

Farmers

(1) *War Food Administration regulations.* The War Food Administration is authorized to provide rules and regulations which will explain the way farmers will get the lumber that they need for farm purposes. These include only: (i) maintenance and repair of farm equipment; (ii) maintenance, repair and operation of farm buildings (other than dwellings); (iii) construction of farm buildings (other than dwellings) within the cost limits of paragraph (c) of Order L-41; and (iv) construction of farm buildings (including dwellings) where permitted under paragraph (d) of Order L-41. A consumer who qualifies as a farmer under these regulations may be permitted to use a certificate and a rating to get such quantities of lumber as the War Food Administration says he may get. A farmer may also buy lumber without a certificate or preference rating to the same extent that anyone else may do so under this order. A distributor who delivers lumber to farmers on the basis of certificates provided by the War Food Administration may, in turn, receive from his suppliers the same quantity of lumber by extending these certificates as explained in paragraph (o) (1) below.

All Other Consumers

(m) *Who "all other consumers" are.* "All other consumers" are industrial plants and business enterprises and other

persons who need lumber for a purpose for which no rating has been assigned. The term also includes industrial plants and business enterprises that have an AA-5 MRO preference rating (except Class I consumers).

(n) *"All other consumers" may place uncertified and unrated orders.* "All other consumers" may place uncertified and unrated orders with lumber distributors and may accept deliveries of lumber to the extent that distributors are permitted by directions to this order to supply lumber for their needs. An uncertified and unrated order is one which bears neither a certificate nor a rating.

Distributors

(o) *How distributors get their lumber.* The following provisions will govern the manner in which lumber distributors will get their lumber.

(1) *Extension of customers' certified orders.* Every distributor may extend certified orders which he has accepted and receive an amount of lumber from a sawmill or from another distributor which is not more than the total accumulated certified orders accepted (either on past or future orders for delivery). There is no time limit within which orders must be extended. A distributor may not extend the same certified order more than once. Certified orders accepted by a distributor must be kept in the distributor's files, and the accumulated certificates may be extended by using the distributor's certification provided for in paragraph (q) (3) of this order. These provisions apply to both the certificates shown in paragraphs (q) (1) and (q) (2) below and to any certificate the War Food Administration says a farmer must use to get lumber under this order.

(2) *War Production Board may authorize distributors to place certified but unrated orders.* Any lumber distributor who was engaged in the business of selling lumber at wholesale or retail prior to May 1, 1944 and who had a lumber inventory at that date, may apply to the War Production Board on Form WPB-3813 for authority to place certified but unrated orders with sawmills or other distributors. Lumber distributors authorized on Form WPB-3813 to receive lumber under this paragraph may use the certification provided for in paragraph (q) (4) of this order.

(3) *Directions may also permit distributors to receive lumber.* Lumber distributors may be authorized by directions issued under this order to receive additional quantities of lumber. Lumber which a distributor receives under a direction to this order will be subject to the provisions of this order and such conditions as may be imposed by the directions.

(p) *Deliveries that distributors may make.* Unless a direction or directive issued under this order says a distributor may deliver lumber to a customer or to another distributor in some other way, deliveries may be made only on the following types of orders:

(1) *Deliveries on certified and rated orders.* Distributors may deliver lumber on the basis of a customer's or another distributor's rated order which bears

either one of the certifications provided for in paragraphs (q) (1) and (q) (3) of this order or a certification in the form prescribed by the War Food Administration.

(2) *Deliveries on certified but unrated orders.* Distributors may deliver lumber on the basis of either a customer's or distributor's unrated order if it bears one of the certifications provided for in paragraphs (q) (2) and (q) (4) of this order.

(3) *Distributors who are also consumers.* If a distributor wants to use lumber from his own distributor stock, he may do so only by following the same procedure he would follow in delivering lumber to another consumer. If, as a consumer, he has the right to place a certified order with someone else, he may treat the transfer from his distributor stock as a delivery on a certified order, but he must keep a record of it in his files and endorse the appropriate certificate on the record.

Certification of Orders

(q) *General provisions.* Unless a directive or a direction issued by the War Production Board under this order says that it may be done in some other way, an order for lumber may only be certified by endorsing or attaching one of the following forms of certificates on the purchase order, sales ticket, or other order calling for the delivery of lumber. Certificates must be signed manually or as explained in Priorities Regulation No. 7. However, the standard form of certificate described in that regulation may not be used in place of the certificates required by this order. Orders placed verbally must be confirmed immediately and the confirmation must bear the appropriate certification. Orders placed by telegraph must bear the appropriate certification in full or be confirmed by letter bearing the certification in full. Lumber suppliers who receive certifications must keep them in their files for inspection by government officials.

Any consumer who may place a certified (rated or unrated) order for lumber required for construction or for maintenance and repair and who wishes to have the construction work done and the material furnished by another person may authorize such other person to sign the certification as his duly authorized official.

(1) *Certificate that must be used by Class I and Class II consumers on rated orders.* Class I and Class II consumers must endorse the following certificate on all their rated orders calling for the delivery or transfer of lumber:

The undersigned consumer certifies to the supplier and to the War Production Board that this lumber, together with all other lumber for which he has requested delivery, does not exceed the amount he has been authorized by the War Production Board to receive under Order L-335, with the provisions of which he is familiar, and that the use of any rating shown on this order is authorized.

Consumer _____
Date _____
By _____
Duly authorized official _____

(2) *Certificates that must be used by Class I consumers on their unrated orders.* Class I consumers who place certified but unrated orders calling for the delivery of lumber must use the following form of certification:

The undersigned certifies to the supplier and to the War Production Board that he is a Class I consumer and that this lumber, together with all other lumber for which he has requested delivery within the quarter in which delivery of this lumber is requested, does not exceed the amount he has been authorized by the War Production Board to receive under Order L-335, with the provisions of which he is familiar and that this order is unrated.

Consumer
Date-----
By-----
Duly authorized official

(3) *Certificate that must be used by distributors in extending customers' certified orders.* When extending customers' certified orders including certified orders that a distributor may receive from another distributor the following certification must be used.

The undersigned certifies that this lumber, together with all other lumber which he has ordered on the extension of his customers' certified orders, does not exceed the amount of unextended certified orders which he has in his file, and that, to the best of his knowledge and belief, he is authorized to place this order as a "certified order" under Order L-335, and to use any preference rating shown on this order.

Distributor
Date-----
By-----
Duly authorized official

(4) *Certificate that must be used by distributors to get lumber authorized on Form WPB-3813 or by a direction.* When a distributor places certified orders to get lumber authorized by the War Production Board on Form WPB-3813 as explained in paragraph (o) (2) above or to get lumber which he is authorized to receive under a direction he must use the following certification:

The undersigned certifies to the supplier and to the War Production Board that he has been authorized ----- to receive this lumber. The amount for which he is requesting delivery on this order together with all other orders bearing this form of certificate does not exceed the amount he is authorized to receive by the use of this form of certificate. This order is not rated.

Distributor
Date-----
By-----
Duly authorized official

The distributor must insert in the space provided either (i) "on Form WPB-3813"; (ii) "by Direction -----"; or (iii) "on Form WPB-3813 and by Direction -----".

Restrictions on the Use of Ratings

(r) *General.* This order does not assign any preference ratings. If a consumer has a rating to get production materials for a product, he may continue to use that rating to get lumber to be incorporated in the product. If a con-

sumer has a rating (except an AA-5 MRO) to get lumber for maintenance, repair, or operating supplies (including MRO shipping material or dunnage), he can also continue to use that rating to get lumber for such purposes. A consumer who does not have a rating but needs one to get lumber may get it in the same way as a rating for any other material (except in the case of farmers who get a rating through the War Food Administration). Persons who had a rating to get lumber under Order M-208 may not use those ratings as that order has been revoked as of August 1, 1944. Under this order any person entitled to use a preference rating to get lumber must also use the certification described in paragraph (q) (1), as the preference rating alone is not sufficient. The use of any rating assigned by a certificate, preference rating order, or regulation is subject to any restrictions contained in the instrument assigning it. Also, persons using ratings to get lumber must comply with the general applicable restrictions in Priorities Regulations 1, 3, and 11-B and CMP Regulation 3 and with the further restrictions contained in this order.

(1) *MRO Rating of AA-5 may not be used to get lumber.* No person who has an AA-5 MRO rating for maintenance, repair, and operating supplies may use it to get lumber. No person selling lumber may give any effect to such a rating.

(2) *Uncertified order may not be rated.* No preference rating appearing on a lumber order will be valid unless the order is certified as provided in paragraphs (q) (1) and (q) (3) above.

Sawmill Deliveries

(s) *Deliveries that sawmills may make.* Unless a direction or a directive issued under this order says that a sawmill may deliver lumber to a distributor or to a consumer in some other way, the delivery may be made only in the following cases:

(1) *Deliveries on certified and rated orders.* Sawmills may deliver lumber on the basis of a rated order from either a consumer or a distributor if the order bears one of the certifications provided for in paragraphs (q) (1) and (q) (3) of this order.

(2) *Sawmill deliveries on certified but unrated orders.* Sawmills may deliver lumber on the basis of an unrated order from either a Class I consumer or a distributor if the order bears one of the certifications provided for in paragraphs (q) (2) and (q) (4) of this order.

(3) *Sawmills may deliver lumber freely to other sawmills.* This order does not restrict delivery of lumber between "sawmills".

(t) *Uncertified and unrated orders.* A sawmill cannot deliver lumber to either a consumer or distributor or withdraw lumber for his own use from his sawmill stock on the basis of an uncertified order unless permitted by a direction or directive to this order.

(u) *Sawmills that are distributors.* If a person operates both a sawmill and a distribution yard, he may transfer lumber from his "sawmill stock" to his "distributor stock" provided he follows

the procedures governing the delivery of lumber from a sawmill to a distributor. If, as a distributor, he has the right to place a certified order with other suppliers, he may treat the transfer from his "sawmill stock" to his "distributor stock" as a delivery on a certified order, and he must keep a record of the transfer in his sawmill files and endorse the appropriate certificate on that record.

(v) *Sawmills that also sell at retail but do not have a distribution yard.* Sawmills that sell lumber at retail but do not maintain a separate retail distribution yard may accept the same types of orders that a distributor is authorized to accept.

(w) *Sawmills that are also consumers.* If a person is engaged in operating a sawmill and is also engaged in an operation which makes him a consumer, he may transfer lumber from his sawmill stock to his consumer operation provided that, as a consumer, he is authorized to place an order bearing one of the certifications required of consumers. The transfer from his sawmill stock may be treated as a delivery on a certified order, and he must keep a record of the transfer in his sawmill files and endorse the appropriate certificate on the record.

Acceptance and Sequence of Filling Orders

(x) *Sawmills' acceptance and filling of orders.* The following provisions will govern sawmills' acceptance of orders and the sequence in which they must be filled.

(1) *Sawmills' acceptance of certified and rated orders received a month before month of delivery.* Certified and rated orders calling for delivery in any calendar month must be accepted by a sawmill up to the first day of the preceding calendar month in accordance with the provisions of § 944.2 of Priorities Regulation 1; that is, as between certified and rated orders, a higher rated order shall take precedence over a lower rated order. If receipt of an order which is rated higher than a previously accepted rated order would result in the sawmill having rated orders for more than 110 percent of its anticipated shipments for the month, then the lowest rated orders or order must be displaced and the customer must be notified.

(2) *Orders received within one month of month of delivery.* A sawmill must not accept rated orders after the beginning of the month preceding the month in which delivery is requested except: (i) where acceptance of the order will not bring the sawmill's total accepted rated orders for delivery in the same month to more than 110 percent of anticipated shipments; (ii) where the new order is rated AAA; or (iii) where the sawmill is directed by the War Production Board to accept the order. If, by the first of the month preceding the month in which delivery is requested, a sawmill does not have certified and rated orders calling for 110 percent of its anticipated shipments, it must continue to accept rated certified orders in accordance with the provisions of § 944.2 of Priorities Regulation 1 until its accepted rated orders reach 110 percent of its anticipated ship-

ments. After that, it must not accept any rated order for delivery in the same month, unless (i) the new order is rated AAA; or (ii) the sawmill is directed by the War Production Board to fill the order.

(3) *Sequence of filling accepted rated orders where all cannot be filled.* If a sawmill is unable to make delivery at the time requested on all certified and rated orders which it has accepted for delivery, it must give precedence to high rated orders over lower rated orders as provided in § 944.7 of Priorities Regulation 1, except that any unfilled certified and rated orders carried over from a previous month must be filled before making delivery on orders accepted for delivery in the current month, even if the orders carried over bear lower ratings. The only exceptions are that current orders rated AAA and orders which the sawmill has been directed by the War Production Board to fill take precedence over unfilled orders carried over from a preceding month.

(4) *Certified but unrated orders.* There is no fixed limit on the amount of certified but unrated orders that a sawmill may accept from Class I consumers and distributors, but a sawmill should not accept more of these orders than it reasonably expects it will be able to ship. These orders must give way to all certified rated orders previously or subsequently received.

Miscellaneous

(y) The following provisions generally affect consumers, distributors, and sawmills and should be carefully read:

(1) *Validation of orders in the third quarter.* Any consumer or distributor who has placed orders with lumber suppliers and is authorized under this order to place a lumber order may accept delivery of that order after July 31, 1944 provided he validates the order by giving his supplier the certification that he would use if the order were being placed after July 31, 1944. Consumers that are authorized only to receive specified amounts of lumber (in board feet) in the third quarter must charge receipts of lumber after June 30, 1944 against their total authorization for the third quarter. Consumers that cannot validate orders placed with lumber suppliers for receipt after July 31, 1944 must cancel such orders by notifying the supplier. Sawmills and distributors shall treat any order which requests delivery of lumber in the months of August and September, 1944, as an uncertified order, if the order has not been validated prior to July 20, 1944. Consumers and distributors validating orders under these provisions may do so by telegraph. Orders for delivery after July 31 which are validated before July 20 must be scheduled by sawmills on the same basis as if they had been certified orders when originally received.

(2) *Directives and directions.* The term "directive" as used in this order means written instructions to a specific person regarding the manufacture, delivery or use of lumber. The term "direction" means published instructions to a

group or class. The War Production Board may issue directives or directions requiring sawmills or distributors to set aside specific quantities or percentages of production or shipments for persons placing certified orders. It may also allocate production or shipments to specified persons or classes or for specified uses, and may direct how and in what quantities delivery to specified persons or classes or uses may be made. It may also direct distribution to particular areas and may direct or prohibit the production by any person of particular items of lumber. Directions and directives supersede any preference ratings assigned to particular purchase orders or contracts. They will be issued in accordance with approved programs for the satisfaction of war and essential civilian requirements, and in order to carry out more fully the purposes of this order.

(3) *Exports.* The Army, and Navy, the Foreign Economic Administration, and other Federal agencies exporting or authorizing the export of lumber will obtain authorizations on Form WPB-3640 for all exports of lumber under their jurisdiction. Any person who wishes to buy lumber for export must submit his delivery orders to the appropriate Federal agency for certification when requesting permission to export.

(4) *Applicability of regulations.* Except as otherwise required by this order, Priorities Regulations 1 and 3 continue to govern the use of ratings and the acceptance, scheduling and filling of orders placed with distributors and sawmills. All other applicable regulations and orders of the War Production Board also remain in effect where not inconsistent with this order.

(5) *Not applicable to territories and possessions.* This order applies only to deliveries made within the 48 states and the District of Columbia.

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

(7) *Delivery to violators prohibited.* No person shall sell, ship, or deliver, or cause to be sold, shipped or delivered, any lumber which he knows or has reason to believe will be received or used in violation of the provisions of this order or any direction or directive issued under it, or any other order or regulation of the War Production Board.

(8) *Reports.* Every person shall file with the War Production Board or any other Federal agency through which the War Production Board may distribute lumber, such reports and questionnaires as the War Production Board or such other agency may from time to time re-

quire subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

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

(10) *Application and communications.* Form WPB-3640 for use in filing applications under this order and Forms WPB-3773 and WPB-3813 may be obtained at any War Production Board District Office. All communications, unless otherwise directed, must be addressed as follows: Lumber and Lumber Products Division, War Production Board, Washington 25, D. C., Ref.: L-335.

(11) *Effective date.* Except as otherwise stated, this order applies to all deliveries and receipts of lumber after July 31, 1944. It also applies to all orders placed at any time which call for delivery after July 31, 1944. Such orders may be certified after they have been placed, as explained in paragraph (y), (1) above.

Issued this 23d day of June 1944.

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

[F. R. Doc. 44-9150; Filed, June 23, 1944;
10:55 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS [Conservation Order M-208, Revocation]

SOFTWOOD LUMBER

Effective August 1, 1944, Conservation Order M-208, as amended September 16, 1943 is revoked. This revocation does not affect any liabilities incurred under the order. Order M-208 is superseded by Order L-335, as amended June 23, 1944 which becomes effective August 1, 1944.

Issued this 23d day of June 1944.

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

[F. R. Doc. 44-9152; Filed, June 23, 1944;
10:55 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS [Conservation Order M-361, Revocation]

DELIVERIES OF SOUTHERN YELLOW PINE FROM SAWMILL STOCK

Effective August 1, 1944, Conservation Order M-361 as Amended March 20, 1944 is revoked. This revocation does not affect any liabilities incurred under the order. Order M-361 is superseded by Order L-335, as amended June 23, 1944 which becomes effective August 1, 1944.

Issued this 23d day of June 1944.

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

[F. R. Doc. 44-9147; Filed, June 23, 1944;
10:56 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Conservation Order M-364, Revocation]

DELIVERIES OF HARDWOOD LUMBER FROM SAWMILL STOCK

Effective August 1, 1944, Conservation Order M-364, as amended March 20, 1944, is revoked. This revocation does not affect any liabilities incurred under the order. Order M-364 is superseded by Order L-335, as amended June 23, 1944 which becomes effective August 1, 1944.

Issued this 23d day of June 1944.

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

[F. R. Doc. 44-9148; Filed, June 23, 1944;
10:56 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT

[General Limitation Order L-22, as Amended June 23, 1944]

FURNACES

§ 3288.81 *General Limitation Order L-22—(a) Definitions.* For the purposes of this order:

(1) "Furnace" means any direct fired air heating unit which is designed for the purpose of heating the interior of a building, including but not limited to, any heating device commonly known as a gravity or forced warm air furnace, a free-standing heater or a floor-mounted unit heater for use with or without air distribution pipes. But "furnace" does not mean a domestic heating stove as defined in Supplementary General Limitation Order L-23-c, extended surface heating equipment as defined in General Limitation Order L-107, a direct-fired suspended unit heater, or a floor or wall furnace.

(2) "Steel furnace" means any furnace the heating surface of which is wholly or partially made of steel.

(3) "Cast iron furnace" means any furnace the heating surface of which is made of cast iron.

(4) "Base period" means the three year period ending April 11, 1942.

(b) *Restrictions on manufacture.* (1) No person shall manufacture, fabricate or assemble any steel furnace except:

(i) From materials in inventory on July 28, 1943 or as authorized from time to time by the War Production Board under the Controlled Materials Plan or otherwise.

(2) On and after September 26, 1943, no person shall manufacture, fabricate or assemble any steel furnace designed to burn solid fuel except in accordance with the simplified practices as provided in paragraph (d).

(3) On and after September 26, 1943, no person shall manufacture, fabricate or assemble any cast-iron furnace designed to burn solid fuel except in accordance with the simplified practices as provided in paragraph (d).

(4) No person shall manufacture any furnaces except in the fuel types manufactured by him during the base period.

(c) *Restrictions on delivery and installation.* (1) No person shall deliver a new furnace having extra panels for turning radiators, except when specified in the purchase order for an individual installation.

(2) [Deleted Mar. 24, 1944]

(d) *Simplified practices.* On and after September 26, 1943 no person shall manufacture, fabricate or assemble any furnace designed to burn solid fuel except in accordance with the following practices:

(1) Only one model each of cast iron and steel furnaces of the same nominal firepot diameter or the same grate area shall be manufactured. A model will not be deemed to be changed by the inclusion or omission of blowers, extra radiators, larger radiators, added secondary heating surfaces, oil burners, gas burners or stokers.

(2) The metal casing supplied with a furnace rated between 50,000 and 250,000 BTU shall be cylindrical when used on gravity installations.

(3) Cylindrical casings used on furnaces of less than 250,000 BTU shall not be heavier than 26 gauge.

(4) The following parts shall not be made of metal:

- (i) Water pans.
- (ii) Humidifiers.
- (iii) [Deleted June 23, 1944]
- (iv) More than one detachable name plate.

(5) The following parts shall not be made of metal, except cast iron and steel:

- (i) Feed door smoke curtains.
- (ii) Feed door linings.
- (iii) Hot blast lift doors.
- (iv) Upright shaker handles.
- (v) Extra panels for turning radiators.
- (vi) Inner liners for casing.

(6) [Deleted Mar. 24, 1944]

(e) [Deleted June 23, 1944]

(f) *Parts.* Nothing in this order shall prohibit or restrict the manufacture or shipment of repair parts for furnaces or parts necessary to convert a furnace from oil or gas burning to coal burning.

(g) *Applicability of other orders.* Insofar as any other order issued by the War Production Board, or to be issued by it hereafter, limits the use of any material to a greater extent than the limitations imposed by this order, the restrictions of such order shall govern unless otherwise specified therein.

(h) *Appeals.* Any appeal from the provisions of this order shall be filed on Form WPB-1477 (formerly PD-500) with the Field Office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(i) *Communications.* All communications concerning this order, unless otherwise directed, should be addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., Ref: L-22.

(j) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any depart-

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

(k) *Reports.* Manufacturers of warm air furnaces and direct fired floor mounted and direct fired suspended unit heaters (except floor furnaces) shall report on or before the tenth day of each month on Form WPB 3316, following the instructions on the form. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 23d day of June 1944.

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

[F. R. Doc. 44-9159; Filed, June 23, 1944;
10:54 a. m.]

PART 3288¹—PLUMBING AND HEATING EQUIPMENT

[Limitation Order L-42, Schedule V, as Amended June 23, 1944]

PLUMBING FIXTURE FITTINGS AND TRIM

§ 3288.16¹ *Schedule V to Limitation Order L-42—(a) Definitions.* For the purpose of this schedule:

(1) "Copper base alloy" means any alloy metal in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy.

(b) *Limitations.* Pursuant to Limitation Order L-42, the following restrictions are established for the manufacture, assembly and finishing of plumbing fixture fittings and trim:

(1) No person shall use copper or copper base alloy, except in the items specified on List A.

(2) No person shall use zinc, except in the items specified on List B, but zinc may be used for plating, coating or galvanizing.

(3) No person shall use cadmium, chromium or nickel for plating or coating.

(4) No person shall use any metal in the items specified on List C.

(c) *General exceptions.* The restrictions of this schedule do not apply to the production of articles or parts not available in the producers inventory for use in ships, boats, planes or advance bases (when required by the Army, Navy, Maritime Commission, War Shipping Administration, or Coast Guard, or by rules and regulations promulgated by the Coast Guard for merchant vessels), or for use in chemical and research laboratories, abattoirs, food packing and processing plants, hospitals, and all buildings in a

¹ Formerly Part 1076, § 1076.6.

hospital group, clinics, dispensaries and railroad cars.

Issued this 23d day of June 1944.

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

LIST A—COPPER AND COPPER BASE ALLOY

Copper base alloy may be used for the following items. Castings shall be made without the use of any primary copper or tin and shall be of no higher grade than Alloy 5A of American Society of Testing Materials Specification B-145-42-T.

Number and item:

1. Drinking fountain bubbler, guard, regulator and self closing valve (to be made according to the minimum requirements of the U. S. Public Health Service)
2. Glass-filler faucet
3. Upper and lower lift wires
4. Spud or insert (for flush balls and floats)
5. Flush valves for high tanks
6. Ball cock complete, including hush tube and refill tube, but not including float and float rod
7. Ring, for lead traps—not including plugs or covers

The use of copper and copper base alloy in the following items is limited to valve stems, valve seats, bonnets, disc and disc screws, or valve trimming units combining these separate parts into one unit, and springs for self-closing faucets, provided it does not exceed the weight specified for each item.

Ounces

8. Bathtub filler (½" I. P. S.) exposed	8.0
9. Bathtub filler (½" I. P. S.) concealed	21.0
10. Combination tub and shower supply assembly (½" I. P. S.)	30.0
11. Lavatory supply fittings (combination)	9.0
12. Lavatory faucet (single)	4.0
13. Laundry tray combination faucet (½" I. P. S.)	9.0
14. Laundry tray faucet (single)	5.0
15. Service sink combination faucet (½" I. P. S.)	11.0
16. Shower, two-valve (exposed ½" I. P. S.)	11.0
17. Shower, two-valve (concealed ½" I. P. S.)	21.0
18. Sink faucet, single (plain, hose and solid flange ½" and ¾" I. P. S.)	5.0
19. Sink faucet (deck, swinging, rigid, and concealed ½" I. P. S.)	11.0
20. Self-closing faucet or stop	12.0
21. Self-closing stop for shower	12.0

Copper and copper base alloy may be used in the manufacture of the following items, provided it does not exceed the weight specified for each item:

Ounces

22. Automatic high tank supply valve—¾"	8.0
23. Automatic high tank supply valve—1" or larger	13.0
24. Automatic high tank supply valve—1½" or larger	16.0
25. Flushometer valve, stop and back-flow preventor	13.0
26. Wash fountain trim	16.0

LIST B—ZINC PERMITTED IN THE FOLLOWING ITEMS

Number and item:

1. Clean-out plugs (fixture traps).
2. Escutcheon holders (thimbles).
3. Flush tank trip lever assembly.
4. Nuts (lock, slip, coupling or bonnet).
5. Spuds or inserts (for handles).
6. Handles, faucet.

LIST C—NO METAL PERMITTED

Number and item:

1. Floats (ball cock), except for spud.
2. Flush balls, except for spud and inserts.
3. Pop-up wastes.
4. Trip-lever wastes, or other mechanical waste assembly.
5. Escutcheons.

[F. R. Doc. 44-9160; Filed, June 23, 1944; 10:54 a. m.]

PART 3290—TEXTILES, CLOTHING AND LEATHER

[General Conservation Order M-310, Gen. Direction 4]

TANNING OF MILITARY QUALITY CALFSKINS

The following direction is issued pursuant to General Conservation Order M-310:

All tanners of calfskins are hereby directed:

1. Not to process calfskins which are capable of being processed into black chrome leather with a finish suitable for Navy shoes under Navy specifications, except into leather meeting such specifications.
2. Not to deliver any such leather except to fill purchase orders bearing the following certification, "The number of square feet of leather covered by this purchase order added to the number of square feet of leather meeting U. S. Navy specifications in inventory or covered by other purchase orders does not exceed two and one half times the number of pairs of shoes we are obligated to deliver to the U. S. Navy under all our incomplete contracts now on hand, which are Contracts Nos. _____"

3. Not to deliver any such leather unless the invoice carries the following endorsement, "The leather represented by this invoice is delivered to the purchaser for use only in the manufacture of Navy Dress Oxfords, subject to the provisions of paragraph (b) (3) (iv) of General Conservation Order M-310."

Nothing in this direction shall prevent the processing of calfskins, or the delivery of leather, to fill other specific military orders or specific orders for textile roller leather.

The word "tanner" as used above shall have the meaning set forth in paragraph (a) (1) of General Conservation Order M-310.

This direction supersedes the directions dated April 12, 1943 and addressed to individual tanners.

Issued this 23d day of June 1944.

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

[F. R. Doc. 44-9153; Filed, June 23, 1944; 10:56 a. m.]

PART 3291—CONSUMER DURABLE GOODS

[Supplementary Limitation Order L-7-c, as Amended June 23, 1944]

DOMESTIC ICE REFRIGERATORS

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

§ 3291.16 *Supplementary Limitation Order L-7-c—(a) Definitions.* For the purpose of this order:

(1) "Domestic ice refrigerator" means any non-mechanical ice chest or ice box designed for home use.

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

(3) "Iron and steel content" means the aggregate weight of iron and carbon steel contained in a finished domestic ice refrigerator, including but not limited to, latches, hinges, screws, nails, rivets, bolts, sheet steel, binder strips, drain tubes, drip pans and shelving.

(4) "Net ice capacity" means the maximum amount of standard scored ice which the ice chamber of a domestic ice refrigerator will hold.

(5) [Deleted June 23, 1944]

(b) *General restrictions.* (1) No person shall produce any domestic ice refrigerator:

(i) Containing any crude, reclaimed or synthetic rubber except as permitted in Rubber Order R-1 as amended, or any relief granted pursuant to appeal taken in accordance with the provisions of such Order;

(ii) Containing any metal other than iron and carbon steel (except metal used in galvanizing, plating, soldering, or coating steel);

(iii) Having a net ice capacity of other than 50 or 75 pounds, except that it may vary ten per cent from either of these amounts;

(iv) Having iron and carbon steel content of more than 6 pounds; or

(v) [Deleted June 23, 1944]

(2) (i) No person shall produce any domestic ice refrigerator except in accordance with a production quota assigned to him in a schedule issued by the War Production Board pursuant to this order. Such production quotas shall be assigned for periods of time to be specified in the schedule, and shall expire on the last day of the period for which they are assigned. Any person desiring to obtain a production quota shall file with the War Production Board at least 30 days before the expiration date of the schedule in effect at that time a written application to be assigned a production quota for such period as the War Production Board shall specify.

(ii) Such application should contain a statement as to the amount of iron and carbon steel, and other critical materials to be contained in each domestic ice refrigerator the applicant proposes to produce during such period. Whenever production quotas are assigned by the War Production Board, it will take into consideration the amount of iron and carbon steel, and other critical materials to be used by each applicant, the extent to which the domestic ice refrigerators which each applicant proposes to produce conforms to the performance specifications contained in Appendix A at-

tached to this order as established by tests of the National Bureau of Standards, the labor and transportation situation in the area where the plant of each applicant is located and such other factors as the War Production Board shall deem appropriate.

(iii) [Deleted, October 5, 1943.]

(c) *Applicability of other orders.* In so far as any other order heretofore or hereafter issued by the War Production Board limits the use of any material in the production of domestic ice refrigerators to a greater extent than the restrictions imposed by this order, the restrictions of such other order shall govern unless otherwise specified therein.

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

(e) *Avoidance of excessive inventories.* No person authorized to produce domestic ice refrigerators shall accumulate for use in the production of such domestic ice refrigerators inventories of raw materials, semi-processed materials or finished parts in quantities in excess of the minimum amount necessary to maintain production at the rates permitted by this order and any schedules issued pursuant thereto.

(f) *Records.* All persons affected by this order or any schedule issued pursuant thereto, shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(g) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(h) *Reports.* Each person who produces any domestic ice refrigerators shall file with the War Production Board, not later than 10 days after the end of each calendar month in which he produced any domestic ice refrigerator, a report on Form WPB-1600 (formerly Form PD-655), showing all domestic ice refrigerators which he produced during such month. Each person, before he offers for sale any new model of domestic ice refrigerator, shall file with the War Production Board a report on Form WPB-1117 (formerly Form PD-531), setting forth a bill of material for such model. Each person affected by this order, or any schedule issued pursuant thereto, shall file such other reports and answers to questionnaires as the War Production Board shall from time to time require.

(i) *Violations.* Any person who wilfully violates any provision of this order, or of any schedule issued pursuant thereto, or who, in connection with this order, or any such schedule, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such

person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(j) *Appeal.* Any appeal from the restrictions contained in paragraph (b) (1) of this Order should be made on Form WPB-1477 (formerly PD-500) and filed with the Consumers Durable Goods Division, War Production Board, Washington 25, D. C.

(k) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, or any schedule issued pursuant thereto, shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington, D. C., Ref.: L-7-c.

Issued this 23d day of June 1944.

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

APPENDIX A—PERFORMANCE SPECIFICATIONS FOR DOMESTIC ICE REFRIGERATORS

I. Temperature & Ice Meltage Performance

1. The refrigerator shall maintain with no load in the food compartment an average food compartment temperature of 48° F. or less and a temperature of 48.5° F. or less in the milk storage space at 60% of initial ice load with the room at an average temperature of 85° F. plus or minus 1° F.

2. The temperature at a point two inches above the bottom of the food compartment and two inches from the sidewall, located in the vertical plane perpendicularly bisecting a return air duct shall not be higher than the temperature of the air entering the return air duct. (The return air duct is defined as the duct or ducts through which the air in the refrigerator returns from the food compartment to the ice compartment.)

3. Ice meltage at 60% initial ice load for food compartment volumes between 2.75 and 5.5 cubic feet shall not exceed the value, in lbs./day, computed from the following formula:

$$M \text{ equals } 7.28 \text{ plus } 3.3V$$

where M is the ice meltage in lbs./day and V is the volume of the food compartment in cubic feet. Note: This formula applies only under the following conditions: Room temperature 85° F.; Average food compartment temperature 48° F.; and Food Compartment volumes ranging between 2.75 cubic feet and 5.5 cubic feet.

II. Construction Performance

4. Box deformation: The box shall show no permanent vertical deformation in excess of 3/16" per 3 feet of vertical elevation when subjected to a horizontal load of 350 pounds applied along one diagonal of the top from front to back with the box fastened to the floor at all four legs.

5. Door damage: The door and hinges shall show no permanent damage when the door is subjected to a vertical load of 100 pounds applied to the upper outside corner 2 inches from the outside vertical edge of the door with the door open and at an angle of 90° with the front of the box.

6. Ice shelf: The ice shelf shall be able to support a load of 200% of the normal ice load without fracturing the shelf or supports or causing permanent sagging of more than 1/16" at the center, sides and back.

7. Food shelves: Full width food shelves shall have sufficient strength to support an evenly distributed load of 50 pounds without

fracturing or permanently sagging more than 1/16" at the center. Fractional width shelves around the milk storage space shall have sufficient strength to support an evenly distributed load of 25 pounds without fracturing or permanently sagging more than 1/16" at the center.

8. The back of the ice compartment shall withstand without damage an impact of 40 ft. lbs.

9. The refrigerator door shall withstand without damage to the door, hinges and latch a closing of 100 consecutive times from a fully opened position (opened through an angle of 180°) by an impact of 40 ft. lbs. applied at the center of door.

[F. R. Doc. 44-9161; Filed, June 23, 1944; 10:54 a. m.]

PART 1111—RATIONING OF NEW COMMERCIAL MOTOR VEHICLES

[General Conservation Order M-100, Revocation]

Section 1111.1 *General Conservation Order M-100*, is hereby revoked as of July 1, 1944. This revocation does not affect any liabilities incurred under the order. Conservation Order M-100 is superseded by Office of Defense Transportation General Order ODT 44 effective July 1, 1944.

Issued this 23d day of June 1944.

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

[F. R. Doc. 44-9174; Filed, June 23, 1944; 11:48 a. m.]

Chapter XI—Office of Price Administration

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 148]

FURS AND PELTRIES

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 Supplementary Regulation No. 14 to the General Maximum Price Regulation is amended in the following respects:

1. The headnote of section 3.4 is amended to read as follows: "Raw furs, skins and peltries."

2. Section 3.4 (a) is amended by substituting the words "raw furs, skins or peltries" for the words "raw skins or hides," wherever such words appear.

3. Section 3.4 (b) is amended to read as follows:

(b) *Definition.* When used in this section, the term "raw furs, skins and peltries" means undressed or untanned furs and skins or hides, whether imported or domestic, the sale or delivery of which is subject to the General Maximum Price Regulation. It does not include cured deer and elk skins as defined in section 3.9 (c) and cured domestic hogskins and pigskins as defined in section 3.15 (c).

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

4. Section 3.12 is deleted.
This amendment shall become effective June 22, 1944.
Issued this 22d day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9140; Filed, June 22, 1944;
4:21 p. m.]

PART 1301—MACHINE TOOLS

[MPR 67]

NEW MACHINE TOOLS

Revised Price Schedule 67¹ is redesignated Maximum Price Regulation 67 and is revised and amended to read as set forth herein.

In the judgment of the Price Administrator the maximum prices established by this revised regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.*

§ 1301.51 *Maximum prices for sales and rentals of new machine tools, attachments, and parts.* 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, Maximum Price Regulation 67 (New Machine Tools), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1301.51 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION 67—NEW MACHINE TOOLS

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Appendix A—Form for reporting maximum prices and costs of machine tools of new design.

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

¹ 7 F.R. 1337, 2105, 2000, 2472, 2473, 2680, 2996, 8445, 8820, 4176, 5513, 5987, 7329, 7834, 8928, 9039, 9052, 11074, 6948.

Appendix B—Form for applications for adjustment.

ARTICLE I—SCOPE AND PROHIBITIONS OF THE REGULATION

SECTION 1. *Scope.*—(a) *Commodities and transactions.* This regulation establishes maximum prices for all domestic sales, rentals and leases of new machine tools. Domestic sales of new attachments and machine tool parts are also covered by this regulation when (1) the sale is made by a machine tool manufacturer or his dealer and (2) the attachment or part is designed for a machine tool produced by the machine tool manufacturer. The supplying of services which result in the production of a complete new machine tool shall be deemed to be a sale of the machine tool for the purposes of this regulation. Except as provided in section 7 (f), maximum prices for export sales and sales to exporters are established by the Second Revised Maximum Export Price Regulation² or any revisions thereto. When used in this regulation the terms "export sale" and "exporter" have the meaning given to them by the Second Revised Maximum Export Price Regulation.

(b) *Geographical applicability.* This regulation applies in the forty-eight states of the United States and the District of Columbia, but not in the territories and possessions of the United States.

(c) *Definitions.* When used in this regulation, the term:

(1) "Machine tool" means a power-driven machine not portable by hand in its normal use, used for shaping metal by cutting, abrading, straightening, forcing, forging or forming under pressure. Welding equipment, machines for cutting metal by gas flame, and those made especially for laboratory use, are not included. The term "machine tool" includes standard equipment, i. e., those new accessories normally furnished with the machine and normally included in its price.

(2) "Attachment" means any new accessory equipment furnished with a machine tool, or separately for use on the machine tool, and for which a separate charge is normally made.

(3) "Part" means any component part of a machine tool, or standard equipment or attachment when separately furnished, as for spares or for repair purposes.

(4) "Dealer" means any person engaged in the business of purchasing new machine tools, attachments or parts for resale.

(5) "Manufacturer" means a producer, assembler or subcontractor who produces a complete machine tool, attachment or part from material owned either by him or by another, and any agent of the foregoing; but does not include any person whose work on the machine tool, attachment or part is restricted to the reconditioning or repair thereof.

² 8 F.R. 4132, 5987.

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

SEC. 2. *Prohibitions.* (a) On and after June 28, 1944 (except as provided in paragraph (b)):

(1) No person shall sell, deliver, lease, rent or negotiate the sale, lease or rental of any new machine tool, attachment or part at a price higher than the maximum fixed by this regulation.

(2) No person, in the course of trade or business, shall buy, rent, lease or receive any new machine tool, attachment or part at a price higher than the maximum fixed by this regulation. If the purchaser or lessee receives from the seller or lessor a written statement that the price does not exceed the maximum price, and if the purchaser or lessee has no reason to doubt the validity of this statement, the purchaser or lessee shall be deemed to have complied with this subparagraph.

(3) No person shall agree, offer, solicit or attempt to do any of the acts prohibited by subparagraphs (1) and (2).

(b) Nothing in this regulation shall be deemed to prohibit the fulfillment of any contract entered into before June 28, 1944, for the sale, lease or rental of any new machine tool, attachment or part, if the price under such contract was permissible under the maximum price regulation or price schedule which was applicable to the transaction at the time the contract was made.

SEC. 3. *Less than maximum prices.* Lower prices than those established by this regulation may be charged.

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

SEC. 4. *Maximum prices for sales.*—(a) *Maximum price.* The maximum price for the sale by any person of any new machine tool, attachment or part shall be the manufacturer's price to a user in effect on October 1, 1941, plus the additions permitted by paragraphs (b) and (c), wherever applicable. The term "price in effect on October 1, 1941," means a list price in effect on that date, or a price which would have been quoted on that date under a method of quoting prices without further cost computation which was in effect on October 1, 1941. If the manufacturer had no price in effect on October 1, 1941, the maximum price for the sale by any person shall be the last price at which the manufacturer contracted to sell the new machine tool, attachment or part to a user during the period January 1, 1941, to October 1, 1941, inclusive, plus the additions permitted by paragraphs (b) and (c), wherever applicable.

(b) *Addition for resale discount or commission.* This paragraph is applicable to new machine tools, attachments or parts which the manufacturer did not

customarily distribute through dealers. In such a case, if the manufacturer intends to distribute the new machine tool, attachment or part through dealers and if the maximum price established by paragraph (a) does not include an allowance for resale discount or commission, such an allowance may be added to the price determined under (a). This allowance shall not exceed the percentage for resale discount or commission used by the manufacturer in sales of the most nearly comparable new machine tool, attachment or part during the period January 1, 1941, to October 1, 1941, inclusive. If a manufacturer did not use any allowance for resale discount or commission in determining a price for sales during the period January 1, 1941, to October 1, 1941, inclusive, the amount which may be added shall be an amount, in line with the allowance for resale discount or commission made by comparable manufacturers, specifically authorized by the Office of Price Administration. The manufacturer shall write to the Office of Price Administration, Washington, D. C., for such authorization. If the manufacturer does not file under this provision, the Office of Price Administration may of its own accord establish the allowance for resale discount or commission which may be added. This allowance shall be in line with that made by comparable manufacturers. The manufacturer shall notify his dealers, agents and distributors of the maximum price established by this paragraph, and that price shall be the maximum price for all sellers.

(c) *Effect of escalator clause invoked on or before October 1, 1941.* In the case of a new machine tool, attachment or part for which there was no price in effect on October 1, 1941, if on October 1, 1941, an existing contract of a manufacturer contained an escalator clause, and if on or prior to October 1, 1941, a delivery had been made under this contract at a price higher than the contract price, because the escalator clause had been invoked in whole or in part, the maximum price of the new machine tool, attachment or part shall be the last price at which it was delivered to a user by the manufacturer on or before October 1, 1941.

(d) *Formula prices.* The maximum price of any new machine tool, attachment or part that cannot be priced under paragraphs (a) to (c), inclusive, shall be determined as follows:

(1) *Manufacturers' maximum prices where there is a comparable machine tool—(i) Maximum price.* Where there is a comparable machine tool produced by the same manufacturer, the maximum manufacturer's price for a machine tool covered by this paragraph (d) shall be the maximum price established by this regulation for the most nearly comparable machine tool produced by the same manufacturer, adjusted to reflect

increases or decreases in cost due to structural differences.

(ii) *Report and approval of prices.* Prices determined under (i) must be approved by the Office of Price Administration. A manufacturer seeking such approval must file the information required by OPA Form 167-1 with the Office of Price Administration, Washington, D. C., within ten days after he receives his first order for the machine tool. If the Office of Price Administration does not object to the proposed price within fifteen days after the mailing of the required report, the proposed price shall be deemed to be approved. If the manufacturer does not file the required report, the Office of Price Administration may establish a maximum price of its own accord. This price will be in line with the level of maximum prices established by this regulation.

(2) *Manufacturers' maximum prices for the first order where there is no comparable machine tool—(i) Maximum price.* Where there is no comparable machine tool produced by the same manufacturer, the maximum manufacturer's price for the first order of a machine tool covered by this paragraph (d) shall be determined as follows: The manufacturer shall use the same method of computation and the costs of labor, material, and the overhead and profit rate which were in effect in his plant on October 1, 1941. However, for any purchased equipment or subcontracted services, the manufacturer shall use actual prices paid by him, not in excess of the applicable maximum price. If the manufacturer did not have a price determining method for machine tools in effect on October 1, 1941, he shall use the labor rates and material prices in effect in his locality on October 1, 1941, and a price determining method approved in writing by the Office of Price Administration. A manufacturer seeking such approval shall apply to the Office of Price Administration, Washington, D. C.

(ii) *Report and approval of prices.* Prices determined under (i) must be approved by the Office of Price Administration. A manufacturer seeking such approval must file the information required by OPA Form 694-971 with the Office of Price Administration, Washington, D. C., within ten days after he contracts to sell the machine tool. This form is set out in Appendix A. If the Office of Price Administration does not object to the proposed price within fifteen days after the mailing of the required report, the proposed price shall be deemed to be approved. If the manufacturer does not file the required report, the Office of Price Administration may establish a maximum price of its own accord. This price will be in line with the level of maximum prices established by this regulation.

(iii) *Report after production is completed.* Within forty-five days after the manufacturer has completed production of the first order for a machine tool, which must be priced under this subparagraph (2), he shall file with the Office of Price Administration, Washington, D. C., the information required by OPA Form 694-971, on a copy of that form. This form is set out in Appendix A. Cost submitted on this report must be based on the actual labor hours and actual quantities of materials used in the production of the first order of the machine tool.

(3) *Manufacturers' maximum prices for the second and all subsequent orders where there is no comparable machine tool or attachment.* Where there is no comparable machine tool produced by the same manufacturer, the maximum price for the second and all subsequent orders of a machine tool covered by this paragraph (d) shall be determined in accordance with subparagraph (2). However, all costs which were included in the initial manufacture and which will not be experienced in recurring production must be deducted from the price determined under (2) to the extent that they were reflected in the selling price on the first order, and the estimates of quantity of labor and material used must be based upon the manufacturer's production experience in the first order. This price must be approved by the Office of Price Administration. A manufacturer seeking such approval must file the proposed price with the Office of Price Administration, Washington, D. C., before he accepts the second order. If the Office of Price Administration does not object to the proposed price within fifteen days after the mailing of the required report, the proposed price shall be deemed to be approved. If the manufacturer does not file the required report, the Office of Price Administration may establish a maximum price of its own accord. This price will be in line with the level of maximum prices established by this regulation.

(4) *Manufacturers' maximum prices for attachments and parts.* The maximum manufacturers' price for any attachment or part that cannot be priced under paragraphs (a) to (c), inclusive, shall be determined in accordance with the provisions of (2) above. However, no reports of these prices are required.

(5) *Maximum prices for sales by persons other than manufacturers.* The maximum price for a sale by a person other than a manufacturer of any new machine tool, attachment or part that cannot be priced under paragraphs (a) to (c), inclusive, shall be the manufacturer's maximum price to a user established by (1), (2), (3) or (4) above.

(e) *Notification of maximum price by the manufacturer.* The manufacturer shall furnish his dealer, agent or distributor with the maximum price established by this section if requested to do so by any such person. If a seller has no rea-

son to doubt the validity of the notification received from the manufacturer, he may rely on that notification.

(f) *Retroactive effect of maximum prices established under (b) or (d).* Where the Office of Price Administration establishes a maximum price under paragraphs (b) or (d) above because the maximum price has not been computed as required by those paragraphs, such maximum price shall apply to all sales or deliveries, to which such price applies, made after June 27, 1944.

SEC. 5. *Maximum prices for rentals and leases—(a) Price.* The maximum price for the lease or rental of any new machine tool shall be determined as follows:

(1) *Annual rental.* The maximum annual rental shall be determined by multiplying the maximum price established by this regulation, as of the date of the rental contract, for the sale of the new machine tool, by the applicable percentage rate set forth below:

	8-hour day	16-hour day	24-hour day
	Percent	Percent	Percent
General use.....	25	30	35
Outdoor use of tools designed for indoor use.....	35	45	55

(2) *Monthly, weekly and daily rental.* The maximum rental shall be determined by multiplying the maximum annual rental by the applicable factor set forth below:

Period of time:	Factor
Month.....	0.10
Week.....	.025
Day, or fractional part thereof.....	.005

However, where the machine tool is rented for a specific period of time which results in a maximum total rental of less than \$5.00, the maximum total rental for that period of time shall be \$5.00.

(b) *Rates most favorable to the lessee.* Notwithstanding the provisions of paragraph (a) of this section, the maximum price for any rental shall be computed on the basis of that period of time which will yield the lowest total rental. For example, if the machine tool is rented on a daily basis but the maximum rental figured on a weekly basis is lower than the maximum rental computed on any other basis, the maximum rental must be computed on a weekly basis.

(c) *Additional charges.* Charges for dismantling, loading, installation, transportation, maintenance and power supplied by the lessor may be in addition to the maximum rental, but must be invoiced separately. Such charges must not exceed any maximum price established therefor.

(d) *Rentals and leases after the first contract.* Maximum prices for the second and all subsequent rentals or leases of machine tools shall be determined in accordance with Maximum Price Regulation 1.² Where a rental or lease is continued by agreement, such continuance

shall be deemed to be a subsequent rental or lease for the purpose of this paragraph.

SEC. 6. *Federal and state taxes.* Any tax upon, or incident to, the sale, rental, delivery or processing of machine tools, attachments or parts 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 maximum price or rental: If the statute or ordinance imposing such tax does not prohibit the seller or lessor from stating and collecting the tax separately from the purchase price, and the seller or lessor does separately state it, the seller or lessor 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 or lessor by the vendor from whom he purchased.

SEC. 7. *Terms and conditions of sale—(a) Transportation charges.* No seller or lessor shall require any purchaser or lessee, and no purchaser or lessee shall be permitted, to pay a larger proportion of transportation costs incurred in the delivery of any new machine tool, attachment or part than the seller or lessor required purchasers or lessees of the same class to pay on October 1, 1941, on deliveries of the same or similar types of machine tools, attachments or parts.

(b) *Credit charges.* The maximum prices and rentals established by this regulation shall not be increased by any charges for the extension of credit, unless (1) the seller or lessor on October 1, 1941, required payment of a separately stated additional charge for the extension of credit by purchasers or lessees of the same class on sales or leases of the same or similar types of machine tools, attachments or parts and (2) the amount charged for the extension of credit is not in excess of the charge the seller or lessor had in effect on October 1, 1941, for extension of credit involving the same amount and term.

(c) *Special packing charges.* If the buyer requests packing to his specifications and such specifications involve an increase in cost over the cost of the packing normally furnished by the seller, the difference between the factory costs of such packing, and the factory costs of standard packing may be added to the maximum price. This special packing charge must be billed or invoiced separately.

(d) *Erection, demonstrating, training of labor and servicing.* Charges for erecting, demonstrating, training of labor or servicing new machine tools shall be figured on the same basis as that used by the seller on October 1, 1941. Where such charges are made, they shall be invoiced separately.

(e) *Discounts to dealers.* The maximum prices established by this regulation shall not be exceeded by any seller of new machine tools, attachments or parts, but nothing in this regulation shall prevent changes in discounts or commis-

sions allowed by a manufacturer to a dealer or sales representative.

(f) *Supplementary Order 34 and Second Revised Maximum Export Price Regulation³ not applicable.* Supplementary Order 34 and the Second Revised Maximum Export Price Regulation are not applicable to sales of new machine tools, attachments or parts to procurement agencies. The term "procurement agency" means the United States, any country whose defense the President deems vital to the defense of the United States under the terms of the Lend-Lease Act, or any agency of the foregoing.

SEC. 8. *Transfers of business or stock in trade.* If the business, assets, or stock in trade are sold or otherwise transferred after October 1, 1941, and the transferee carries on the business, or continues to deal in the same type of commodities, in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over, to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the provisions of this regulation.

SEC. 9. *Individual maximum prices.* The provisions of subparagraphs (4), (5), (6), (7), (8), (9), (10), (11), (12), (13), (14), (15), (16), (17) and (18) of section 1301.51(a) of Revised Price Schedule 67 are incorporated by reference into this regulation as they were in effect on June 27, 1944. The maximum prices established by these subparagraphs remain in effect, notwithstanding any other provisions of this regulation. The subparagraphs named establish maximum prices for sales of certain new machine tools, attachments and parts by the following persons:

The Cincinnati Planer Company, Cincinnati, Ohio.
The Cleveland Automatic Machine Company, Cleveland, Ohio.
Defiance Machine Works, Inc., Defiance, Ohio.
Fox Grinders, Inc., Pittsburgh, Pa.
Gould & Eberhardt, Inc., Newark, N. J.
Hanna Engineering Works, Chicago, Ill.
L. J. Kaufman Manufacturing Company, Manitowoc, Wis.
The King Machine Tool Company, Cincinnati, Ohio.
Niagara Machine & Tool Works, Buffalo, N. Y.
Norton Company, Worcester, Mass.
Portage Machine Company, Akron, Ohio.
Smalley-General Company, Bay City, Mich.
Stokerunit Corporation, Milwaukee, Wis.

ARTICLE III—MISCELLANEOUS

SEC. 10. *Application for adjustment—(a) When adjustment may be granted—(1) In general.* The Office of Price Administration may adjust the manufacturer's maximum price of a new machine tool, attachment or part upon the basis

² 8 F.R. 10116.

No. 126—4

³ 7 F.R. 10779; 8 F.R. 12404, 14073.

⁴ 8 F.R. 4132, 5987.

of information submitted by the manufacturer or of other information. It may make that adjustment whenever it finds that the maximum price of a new machine tool, attachment or part is at such a level that (taking into account the cost thereof, the profits position of the manufacturer and the nature of his business) production of the new machine tool, attachment or part is impeded or threatened.

(2) *Factors which may be considered.* The following factors are relevant to the consideration of whether production of the new machine tool, attachment or part is impeded or threatened:

(i) Whether, and by what amount, the maximum price is below or above the total unit costs, less selling and administrative expenses properly allocable to the internal management of the business.

(ii) Whether, and by what amount, the maximum price is below or above total unit costs.

(iii) Whether, and by what amount, the manufacturer's current over-all profits, before income and excess profits taxes, are greater or less than his average over-all profits during the normal base period. These base period profits will be adjusted to reflect any change from the normal base period average investment.

(iv) Whether the manufacturer's sales of the new machine tool, attachment or part represent only a very small part of his total sales.

(v) Whether the manufacturer previously sold the new machine tool, attachment or part at a price which was below its total unit costs.

(b) *How the manufacturer proceeds in applying for an adjustment—(1) In general.* An application for adjustment under this paragraph (a) shall be filed in accordance with Revised Procedural Regulation No. 1⁶ and shall be made on a copy of Form OPA 694-972, set out in Appendix B. The application shall be filed with the Office of Price Administration, Washington, D. C.

(2) *Application based on proposed wage or salary increase to be authorized by the National War Labor Board.* A manufacturer who believes that the conditions for an adjustment set forth in paragraph (a), would exist if the National War Labor Board should grant a pending application for wage or salary increase, may file an application for adjustment under this paragraph. Applications for adjustment of maximum prices based on wage or salary increases requiring the approval of the National War Labor Board must also comply with Supplementary Order No. 28¹⁷ which requires, among other things, that an application for adjustment in such case be filed within fifteen days after an application for a wage or salary adjustment has been filed with the National War Labor Board, or, in a disputed wage proceeding, within fifteen days after the employer receives notification that the National War Labor Board has taken jurisdiction of the dispute.

(c) *Prices for deliveries made pending disposition of the application.* A manufacturer who has filed an application under this section may contract or agree that deliveries made during the pendency of the application shall be at a specific price which is higher than the existing maximum price which the manufacturer wants to have adjusted. However, no payment in excess of that existing maximum price may be received until final disposition is made of the application. Where the application is disposed of by an order issued under this section, the price received for deliveries made subsequent to the filing of the application may not exceed the maximum price as determined by the Office of Price Administration. Where the application is disposed of by an amendment of general applicability, payment in excess of the maximum price in effect at the time of delivery may be made for deliveries made pending disposition of the application, only as expressly authorized by order of the Price Administrator.

A manufacturer who wishes to enter into such an arrangement must specifically state to the buyer the following:

(1) The maximum price for the new machine tool, attachment, or part;

(2) The fact that an appropriate application for an adjustment of that maximum price has been filed with the Office of Price Administration; and

(3) The fact that the specific price quoted by the manufacturer is subject to the approval of the Office of Price Administration.

(d) *Definitions—(1) Normal base period.* The term "normal base period" means the period 1936-1939. If the manufacturer shall demonstrate to the satisfaction of the Office of Price Administration that because of unusual conditions prevailing during that period he was operating at an unusually depressed level in comparison to other manufacturers in the industry, and in addition that some other period prior to January 1, 1941, represents a proper "normal base period," such other period may be considered. The mere fact that the manufacturer's rate of production has increased since 1936-1939 will not be deemed evidence that he was operating at an "unusually depressed level" during that period. If the manufacturer was not in business prior to January 1, 1941, he shall state that fact in his application.

(2) *Over-all profits.* The term "over-all" profits means net profit resulting from an operation of all divisions of the manufacturer, before the creation of any reserves, except ordinary reserves for depreciation and bad debts, and before income and excess profits taxes. In the case of a subsidiary wholly owned by a parent corporation, the term "over-all profits" means the consolidated net profit before the creation of any reserves, except ordinary reserves for depreciation and bad debts, and before income and excess profits taxes.

(3) *Total unit costs.* The term "total unit costs" means the direct unit cost of labor, material and subcontracted services, plus a proportion of factory overhead, administrative and other expenses, based on actual operating expe-

rience, properly allocable to the production of the new machine tool, attachment or part, but does not include provisions for income or excess profits taxes. In evaluating total unit costs, the Office of Price Administration will determine whether the allocation of factory overhead, administrative and other expenses is based on a representative period of continuous, normal production.

(e) *Sellers other than manufacturers.* Notwithstanding any other provisions of this regulation, the maximum manufacturer's price established by an order of adjustment, issued under this section, shall be the maximum price for sales by sellers other than the manufacturer.

(f) *Procedural Regulation No. 6¹⁸ superseded.* No application for adjustment filed under Procedural Regulation No. 6 after June 27, 1944, with respect to new machine tools, attachments or parts will be granted.

(g) *Amendment of general applicability.* Where the Price Administrator deems it appropriate, he may grant the relief, which he deems necessary, by issuing an amendment of general applicability.

SEC. 11. *Petitions for amendment.* Any person seeking a modification of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

SEC. 12. *Adjustable pricing.* Agreements may be made to sell at a price which will be increased up to the maximum price in effect at the time of delivery. However, except as provided in section 10 (c) or unless authorized by the Office of Price Administration, no deliveries may be made at a price which is to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. This authorization will be given only where: (a) a request for change in the applicable maximum price is pending; (b) authorization is necessary to promote distribution or production; and (c) it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended.

SEC. 13. *Records.* Every seller and lessor of new machine tools, attachments or parts shall keep for inspection by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect, complete and accurate records of every sale and lease. Such records shall state: (a) the date of the sale or lease; (b) the name and address of the buyer or lessee; (c) the quantity, number and description of each type of new machine tool, attachment or part sold or leased; (d) the price on the date of sale, or if there was no price on that date, the price eventually collected; and (e) the net price received.

SEC. 14. *Reports—(a) Manufacturers shall report.* On or before July 28, 1944, every manufacturer of new machine tools or attachments who has not already done so shall file a statement on OPA Form 167:2 with the Office of Price Administration, Washington, D. C., setting forth:

¹⁶ 7 F.R. 8961; 8 F.R. 3313, 3533, 6173.

¹⁷ 7 F.R. 9619; 8 F.R. 7256.

¹⁸ 7 F.R. 5087, 5664; 8 F.R. 6173, 6174, 12024.

(1) The price in effect on October 1, 1941 for each type and size of new machine tool or attachment offered for sale by the manufacturer on that date, together with any special charges, discounts, allowances or concessions applicable thereto on October 1, 1941.

(2) The last price during the period January 1, 1941 to October 1, 1941, inclusive, at which he contracted to sell any new machine tool or attachment for which he had no price in effect on October 1, 1941.

(3) The names and addresses of all dealers to whom the manufacturer has sold new machine tools, attachments or parts since January 1, 1941. This report shall be made on OPA Form 167:3. A supplemental list of dealers is to be filed, if such information has been previously submitted.

(b) *Machine tool parts.* The manufacturer is not required to file prices of machine tool parts with the Office of Price Administration. However, maximum prices for machine tool parts must be determined under section 4 of this regulation.

(c) *Financial reports by manufacturers.* On or before April 1 of each year, every manufacturer of new machine tools shall file with the Office of Price Administration, Washington, D. C., three copies of the information required by OPA Form A—Annual Financial Report—on a copy of that form. If the manufacturer's fiscal year does not coincide with the calendar year, this report shall be filed within ninety days of the close of the fiscal year, instead of on or before April 1.

(d) *Reports of leases.* Every person who leases or rents a new machine tool shall file a report with the Office of Price Administration, Washington, D. C., within ten days after delivery is made pursuant to the lease or rental agreement. This report shall set forth the following:

(1) The date of the lease or rental;
(2) A complete description of the machine tool, including make, type and size;

(3) The number of hours that the machine tool will be operated daily and whether it will be used for indoor or outdoor use;

(4) The approximate length of the rental contract;

(5) The maximum price established by this regulation for the sale of the machine tool being leased or rented;

(6) The name, address and nature of the business of the lessee; and

(7) The rental charged.

SEC. 15. Licensing. The provisions of Licensing Order No. 1,¹ 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 applicable price regulations or schedules. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 16. Evasion. The price limitations set forth in this regulation shall

not be evaded whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase, lease or rental of a new machine tool, attachment or part, alone or in conjunction with any other commodity or service or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying agreement or other trade understanding, or otherwise. Specifically, but not exclusively, it shall be a violation of this regulation for any person to pay a fee, commission, or other compensation for the finding or locating

of, or for the services of anyone acting as a broker or dealer concerning a new machine tool, attachment or part, if the total of any such charge and the selling or rental price charged that person exceed the maximum price or rental established by this regulation.

SEC. 17. Enforcement. Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

APPENDIX A—FORM FOR REPORTING MAXIMUM PRICES AND COSTS OF MACHINE TOOLS OF NEW DESIGN

OPA Form 694-971

Budget Bureau
No. 08-R952

UNITED STATES OF AMERICA
OFFICE OF PRICE ADMINISTRATION

REPORT FOR A MACHINE TOOL OF NEW DESIGN

Company name

Address—number and street

City and State

INSTRUCTIONS

This form is for reporting maximum prices and costs of production for machine tools of new design in your line. Prepare three copies of this form. On the first copy report estimated costs, based on October 1, 1941, prices, rates and methods, and your proposed maximum price for the first order. This is done by completing all items on this form, except columns B and C of item 3. The first copy must be filed within ten days after you receive your first order for the machine tool.

After you have completed production of your first order, report actual costs of production on an October 1, 1941, and on a current basis by filling in columns B and C of item 3 on the remaining two copies. In column B report costs based on October 1, 1941, prices, rates and methods, and on the actual number of labor hours and actual quantity of materials used in the production of the first order. In column C report costs based on current prices, rates and methods, and on the actual number of labor hours and actual quantity of materials used in the production of the first order. File one of these completed copies with the Office of Price Administration within forty-five days after the completion of the production of the first order and keep the remaining copy for your files.

All reports must be filed with the Machine Tool Section, Office of Price Administration, Washington (25), D. C.

1. DESCRIPTION OF MACHINE TOOL

Make	Type	Size	Model No.
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Details—Describe fully:

2. PRICE INFORMATION

Price of basic machine to user	Discount to dealer in per cent	Number of units to which price applies
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3. ESTIMATED AND ACTUAL COSTS OF PRODUCTION OF BASIC MACHINE

Description	A.—Estimated costs based on October 1, 1941, prices, rates and methods	Actual costs	
		B.—October 1, 1941	C.—Current costs
Direct labor			
Direct material			
Factory overhead			
Commissions			
Other selling expenses			
Administrative expense			
Total cost (per unit)			

4. BASIS ON WHICH COSTS AND PRICE WERE DETERMINED

- a. To how many units do the costs reported apply? No. of units _____
b. Are your cost records tied in with your books of account? ☐ Yes ☐ No
(Check one)
c. Indicate the method used in allocating factory overhead: Standard ☐; Actual ☐; Direct labor hours ☐; Machine hours ☐; Other ☐.
Explain separately if "other" or a combination of methods is used.
d. Explain the method by which you determined the selling price. This must be the same method which you used on October 1, 1941.
I certify that the facts contained in this report are true and correct.

(Signature of reporting officer)

(Official title)

Form OPA 694-972

APPENDIX B—FORM FOR APPLICATIONS FOR ADJUSTMENT

Form Approved
Budget Bureau
No. 08-R953UNITED STATES OF AMERICA
OFFICE OF PRICE ADMINISTRATION
WASHINGTON, D. C.

Application for Adjustment of Maximum Prices for Machine Tools, Attachments and Parts under Maximum Price Regulation 67.

Company name _____
Address _____
(Street) (City) (State)

The following facts are furnished to the Office of Price Administration in support of this application:

SCHEDULE A

1. General description of the company's business.
2. Explain on a separate sheet why you are making a request for a price increase.
3. Designate and describe product(s) for which price increase is requested.
4. Present the following information for each product listed in item 3 above.

(a)

	1942	1943	Months ending 1944
Total number of units sold.....			
Corresponding dollar volume of sales (net).....			

- (b) Dollar volume of unfilled orders, \$.....
 (c) Anticipated dollar volume of new orders for the next 3 months, \$.....; 6 months, \$.....; 12 months, \$.....

NOTE: If more than one product is being reported, present the required information on another sheet.

SCHEDULE B

Important. If you have submitted any of the following information on Office of Price Administration Financial Report Forms A and B for certain periods or have furnished same on a previous application for adjustment of a maximum price, you may omit those periods in your present report. In the case of a subsidiary wholly owned by a parent corporation, the financial data should be submitted for the parent corporation.

1. Submit balance sheets and profit and loss statements for the past two years and for the most recent accounting period in the current year.

NOTE: Each profit and loss statement must contain a detailed breakdown of cost of goods sold, administrative expense, selling expenses and officers' salaries, including the number of officers.

2. Submit balance sheets and profit and loss statements on OPA Form A, Annual Financial Report, or your own prepared statements for the years 1936-1940. The filing of these data is optional, provided reports are available from the Bureau of Internal Revenue. Should the applicant prefer, this information will be requested by the Office of Price Administration directly from the Bureau of Internal Revenue.

SCHEDULE C—UNIT COST PRICE AND COST INFORMATION

Designation of product: _____

NOTE: If more than one product is involved, prepare and file separate reports on this schedule for each product that you consider necessary to convey an adequate understanding of the situation which gave rise to this application.

1. Price data:
Net realized price: (Show maximum price for machine tool, attachment or part separately)

	Maximum price October 1, 1941	Requested Maximum price
1. Manufacturer's price to user.....		
2. Less: dealer's resale discount or commission.....		
3. Net realized price to manufacturer.....		

2. Unit cost data:

	Ceiling date costs October 1, 1941	Current costs
(a) Direct material.....	\$.....	\$.....
(b) Direct labor.....		
(c) Factory overhead.....		
(d) Administrative expense.....		
(e) Selling expense (do not include resale discounts or commissions to dealers).....		
(f) Other expense, specify.....		
(g).....		
(h) Total cost per unit.....		

- (i) Indicate the method used in allocating factory overhead:
 Standard ☐; Actual ☐; Direct labor hours ☐; Machine hours ☐; Other ☐.
 Explain separately if "other" or a combination of methods is used.

(j) Are your cost records tied in with your books of account? ☐ Yes; ☐ No

(Applicant)

By _____

(Title)

I certify that the facts contained in this application are true and correct.

(Signature)

Effective date. This regulation shall become effective June 28, 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 23d day of June 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-9169; Filed, June 23, 1944;
11:38 a. m.]

PART 1305—ADMINISTRATION

[Supp. Order 90]

EXEMPTION OF LOST, STOLEN AND ABANDONED
COMMODITIES SOLD AT AUCTION BY THE
DISTRICT OF COLUMBIA

A statement to accompany this Supplementary Order No. 90 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

For the reasons set forth in that statement 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, it is hereby ordered that:

§ 1305.118 *Exemption of lost, stolen, and abandoned commodities sold at auction by the District of Columbia.* (a) No provision of any price regulation shall apply to the sale at auction by the District of Columbia of the commodities listed and described in the document entitled "Police Sale, 1944, Lost, Stolen and Abandoned Property to be Offered for Sale at Public Auction" a copy of which is on file in the office of the Secretary.

(b) This exemption shall not apply to sales of:

(1) Sorted and graded waste rags which are subject to Maximum Price Regulation No. 47.

(2) Scrap metal to an industrial consumer which is subject to Revised Price Schedule No. 4.

(3) Tires and tubes which are subject to Maximum Price Regulation No. 528.

(4) Scrap tires and tubes which are subject to Price Schedule No. 87.

(5) Distilled spirits and wine which are subject to Maximum Price Regulation No. 445.

(c) This Supplementary Order No. 90 shall become effective June 28, 1944.

Issued this 23d day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9170; Filed, June 23, 1944;
11:39 a. m.]

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

PART 1360—MOTOR VEHICLES AND MOTOR
VEHICLE EQUIPMENT
[RMFR 341, Amdt. 4]

USED COMMERCIAL MOTOR VEHICLES

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

Revised Maximum Price Regulation 341 is revised in the following respects:

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

(1) *Definition of used commercial motor vehicle ("used vehicle").* Used commercial motor vehicle (called used vehicle in this regulation) means

(i) Any self propelled vehicle, or a vehicle drawn by it, which is primarily designed for civilian use on the highway for the transportation of property or of more than ten persons; or

(ii) Any army vehicle listed in Appendix C; or

(iii) Any chassis or body of a vehicle named in (i) or (ii); which irrespective of mileage has been used other than for the purpose of sale. This definition covers vehicles of the following types:

(iv) Vehicles primarily designed for civilian use, such as: ambulances, cab pickups, carryall suburbans, combinations consisting of truck bodies and passenger automobile chassis, coupes fitted with pickup boxes, fire trucks, hearses, omnibuses, sedan deliveries, trucks, truck tractors, truck trailers (full and semi), and utility sedans; and

(v) Army general and special purpose vehicles and army special equipment vehicles, listed in Appendix C and defined in section 18. This definition does not cover civilian passenger automobiles, civilian station wagons, vehicles operated on rails, selftracklaying vehicles, motorcycles, nor farm and garden tractors designed and used for agricultural purposes.

2. Section 6 (b) is amended to read as follows:

(b) Method of determining "value when new". The "value when new" of a vehicle, or a vehicle chassis or body when sold or priced separately, shall be determined under this paragraph (b). (When a part of a vehicle, or chassis or body, has been removed, the "value when new" shall be the "value when new" of the complete unit less the retail list price for the part when new (which has been removed) when sold as a replacement; or if such a price is not ascertainable, an amount which is a reasonable estimate of the retail price of such part when new.)

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

18 F.R. 11176, 17036, 17414; 9 F.R. 3847, 4396.

(1) *When the chassis and body are priced as one unit—*(i) *If the chassis and body are listed as one unit (called complete vehicle) in Appendix C.* When the complete vehicle (includes both chassis and body) is listed in Appendix C, the "value when new" is the price listed in that appendix for such a vehicle.

(ii) *Only chassis listed in Appendix C.* If the chassis of the vehicle being priced is listed in Appendix C, and if the complete vehicle is not so listed, the "value when new" shall be the price listed in Appendix C for the chassis alone or the chassis with cab, whichever is appropriate, plus the first applicable of the following:

(a) The original retail price when new, f. o. b. factory, (exclusive of transportation costs and taxes) for the body with which the vehicle being priced is now equipped; or

(b) If that price is not ascertainable, the retail price new, f. o. b. factory, in effect on March 31, 1942, (exclusive of transportation costs and taxes) for the same or most comparable body.

(iii) *If neither complete vehicle nor chassis alone is listed in Appendix C.* If neither the complete vehicle nor the chassis being priced is listed in Appendix C, the "value when new" shall be determined as follows:

(a) If the vehicle being priced was purchased new as a complete vehicle, the "value when new" shall be the original retail price new of the vehicle, f. o. b. factory, (exclusive of transportation costs and taxes) or if that price is not ascertainable, the first applicable of the following: the price listed in Appendix C for the most comparable vehicle of the same year of manufacture; or the price listed in Appendix C for the most comparable vehicle of the nearest year of manufacture.

(b) If the chassis and body were bought separately, the "value when new" of the vehicle shall be the sum of the price of the chassis, or chassis with cab, and the price of the body, each determined by one of the following methods:

(1) *The chassis, or the chassis with cab.* The original retail price new, f. o. b. factory, (exclusive of transportation costs and taxes) or if that price is not ascertainable, the first applicable of the following: The price listed in Appendix C for the most comparable chassis, or chassis with cab, of the same year of manufacture; or the price listed in Appendix C for the most comparable chassis, or chassis with cab, of the nearest year of manufacture.

(2) *The body.* The original retail price new, f. o. b. factory, (exclusive of transportation costs and taxes) or if that price is not ascertainable, the retail price new, f. o. b. factory, (exclusive of transportation costs and taxes) in effect on March 31, 1942, for the same or most comparable body.

(2) *When the chassis, or chassis with cab, and body are sold or priced separately.* If the chassis, or chassis with cab, and body are sold separately, or are priced separately in accordance with section 9 (b), the "value when new" shall be determined as follows:

(i) *The chassis or chassis with cab—*(a) *When listed in Appendix C.* When the chassis, or chassis with cab, is listed in Appendix C, the "value when new" is the price there listed.

(b) *When not listed in Appendix C.* When the chassis, or chassis with cab, is not listed in Appendix C, the "value when new" shall be the original retail price new, f. o. b. factory, (exclusive of transportation costs and taxes) or if that price is not ascertainable, the first applicable of the following: the price listed in Appendix C for the most comparable chassis, or chassis with cab, of the same year of manufacture; or the price listed in Appendix C for the most comparable chassis, or chassis with cab, of the nearest year of manufacture.

(ii) *The body.* The "value when new" of the body shall be the original retail price new, f. o. b. factory, (exclusive of transportation costs and taxes) or if that price is not ascertainable, the retail price when new, f. o. b. factory, in effect on March 31, 1942 (exclusive of transportation costs and taxes) for the same or most comparable body.

3. The second sentence in section 6 (d) (2) is amended to read as follows:

Where an extra has replaced equipment on the used vehicle, the amount to be included in the "base price" for such an extra is the charge which the manufacturer of the vehicle had in effect on March 31, 1942 as an addition to be made to the vehicle list price when such a replacement was made, or if such a charge is not ascertainable, it is the difference between the "value when new" of the extra and the "value when new" of the standard equipment, replaced by this extra or previous extra, which was provided for in the list price of the vehicle when new. The "value when new" of standard equipment shall be determined by using the procedure prescribed in this paragraph for determining the "value when new" of an extra.

4. Section 7 is amended to read as follows:

SEC. 7. *Percentage to be used in multiplying "base price" to obtain maximum price—*(a) *For a used vehicle or chassis.* For a used vehicle or used chassis, the percentage to be used during the calendar year 1944 in multiplying the "base price" to obtain the maximum price shall not exceed the percentage stated in the following schedule which is applicable to the model year of the vehicle as determined by the manufacturer and the condition in which the vehicle is sold ("as is" or "warranted").

Model year	Percentages	
	"As is"	"Warranted"
1944 and 1943 and 1942 (sold new in 1944)	Percent 92	Percent 103
1943 and 1942 (sold new in 1943)	85	97
1942	73	86
1941	63	78
1940	58	73
1939	55	70
1938	51	67
1937	46	62
1936	41	58
1935	37	54
1934	33	50

*1933 and low model year vehicles take the percentage applicable to 1934.

Where the manufacturer did not designate a model year for the vehicle when it was new, the year including the date when it was delivered new to the first purchaser for use shall be considered as the model year if such date of delivery can be substantiated by the original bill of sale or original invoice. If the year including the date of delivery cannot be substantiated, then the model year shall be the year of manufacture if substantiated by the motor or serial number, or lacking such data, the year 1934.

(b) For a body of a used vehicle. For a body of a used vehicle, the percentage to be used, during the calendar year 1934, in multiplying the base price to obtain the maximum price shall not exceed the percentage listed in the schedule in paragraph (a) which is applicable to the model year and the condition in which the body is sold ("as is" or "warranted"). The model year is the year of the original manufacture of the body or the model year 1934.

5. The narrative in section 8 (a) preceding the "Dealer's warranty" is amended to read as follows:

(a) A "warranted" used vehicle, which includes a chassis or body sold separately, is one in good operating condition for which the dealer furnishes to the purchaser, in writing, the following warranty signed by the dealer or his authorized representative.

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

(b) "Dealer" means a person engaged, in whole or in part, in the business of acquiring for resale, selling, repairing and reconditioning used vehicles, and who maintains a place of business for the display, sale, repairing and reconditioning of such vehicles. A person who has all the above qualifications except that he does not maintain a place for the repairing and reconditioning of used vehicles may be approved in writing as a dealer under this regulation by the regional office of the Office of Price Administration for the region in which the person's principal place of business is located, or a district office in that region

authorized by that regional office, if he provides that office with adequate evidence that he has established, and is in a financial position to maintain, a working arrangement (for the repairing and reconditioning of used vehicles) with a reputable business engaged in the repairing and reconditioning of used vehicles. Notwithstanding the other provisions of this paragraph (b), an owner and operator of any number of commercial motor vehicles shall be considered a dealer under this regulation if he has an established place of business and adequate facilities for the general repairing and reconditioning of his vehicles, and regularly inspects, and maintains in good running condition, such vehicles.

7. Section 18 is amended by the addition of new paragraphs (g), (h) and (j) to read as follows:

(g) "Army general purpose vehicles" mean all wheeled vehicles intended for movement of personnel, supplies, ammunition, or equipment or towing of guns, trailers, or semi-trailers, and which are used by more than one service.

(h) "Army special equipment vehicles" mean wheeled vehicles, the chassis of which are basically identical to those used in general purpose vehicles but which have a special body or special equipment.

(j) "Army special purpose vehicles" mean wheeled vehicles, the chassis and body of which are designed for a special purpose. These vehicles do not incorporate body or chassis of either general purpose vehicles or special equipment vehicles.

8. Appendix C is amended in the following respects:

a. Paragraph (j) (7) is amended by changing the tonnage rating for Dodge 1941 conventional trucks beginning with the model WF-31 down to and including WGA-44, from "1" to "1½".

b. Paragraph (k) (10) is amended by changing the f. o. b. list price for the Federal 1942 Conventional truck, Model 62, chassis and standard body type described as "Ch. Cowl", from "\$3945" to "\$5945".

c. Paragraph (l) (3) is amended by changing the wheel base designation of the Ford 1937 Conventional—(V8-85 H. P.) trucks, Model 79, with 4 tires, chassis and standard body types beginning with the description "Ch." down to and including the description "Std. (Std. Racks)", from "112" to "131½".

d. Paragraph (l) (3) is also amended by changing the f. o. b. list price for the Ford 1937 Conventional—(V8-85 H. P.) truck, Model 79, chassis and standard body type described as "Platform", 112 inch wheelbase, from "\$768" to "\$668".

e. Paragraph (l) (7) is amended by changing the tonnage rating for 1941

Ford Conventional—(V8-85 H. P.) trucks, beginning with Model 11T down to and including Model 114T, from "1" to "1½".

f. Paragraph (n) (3) is amended by changing the f. o. b. list price for the GMC 1937 conventional truck, Model T-16H-A, chassis and standard body type described as "Ch. Cb.", from "\$1,807" to "\$807".

g. Paragraph (p) (5) is amended by changing the f. o. b. list price of the International Harvester Company 1938 Conventional truck, Model D-2, chassis and standard body type described as "Pick-up", 113 inch wheelbase, from "\$62" to "\$620".

h. Paragraph (p) (7) is amended by changing the model designation of the International Harvester Company 1940 Conventional (3D Axle) trucks, tonnage rating 10-15, Serial No. 547, from "AR-426-F" to "AR-626-F".

j. Paragraph (p) (8) is amended by changing the model designation of the International Harvester Company 1941 Conventional—(3D Axle) trucks, tonnage rating 10-15, Serial No. 547, from "AR-426-F" to "AR-626-F".

k. Paragraph (p) (9) is amended by changing the model designation of the International Harvester Company 1942 Conventional—(3D Axle) trucks, tonnage rating 10-15, Serial No. 548, from "AR-426-F" to "AR-626-F".

l. Paragraph (s) (3) is amended by changing the f. o. b. list price of the Reo 1937 Conventional truck, Model 1A4HY, Serial No. 14AHY-105 to 2204, from "\$636" to "\$645".

m. Paragraph (s) (4) is amended by changing the model designation of the Reo 1938 Bus chassis, Serial No. 3L6HW-102 and up, from "3L6HW" to "3L6H".

n. Paragraph (s) (6) is amended by changing the rear standard tire equipment description of the Reo 1940 Conventional trucks, Models 20A, 20B, and 20C, from "32/6 8 ply" to "6.00/20 6 ply".

o. Paragraph (s) (8) is amended by changing the rear standard tire equipment description of the Reo 1942 Conventional trucks, Models 19A, 19B, and 19C, from "6.00/20 6 ply" to "32/6 8 ply".

p. Paragraph (s) (8) is also amended by changing both the front and rear standard tire equipment description of the Reo 1942 School Buses, Model 123F, from "7.50/20 8 ply" to "8.25/20 10 ply".

q. Paragraph (u) (8) is amended by changing the f. o. b. list price of the Studebaker 1942 Conventional truck, Model M-5, chassis and body type description "Ch. Cb.", from "\$513" to "\$613".

r. Paragraph (u) (8) is also amended by changing the f. o. b. list price of the Studebaker 1942 Conventional truck, Model M-5, chassis and body type description "Ch. Cb. Stk.", from "\$613" to "\$713".

s. A new paragraph (y) is added to Appendix C to read as follows:

W

(y) Army general and special purpose vehicles and army special equipment vehicles of the following types or for the following purposes:

Air corps field service
Ambulance
Balloon tender
Camera laboratory
Cargo
Carryall
Chassis
Combination animal and cargo
Combination stake and platform
Command car
Command post
Communications
Dump
Earth borer and pole setter.
Earth and stone carrier
Explosives carrier

Express
Fire protection
Fuel and oil tank
Kitchen or surgical hospital
Light repair unit
Map reproduction
Mobile bath unit
Mobile clothing repair unit
Mobile laundry unit
Mobile shoe repair unit
Oil service vehicle
Panel delivery
Pigeon loft
Pick-up
Platform
Prime mover
Radio Car
Range fire unit
Reconnaissance (including "Jeeps" and other reconnaissance types)

Recruiting station
Sedan delivery
Searchlight
Searchlight and power plant
Stake body vehicle
Station wagon
Suburban vehicle
Tank
Telephone construction
Telephone maintenance
Telephone repair
Truck tractor
Trailers (full and semi) for various purposes
Van
Water tank
Weapon carrier
Weather station

(1) TRUCKS AND OTHER SELF-PROPELLED VEHICLES

AMERICAN BANTAM

(Manufacturer: American Bantam Car Company. Principal Plant: Butler, Pennsylvania)

1941

Tonnage rating	Army nomenclature	Model	Standard tire size	Wheelbase (inches)	Base weight (lbs.)	Price when new
1/4	Reconnaissance and Command (Jeep) 1/4T 4x4. Serial Nos. 1,000 up. Motor Nos. BY4112-1 up.	40.....	550 x 16...	80	1,350	\$900

AMERICAN LA FRANCE

(Manufacturer: Ward La France Truck Corps. Principal Plant: Elmira, New York)

1940

NA	Fire truck, 500 gallon.....	NA.....	NA.....	NA	NA	\$3,025
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1941

NA	Fire truck, 500 gallon.....	NA.....	NA.....	NA	NA	\$3,025
NA	Fire truck, 750 gallon.....	NA.....	NA.....	170	NA	5,850

AUTOCAR

(Manufacturer: The Autocar Company. Principal Plant: Ardmore, Pennsylvania)

1935

5	Express, open body, 5T, 4x2..	NA.....	1050 x 20..	172	21,200	\$3,000
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1939

4	Cargo, w/winch, 4T, 6x6.....	C7066.....	900 x 20....	152	16,120	\$6,140
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1940

2 1/2	Chassis only, C. O. E., 2 1/2T, 4x4.	V2044.....	900 x 20....	128	8,250	\$2,745
2 1/2	Tractor, tractor C. O. E., 2 1/2T, 4x4.	V4044.....	900 x 20....	131	9,680	3,055
4	Cargo, W/winch, 4T, 6x6.....	C7066.....	900 x 20....	152	16,120	6,140

1941

2 1/2	Oil service vehicle, 2 1/2T, 4x4..	V4044.....	900 x 20....	131	9,935	\$2,810
2 1/2	Tractor (cab over engine), 2 1/2T, 4x4.	V4144T.....	900 x 20....	131	9,935	3,065
5	Tractor (cab over engine), 5T, 4x4.	V5044.....	900 x 20....	131	9,775	3,655
10	Tractor, 10T, 6x4.....	C9064.....	975 x 24....	155	18,520	7,115

BIEDERMAN

(Manufacturer: Biederman Motors Company. Principal Plant: Cincinnati, Ohio)

1936

Tonnage rating	Army nomenclature	Model	Standard tire size	Wheelbase (inches)	Base weight (lbs.)	Price when new
5	Air Corps field service vehicle, 5T, 6x6.	125/6WD.....	975 x 20...	230	13,950	\$5,930

1937

4	Cargo, open cab, 4T, 6x6.....	110.....	825 x 20...	148	15,000	\$5,750
4	Cargo, open cab w/winch, 4T, 6x6.	110.....	825 x 20...	168	16,000	6,250

CHEVROLET

(Manufacturer: General Motors Corporation. Principal Plant: Flint, Michigan)

1935

1/2	Pickup, 1/2T, 4x2.....	N. A.....	650 x 17..	112	2,340	\$575
1/2	Pickup w/open cab, 1/2T, 4x2.	N. A.....	650 x 17..	112	2,250	530
1/2	Reconnaissance—8 passenger, 1/2T, 4x2.	N. A.....	650 x 17..	112	2,220	610
1/2	Panel delivery, 1/2T, 4x2.....	N. A.....	650 x 17..	112	3,190	715
1/2	Station wagon—8 passenger, 1/2T, 4x2.	N. A.....	750 x 15..	112	3,585	870
1/2	Telephone maintenance, 1/2T, 4x2.	N. A.....	650 x 17..	112	3,290	825
1/2	Pigeon loft, 1/2T, 4x2.....	N. A.....	650 x 17..	112	3,185	855
1 1/2	Dump (108" length), 1 1/2T, 4x2.	N. A.....	650 x 20..	157	5,470	900
1 1/2	Dump (84" length), 1 1/2T, 4x2.	N. A.....	650 x 20..	131	5,230	870
1 1/2	Express, canopy top, 1 1/2T, 4x2.	N. A.....	650 x 20..	131	4,515	1,125
1 1/2	Panel delivery w/open cab, 1 1/2T, 4x2.	N. A.....	650 x 20..	131	4,595	1,120
1 1/2	Light repair w/closed cab, 1 1/2T, 4x2.	N. A.....	900 x 15..	131	4,525	1,345
1 1/2	Cargo, w/closed cab, 1 1/2T, 4x2.	D. C. H.....	650 x 20..	131	5,300	750
1 1/2	Cargo, w/open cab, 1 1/2T, 4x2.	D. C. H.....	650 x 20..	131	5,200	725
1 1/2	Dump w/closed cab, 1 1/2T, 4x2.	N. A.....	650 x 20..	131	3,240	745
1 1/2	Cargo express w/tarpaulin, 1 1/2T, 4x2.	N. A.....	650 x 20..	131	4,760	750

1936

1/2	Station wagon 8 passenger, 1/2T, 4x2.	F. B.....	650 x 17..	112	3,350	\$720
1/2	Pickup w/closed cab, 1/2T, 4x2.	F. B.....	650 x 17..	112	3,255	630
1/2	Panel delivery, 1/2T, 4x2.....	F. B.....	650 x 17..	112	3,240	625
1/2	Panel delivery of 2 front seats, 1/2T, 4x2.	F. B.....	750 x 15..	112	3,500	725
1 1/2	Cargo, flat bed w/cab, 1 1/2T, 4x4.	N. A.....	650 x 20..	133	5,885	1,200
1 1/2	Cargo, w/closed cab, 1 1/2T, 4x4.	N. A.....	650 x 20..	133	5,735	1,270
1 1/2	Cargo, w/open cab and adj. windshield, 1 1/2T, 4x4.	N. A.....	650 x 20..	133	5,235	830

CHEVROLET—Continued

1937

Tonnage rating	Army nomenclature	Model	Standard tire size	Wheel base (inches)	Base weight (lbs.)	Price when new
1½	Pickup, 1½ T, 4 x 2	N. A.	650 x 17	112	3,440	\$670
1½	Panel delivery, 1½ T, 4 x 2	N. A.	650 x 17	112	3,200	640
1½	Reconnaissance, 1½ T, 4 x 2	N. A.	650 x 17	112	3,560	765
1½	Comb stake and platform (dual), 1½ T, 4 x 2	N. A.	650 x 20	131½	4,580	830

1938

1½	Reconnaissance, 1½ T, 4 x 2	H. C.	750 x 15	112	3,470	\$795
1½	Pickup, 1½ T, 4 x 2	H. C.	650 x 16	112	3,280	690
1½	Telephone maintenance and repair w/closed cab, 1½ T, 4 x 2	H. C.	650 x 16	112	3,320	795
1½	Reconnaissance, 1½ T, 4 x 2	H. C.	750 x 15	112	3,580	820
1½	Pickup w/closed cab, 1½ T, 4 x 2	H. C.	650 x 16	112	3,340	685
1½	Panel delivery, 1½ T, 4 x 2	H. C.	650 x 16	112	3,245	675
1½	Panel, 1½ T, 4 x 2	T. B.	650 x 20	131½	4,425	870
1½	Panel delivery w/integral cab, 1½ T, 4 x 2	T. B.	650 x 20	131½	4,540	960

1939

1½	Carryall, 1½ T, 4 x 2	J. C.	15"	113½	3,405	\$775
1½	Pickup w/closed cab, 1½ T, 4 x 2	J. C.	650 x 16	113½	3,540	635
1½	Panel delivery, 1½ T, 4 x 2	J. C.	650 x 16	113½	3,240	630
1½	Express, canopy top, 1½ T, 4 x 2	J. C.	650 x 16	113½	3,295	685
1½	Sedan delivery, 1½ T, 4 x 2	J. B.	625 x 16	112½	2,895	645
1½	Panel delivery, 1½ T, 4 x 2	J. D.	750 x 15	123½	3,375	735
1½	Cargo, flat bed w/closed cab, 1½ T, 4 x 2	Y. B.	650 x 20	133	5,420	955
1½	Dump, 1½ T, 4 x 2	Y. D.	650 x 20	158½	6,510	1,085
1½	Cargo (cab over engine), 1½ T, 4 x 2	Y. N.	650 x 20	156½	6,970	1,390
1½	Chassis only, 1½ T, 4 x 2	Y. D.	650 x 20	158½	3,590	650
1½	Dump 84" (1½ cu. yd.), 1½ T, 4 x 2	N. A.	650 x 20	N. A.	5,300	950
1½	Chassis (cab over engine), 1½ T, 4 x 2	V. F.	700 x 20	107½	4,720	1,065
1½	Cargo, w/closed cab, 1½ T, 4 x 2	V. B.	650 x 20	133	5,235	985
1½	Cargo, flat bed, w/closed cab, 1½ T, 4 x 2	V. B.	650 x 20	133	5,235	920
1½	Dump, 1½ T, 4 x 2	V. B.	650 x 20	133	5,235	935
1½	Dump w/closed cab and 2 speed rear axle, 1½ T, 4 x 2	Y. D.	650 x 20	158½	6,295	1,130
1½	Panel delivery, 1½ T, 4 x 2	V. B.	650 x 20	133	4,330	875
1½	Cargo, flat bed (cab over engine), 1½ T, 4 x 2	C. O. E.	750 x 20	156½	6,290	1,440

1940

1½	Sedan delivery, 1½ T, 4 x 2	K. B.	625 x 16	113	3,000	\$665
1½	Express, canopy, 1½ T, 4 x 2	K. C.	15"	113½	3,265	665
1½	Telephone maintenance w/closed cab, 1½ T, 4 x 2	K. C.	15"	113½	3,665	770
1½	Carryall, 1½ T, 4 x 2	K. C.	15"	113½	3,425	810
1½	Pickup, 1½ T, 4 x 2	K. C.	15"	113½	3,065	590
1½	Pickup w/closed cab, 1½ T, 4 x 2	K. C.	15"	113½	3,360	690
1½	Panel delivery, 1½ T, 4 x 2	K. C.	15"	113½	3,265	630
1½	Pickup, 1½ T, 4 x 2	K. D.	15"	133	3,180	630
1½	Pickup w/closed cab, 1½ T, 4 x 2	K. D.	15"	123	3,900	755
1½	Panel delivery, 1½ T, 4 x 2	A. K.	15"	115	3,515	760
1½	Express, canopy, 1 T, 4 x 2	W. A.	750 x 20	133	4,190	860
1½	Cargo, 1½ T, 4 x 2	W. A.	650 x 20	133	5,200	1,065
1½	Dump 84", 1½ T, 4 x 2	W. A.	650 x 20	133	5,460	910
1½	Comb stake and platform w/closed cab, 1½ T, 4 x 2	W. A.	650 x 20	133	4,735	810
1½	Cargo, 1½ T, 4 x 4	N. A.	750 x 20	147	7,700	1,400
1½	Dump, 1½ T, 4 x 4	N. A.	750 x 20	147	8,000	1,400
1½	Long cargo, 1½ T, 4 x 4	N. A.	750 x 20	175	7,790	1,260
1½	Panel, 1½ T, 4 x 4	N. A.	750 x 20	147	6,230	1,150
1½	Telephone construction and maintenance, 1½ T, 4 x 4	A. P.	750 x 20	145	8,080	2,010
1½	Telephone construction w/winch, 1½ T, 4 x 4	A. P.	750 x 20	145	9,545	2,880
1½	Earth borer and pole setter, 1½ T, 4 x 4	A. P.	750 x 20	145	10,175	5,300

1941

1½	Panel delivery, 1½ T, 4 x 2	N. A.	650 x 16	115	3,270	\$695
1½	Telephone maintenance, 1½ T, 4 x 2	A. L.	15"	115	3,595	730
1½	Canopy, 1½ T, 4 x 2	A. L.	650 x 16	115	3,240	690
1½	Carryall, 1½ T, 4 x 2	A. L.	15"	113½	3,570	740
1½	Suburban, 1½ T, 4 x 2	A. L.	15"	113½	3,570	800
1½	Cargo, 1½ T, 4 x 2	A. L.	15"	113½	3,255	655
1½	Sedan delivery, 1½ T, 4 x 2	A. G.	625 x 16	113	3,195	715

CHEVROLET—Continued

1941

Tonnage rating	Army nomenclature	Model	Standard tire size	Wheel base (inches)	Base weight (lbs.)	Price when new
1½	Pickup, 1½ T, 4 x 2	A. K.	15"	113½	3,065	\$590
1½	Pickup w/closed cab, 1½ T, 4 x 2	A. L.	15"	115	3,400	655
1½	Comb stake and platform, 1½ T, 4 x 2	Y. R.	650 x 20	134½	4,780	765
1½	Pickup, 1½ T, 4 x 2	Y. R.	650 x 20	134½	4,655	925
1½	Cargo, 1½ T, 4 x 2	Y. R.	650 x 20	134½	5,670	995
1½	Dump 84" (2 cu. yd.), 1½ T, 4 x 2	A. R.	650 x 20	134½	5,570	950
1½	Stake long, 1½ T, 4 x 2	A. R.	650 x 20	160	5,335	735
1½	Tractor (chassis and cab), 1½ T, 4 x 2	N. A.	700 x 20	134½	4,120	745
1½	Panel, 1½ T, 4 x 2	A. R.	700 x 20	134½	4,690	795
1½	Stake and platform (cab over engine), 1½ T, 4 x 4	C. O. E.	750 x 20	175	8,745	1,430
1½	Cargo w/winch, 1½ T, 4 x 4	Y. P.	750 x 20	145	8,390	1,515
1½	Dump, 1½ T, 4 x 4	Y. P.	750 x 20	145	8,390	1,320
1½	Dump w/winch, 1½ T, 4 x 4	Y. P.	750 x 20	145	9,000	1,595
1½	Cargo (15 foot), 1½ T, 4 x 4	Y. Q.	750 x 20	175	8,475	1,350
1½	Panel delivery, 1½ T, 4 x 4	Y. P.	750 x 20	145	6,950	1,345
1½	Tractor, 1½ T, 4 x 4	Y. P.	750 x 20	145	6,090	1,060
1½	Telephone construction and maintenance, 1½ T, 4 x 4	A. P.	750 x 20	145	8,080	2,010
1½	Telephone construction w/winch, 1½ T, 4 x 4	A. P.	750 x 20	145	9,545	2,880
1½	Earth borer and pole setter, 1½ T, 4 x 4	A. P.	750 x 20	145	10,175	5,300

CLYDESDALE

(Manufacturer: Clydesdale Motor Truck Company. Principal Plant: Clyde, Ohio)

1937

2½	Cargo, 2½ T, 4 x 4	80D	825 x 20	172	9,385	\$2,580
7½	Cargo, 7½ T, 6 x 6	300	1050 x 20	212	19,860	6,965
7½	Cargo, w/winch, 7½ T, 6 x 6	300	1050 x 20	212	20,940	7,460

CORBITT

(Manufacturer: The Corbitt Company. Principal Plant: Henderson, North Carolina)

1935

2½	Cargo w/closed cab, 2½ T, 4 x 4	12FD6	900 x 20	160	9,000	\$2,595
3	Combination stake and platform, 3 T, 6 x 4	N.A.	N.A.	188	14,500	3,090
3	Dump (2½ cu. yd.), 3 T, 4 x 2	N.A.	N.A.	151	8,250	2,300
3-5	Tractor, 3-5 T, 4 x 2	N.A.	N.A.	148½	16,400	2,745
5	Cargo steel body w/closed cab, 5 T, 4 x 2	N.A.	N.A.	172	13,000	3,790

1936

2½	Tank, 500 gallon, 2½ T, 4 x 2	14B6	750 x 20	159	7,510	\$2,235
7½	Cargo, 7½ T, 6 x 6	54SD6	975 x 22	184	21,000	6,900

1937

1½	Chassis only, 1½ T, 4 x 2	14B	825 x 20	184	6,850	\$1,175
1½	Dump, 1½ T, 4 x 2	12B	825 x 20	158	7,100	2,175
2½	Balloon tender, 2½ T, 4 x 4	F18	825 x 20	188½	8,000	3,130
2½	Cargo, 2½ T, 4 x 4	F18	825 x 20	160	9,600	3,300
5	Air corps field service w/cab, 5 T, 6 x 6	33S6	975 x 20	252½	16,000	6,445

1938

2½	Cargo, 2½ T, 4 x 4	80D	825 x 20	172	9,385	\$3,050
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1939

1½	Chassis only, 1½ T, 4 x 4	F12	750 x 20	143	5,875	\$2,395
1½	Balloon Tender, 1½ T, 4 x 4	F14 Spec.	825 x 20	183½	7,320	3,130
6	Prime mover, 6 T, 6 x 6	A. A.	975 x 22	185	19,250	7,665
7	Cargo, 7½ T, 6 x 6	54SD6	1050 x 20	184	20,270	8,400

1940

6	Prime mover, 6 T, 6 x 6	A. A.	975 x 22	184	21,400	\$8,880
6	Prime mover, 6 T, 6 x 6	50SD6	975 x 22	180	21,700	7,300

DIAMOND T

(Manufacturer: Diamond T Motor Car Company. Principal Plant: Chicago, Illinois)

1935

Tonnage rating	Army nomenclature	Model	Standard tire size	Wheelbase (inches)	Base weight (lbs.)	Price when new
1½	Reconnaissance, 12 passenger, ½T, 4 x 2.	226 spec.	700 x 20...	158	5,700	\$1,080
1½	Cargo, steel body w/closed cab, ½T, 4 x 2.	Standard.	NA.	135½	5,800	1,190
1½	Dump w/closed cab, ½T, 4 x 2.	226.	700 x 20...	158	6,400	1,005
4	Cargo, 4T, 4 x 2.	511DR.	900 x 20...	171¾	10,000	2,440

1940

1½	Cargo, ½T, 4 x 2.	404H.	650 x 20...	189	7,100	\$1,425
2½	Telephone construction, 2½T, 4 x 2.	614.	825 x 20...	151¾	9,200	3,020
2½	Stake and platform, 2½T, 4 x 2.	509H.	825 x 20...	163¾	8,000	1,675
2½	Explosives cargo, 2½T, 4 x 2.	509H.	825 x 20...	163¾	8,000	1,955
4	Cargo 4T, 6 x 6.	967.	900 x 20...	151	16,850	4,990

1941

2½	Telephone construction, 2½T, 4 x 2.	614.	825 x 20...	151¾	9,250	\$3,050
4	Cargo body w/closed cab, 4T, 6 x 6.	968.	900 x 20...	151	16,975	5,050

DODGE (FARGO)

(Manufacturer: Chrysler Corporation. Principal Plant: Detroit, Michigan)

1935

1½	Pickup, ½T, 4 x 2.	T5-KC.	650 x 17...	111¼	2,150	\$550
1½	Panel delivery, ½T, 4 x 2.	KCL.	650 x 17...	119	3,330	680
1½	Reconnaissance, 8 passenger, ½T, 4 x 2.	KC.	650 x 17...	111¼	3,100	695
1½	Express, open, 1½T, 4 x 2.	NA.	650 x 20...	136	4,080	850
1½	Dump, 1½T, 4 x 2.	NA.	650 x 20...	136	4,905	905
1½	Station wagon, 12 passenger, 1½T, 4 x 2.	NA.	650 x 20...	146	4,005	1,070
1½	Combination stake and platform, 1½T, 4 x 2.	NA.	650 x 20...	136	4,230	840
1½	Express, canopy top, 1½T, 4 x 2.	NA.	650 x 20...	136	4,030	900
1½	Cargo, closed cab, 1½T, 4 x 2.	KH-31.	650 x 20...	136	4,100	690
1½	Cargo, open cab, 1½T, 4 x 2.	KH-31.	650 x 20...	136	3,900	690
1½	Dump, w/closed cab, 1½T, 4 x 2.	NA.	700 x 20...	157	4,900	1,015
1½	Cargo, w/open cab, 1½T, 4 x 2.	NA.	700 x 20...	148	5,320	895
1½	Cargo, open cab, 1½T, 4 x 4.	T-9.	700 x 20...	143	4,665	1,200
1½	Cargo, closed cab, 1½T, 4 x 4.	T-9.	700 x 20...	143	4,810	1,250
2½	Cargo, closed cab, 2½T, 4 x 2.	KZ47.	825 x 20...	165	6,700	1,485

1936

1½	Pickup, ½T, 4 x 2.	KC.	650 x 17...	119	2,845	\$530
1½	Panel delivery, ½T, 4 x 2.	KCL.	650 x 17...	119	3,328	680
1½	Reconnaissance, 8 passenger, ½T, 4 x 2.	KC.	650 x 17...	119	3,100	695
1½	Pickup, w/closed cab, ½T, 4 x 2.	LC.	650 x 17...	116	3,020	555
1½	Telephone maintenance w/closed cab, ½T, 4 x 2.	LC.	650 x 17...	116	3,140	700
1½	Sedan delivery, ½T, 4 x 2.	LC.	650 x 17...	116	3,340	665
1½	Cargo, w/closed cab, 1½T, 4 x 2.	LE31USA.	650 x 20...	136	4,980	775
1½	Cargo, w/closed cab adj. w/s and pintle, 1½T, 4 x 2.	LE31USA.	650 x 20...	136	4,980	885
1½	Cargo, w/open cab adj. w/s and pintle, 1½T, 4 x 2.	LE31USA.	650 x 20...	136	5,090	775
1½	Dump, w/closed cab, 1½T, 4 x 2.	LE31USA.	650 x 20...	136	5,175	770
1½	Stake and platform w/closed cab, 1½T, 4 x 2.	LE31USA.	650 x 20...	136	5,050	690
1½	Cargo, w/open cab, 1½T, 4 x 2.	LH40.	700 x 20...	151	6,030	995
1½	Stake and platform (long), 1½T, 4 x 2.	LE31.	650 x 20...	162	5,050	670

1937

1½	Cargo, w/open cab, 1½T, 4 x 2.	LH46.	700 x 20...	151	6,030	\$995
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1938

1½	Cargo, flat bed w/closed cab, 1½T, 4 x 2.	RE31.	650 x 20...	136	5,470	\$855
1½	Cargo, flat bed w/closed cab, 1½T, 4 x 4.	RF40.	700 x 20...	143	6,550	1,440

DODGE (FARGO)—Continued

1939

Tonnage rating	Army nomenclature	Model	Standard tire size	Wheelbase (inches)	Base weight (lbs.)	Price when new
1½	Dump 96", 1½T, 4 x 2.	TE31X.	650 x 20...	148	5,605	\$725
1½	Cargo, w/closed cab, 1½T, 4 x 2.	TF36.	700 x 20...	148	6,065	965
1½	Dump, w/closed cab 108", 1½T, 4 x 4.	TF403.	700 x 20...	143	7,460	1,285
1½	Cargo, flat bed w/closed cab, 1½T, 4 x 4.	TF40.	700 x 20...	143	6,925	1,455

1940

1½	Command reconnaissance, ½T, 4 x 4.	VC-1USA.	750 x 16...	116	4,225	\$945
1½	Pickup w/troop seats, ½T, 4 x 4.	VC-2USA.	750 x 16...	116	4,170	795
1½	Pickup w/bucket seats, ½T, 4 x 4.	VC-3USA.	750 x 16...	116	3,890	765
1½	Pickup w/closed cab, ½T, 4 x 4.	WC4.	750 x 16...	116	4,700	815
1½	Weapon carrier w/winch, ½T, 4 x 4.	WC4.	750 x 16...	116	4,700	940
1½	Command reconnaissance, ½T, 4 x 4.	WC4.	750 x 16...	116	4,600	975
1½	Carryall, ½T, 4 x 4.	WC4.	750 x 16...	116	4,785	910
1½	Panel, ½T, 4 x 4.	WC4.	750 x 16...	116	4,470	820
1½	Command car w/winch, ½T, 4 x 4.	WC4.	750 x 16...	116	4,900	1,060
1½	Radio car, ½T, 4 x 4.	WC4.	750 x 16...	116	4,800	1,220
1½	Ambulance, ½T, 4 x 4.	WC4.	750 x 16...	123	5,265	1,165
1½	Cargo, 1½T, 4 x 2.	TE31.	650 x 20...	133	5,495	750
1½	Cargo, 1½T, 4 x 2.	VF31.	650 x 20...	143	5,965	820
1½	Cargo, 1½T, 4 x 4.	VF404.	700 x 20...	143	7,120	1,235
1½	Cargo w/winch, 1½T, 4 x 4.	VF405.	700 x 20...	143	7,910	1,515
1½	Dump, 1½T, 4 x 4.	VF406.	700 x 20...	143	7,730	1,290
1½	Ambulance, 1½T, 4 x 4.	VF407.	700 x 20...	143	6,715	2,010

1941

1½	Radio, ½T, 4 x 4.	WC16USA.	750 x 16...	116	6,070	\$1,200
1½	Carryall, ½T, 4 x 4.	WC17USA.	750 x 16...	116	6,150	935
1½	Ambulance, ½T, 4 x 4.	WC18USA.	750 x 16...	116	6,640	1,175
1½	Pickup w/closed cab, ½T, 4 x 4.	WC14USA.	750 x 16...	116	5,965	875
1½	Command reconnaissance, ½T, 4 x 4.	WC15USA.	750 x 16...	116	5,940	920
1½	Pickup, ½T, 4 x 4.	WC3USA.	750 x 16...	116	4,170	805
1½	Reconnaissance, ½T, 4 x 4.	WC7USA.	750 x 16...	116	5,300	1,020
1½	Carryall, ½T, 4 x 4.	WC6USA.	750 x 16...	116	4,330	1,100

FEDERAL

(Manufacturer: Federal Motor Truck Company. Principal Plant: Detroit, Michigan)

1935

2½	Tank, 500 gallon, 2½T, 4 x 2.	30.	900 x 20...	153	8,800	\$2,225
2½	Cargo, 2½T, 4 x 4.	29.	900 x 20...	165	9,500	2,350

1936

1½	Station wagon, 12 passenger, 1½T, 4 x 2.	15.	6 x 20...	136	6,000	\$1,315
1½	Dump w/closed cab, 1½T, 4 x 2.	15.	700 x 20...	147	6,500	1,330
1½	Cargo w/closed cab, 1½T, 4 x 2.	15.	700 x 20...	147	6,000	1,330
1½	Cargo w/open cab, 1½T, 4 x 2.	15.	700 x 20...	147	6,100	1,045
2½	Stake and platform w/closed cab, 2½T, 4 x 2.	25.	750 x 20...	165	6,680	1,255
2½	Cargo w/closed cab, 2½T, 4 x 2.	25.	750 x 20...	165	7,100	1,545
2½	Dump w/closed cab, 2½T, 4 x 2.	20.	750 x 20...	136	7,480	1,530

1939

2½	Dump w/closed cab, 2½T, 4 x 2.	85-144.	750 x 20...	150½	7,530	\$1,595
2½	Searchlight and power plant, 2½T, 4 x 2.	25-144.	750 x 20...	154½	7,600	1,995
2½	Chassis (cab over engine), 2½T, 6 x 4.	75-131.	700 x 20...	172¾	10,340	2,160

1940

4-5	Cargo, 4-5T, 4 x 2.	NA.	975 x 20...	184	11,325	\$2,960
4-5	Stake and platform, 4-5T, 4 x 2.	NA.	975 x 20...	184	11,340	2,900
5	Chassis (cab over engine), 5T, 4 x 4.	94 x 43.	900 x 20...	132	11,200	5,025

1941

5	Stake and platform, 5T, 4 x 2.	NA.	975 x 20...	184	10,340	\$2,900
5	Cargo, 5T, 4 x 2.	NA.	975 x 20...	184	11,325	2,960
5	Dump, 5T, 4 x 2.	JJ.	900 x 20...	162	12,200	3,395

FORD

(Manufacturer: Ford Motor Company. Principal Plant: Dearborn, Michigan)

1935

Tonnage rating	Army nomenclature	Model	Standard tire size	Wheelbase (inches)	Base weight (lbs.)	Price when new
1½	Pickup express, 1½T, 4 x 2	50	600 x 16	112	2,750	\$500
1½	Cargo, 1½T, 4 x 2	51	650 x 20	131½	4,850	795
1½	Dump 1½T, cu. yd. hyd. lift, 1½, 4 x 2	51	650 x 20	131½	4,650	800
1½	Stake, 1½T, 4 x 2	51	650 x 20	157	4,850	735

1940

1½	Dump 84" 2 cu. yd. w/closed cab, 1½T, 4 x 2	OIT	650 x 20	134	6,075	\$950
1½	Comb. stake and platform w/closed cab, 1½T, 4 x 2	OIST	650 x 20	158	5,400	890
1½	Cargo, w/closed cab, 1½T, 4 x 2	OIT	650 x 20	134	5,900	1,135
1½	Panel (cab over engine), 1½T, 4 x 2	COE	650 x 20	134	5,800	1,655
1½	Comb. stake and platform w/closed cab, 1½T, 4 x 2	COE	700 x 20	134	6,200	1,325
1½	Cargo, w/closed cab, 1½T, 4 x 2	004-T	650 x 20	194	6,800	1,370

1941

¾	Command reconnaissance (jeep) (motor numbers GP-1 up), ¾T, 4 x 4	GP	550 x 16	80	2,175	\$960
1½	Cargo, 1½T, 4 x 2	19T	650 x 20	134	5,420	925

G. M. C.

(Manufacturer: General Motors Truck & Coach Company. Principal Plant: Pontiac, Michigan)

1935

1½	Station Wagon, 8 passenger, 1½T, 4 x 2	T18	N. A.	140½	8,800	\$1,535
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1936

1½	Fire truck, hose and chemical, 1½T, 4 x 2	T16	700 x 20	157	5,900	\$1,700
5	Cargo, w/top bows and tarpaulin, 5T, 4 x 2	NA	1050 x 20	175	14,975	2,995
5	Dump, 5T, 4 x 2	NA	1050 x 20	157	13,955	2,965

1937

1½	Chassis only, 1½T, 4 x 2	T16A	700 x 20	131	3,065	\$625
1½	Dump 84 inches, 1½T, 4 x 2	T16A	650 x 16	130	5,790	970
1½	Cargo, flat bed w/closed cab, 1½T, 4 x 4	NA	700 x 20	144	6,875	1,535
1½	Cargo, w/open cab and winches, 1½T, 4 x 4	NA	700 x 20	144	7,675	2,110
2½	Cargo, 2½T, 4 x 2	T18	750 x 20	170	7,025	2,085
2½	Dump, 2½T, 4 x 2	T16HB	750 x 20	155½	5,975	1,020
2½	Searchlight and power plant (cab over engine), 2½T, 4 x 2	F18	750 x 20	196	7,950	1,905

1938

1½	Pickup w/open cab, 1½T, 4 x 2	T14	650 x 16	112	3,210	\$1,085
1½	Chassis only (cab over engine), 1½T, 4 x 2	TK-F16	700 x 20	108	6,335	2,165
2½	Dump, 2½T, 4 x 2	T18W	825 x 20	148	8,345	2,010
2½	Cargo, w/closed cab, 2½T, 6 x 4	NA	700 x 20	NA	8,905	2,150
3T	Cargo, w/closed cab, 3T, 6 x 6	TK	700 x 20	155½	7,900	2,355

1939

1½	Carryall, 1½T, 4 x 2	AC101	15"	113½	3,770	\$1,575
1½	Tractor (chassis only), 1½T, 4 x 2	AC302	700 x 20	133	4,325	890
1½	Cargo, 1½T, 4 x 2	ACX353	700 x 20	142	5,755	1,185
1½	Cargo, flat bed w/closed cab, 1½T, 4 x 4	ACKX353	700 x 20	145½	6,790	1,340
2½	Cargo, flat bed w/coupe cab, 2½T, 4 x 2	T18 Spec	750 x 20	168	7,820	1,340
2½	Cargo, w/closed cab, 2½T, 4 x 2	ACK354	750 x 20	164	7,310	1,400

G. M. C.—Continued
1939—Continued

Tonnage rating	Army nomenclature	Model	Standard tire size	Wheelbase (inches)	Base weight (lbs.)	Price when new
2½	Dump, w/hoist and closed cab, 2½T, 4 x 2	ACK353	750 x 20	148	7,295	\$1,405
2½	Tractor (chassis only), 2½T, 4 x 2	ACK352	825 x 20	133½	5,445	1,195
2½	Cargo, flat bed w/3 man cab, 2½T, 4 x 2	ACX354	750 x 20	164	6,955	1,405
2½-3	Cargo, flat bed, w/closed cab, 2½-3T, 6 x 6	ACKWX353	700 x 20	158	9,150	2,425
4T	Cargo, w/winch and closed cab, 4T, 4 x 4	ACKX853	975 x 20	158	12,700	6,110

1940

1½	Carryall, 1½T, 4 x 2	AC101	600 x 08	113½	3,630	\$810
1½	Radio (cab over engine), 1½T, 4 x 2	CF351	700 x 20	109	6,350	2,110
1½	Chassis (cab over engine), 1½T, 4 x 2	AFX312	650 x 20	123	5,590	1,540
1½	Cargo, flat bed, 1½T, 4 x 2	AC305	650 x 20	193½	6,795	1,285
1½	Cargo, w/closed cab, 1½T, 4 x 2	ACX353	700 x 20	144	6,350	1,360
1½-3	Chassis (cab over engine), 1½T, 4 x 4	AFKX352	750 x 20	131	6,215	1,455
1½-3	Cargo, artillery repair (cab over engine), 1½T, 4 x 4	AFKX352	750 x 20	131	7,885	1,645
1½-3	Chassis w/power take off (cab over engine), 1½T, 4 x 4	AFKX352	750 x 20	131	6,215	1,680
1½-3	Cargo, small arms repair (cab over engine), 1½T, 4 x 4	AFKX352	750 x 20	131	7,885	1,260
2½	Dump w/hoist, 2½T, 4 x 2	ACX453	825 x 20	145	7,480	1,315
2½	Stake and platform, 2½T, 4 x 2	AC453	825 x 20	157½	7,270	1,380
2½	Tractor (cab over engine), 2½T, 4 x 2	AF361	700 x 20	NA	6,395	2,330
2½	Cargo, w/closed cab, 2½T, 6 x 6	ACKWX353	700 x 20	162	9,435	2,110
2½	Cargo, w/closed cab, 2½T, 6 x 6	CKKW353	700 x 20	162	9,925	2,680
2½	Cargo, w/closed cab, and winches 2½T, 6 x 6	CKKW353	700 x 20	162	10,680	2,485
2½	Rack, w/closed cab, 2½T, 6 x 6	ACKWX353	700 x 20	162	10,555	2,110
2½	Tractor (cab over engine), 2½T, 4 x 4	AFKX352	700 x 20	135	8,410	3,630
2½	Searchlight (cab over engine), 2½T, 6 x 4	AFWX354	700 x 20	167	9,580	2,165
4	Van, (cab over engine), 4T, 4 x 4	AFKX704	975 x 20	165	14,630	4,810
4	Van, (cab over engine), 4T, 4 x 4	ACKX705	975 x 20	196	14,570	4,810
5	Dump w/closed cab, 5T, 4 x 2	AC723	975 x 22	190	12,205	3,260
5	Comb. stake and platform w/closed cab, 5T, 4 x 2	AC723	975 x 22	196	10,910	2,915
8	Tractor, 8T, 6 x 4	ACW853	900 x 20	186	13,975	4,905

1941

1½	Radio and communications, 1½T, 4 x 2	CF351	700 x 20	109½	6,350	\$2,055
2½	Cargo, 2½T, 6 x 6	CKKW353	750 x 20	162	9,450	2,055
2½	Cargo, w/winch, 2½T, 6 x 6	CKKW353	750 x 20	143	10,205	2,405
4	Van, (cab over engine), 4T, 4 x 4	AFKX704	975 x 20	165	14,630	4,810
4	Van, (cab over engine), 4T, 4 x 4	AFKX705	975 x 20	196	14,570	4,810
8	Tractor, 8T, 6 x 4	ACW853	900 x 20	186	13,975	4,950

HENNY

(Manufacturer: Henny Motor Company. Principal Plant: Freeport, Illinois)

1939

NA	Ambulance, metropolitan, NA, NA	S94HD	750 x 16	160	5,425	\$2,245
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HOWE

(Manufacturer: Howe Fire Apparatus Company. Principal Plant: Anderson, Indiana)

1935

1½	Fire, Hose and Chemical, 1½T, 4 x 2	NA	700 x 20	131	4,800	\$1,990
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INTERNATIONAL

(Manufacturer: International Harvester Company. Principal Plant: Springfield, Ohio)

1935

¾	Station wagon, 8 passenger, ¾T, 4 x 2	CI	750 x 15	113	3,000	\$835
¾	Special safety body, ¾T, 4 x 2	CI	750 x 15	113	3,200	1,315

INTERNATIONAL—Continued

1941

Tonnage rating	Army nomenclature	Model	Standard tire size	Wheelbase (inches)	Base weight (lbs.)	Price when new
2½	Dump, 2½ T, 4 x 2.....	K7.....	825 x 20...	146	7,500	\$1,345
2½	Cargo, 2½ T, 4 x 2.....	K7.....	825 x 20...	158	7,200	1,340
2½	Comb. stake and platform, 2½ T, 4 x 2.....	K7.....	825 x 20...	158	7,200	1,320
2½	Telephone construction, 2½ T, 4 x 2.....	K7.....	825 x 20...	146	8,700	3,375
2½	Dump (3½ cu. yd.), 2½ T, 4 x 2.....	K7.....	825 x 20...	146	6,500	1,105
2½	Cargo, 2½ T, 6 x 6.....	M5-6-313.....	750 x 20...	169	11,900	2,770
2½	Cargo, 2½ T, 6 x 6.....	M5-6-313.....	750 x 20...	149	11,810	2,780
2½	Cargo w/winch, 2½ T, 6 x 6.....	M5-6-313.....	750 x 20...	169	12,590	3,020
2½	Cargo w/winch, 2½ T, 6 x 6.....	M5-6-313.....	750 x 20...	149	12,500	3,025
2½	Chassis and cab, 3-4 T, 4 x 2.....	K8.....	900 x 20...	179	6,900	1,540
3-4	Dump (5 cu. yd.), 3-4 T, 4 x 2.....	KR8.....	900 x 20...	161	7,300	1,620
3-4	Tractor, 3-4 T, 4 x 2.....	KR8.....	900 x 20...	137	6,700	1,625

MACK

(Manufacturer: Mack International Motor Truck Corporation. Principal Plant: Allentown, Penna.)

1940

2½	Fuel and oil tank, 2½ T, 4 x 2.....	E. H. S.....	900 x 20...	176	9,700	\$3,805
2½	Earth and stone w/hoist and buckets, 2½ T, 4 x 2.....	F. K.....	825 x 20...	156½	6,350	2,870
2½	Dump, w/closed cab, 2½ T, 4 x 2.....	N. A. 4 x 2.....	825 x 20...	156½	4,350	1,095
2½	Cargo, w/closed cab, 2½ T, 4 x 2.....	N. A. 4 x 2.....	825 x 20...	159..	6,360	1,085
2½	Dump, w/closed cab and hoist, 2½ T, 4 x 2.....	E. E. S.....	825 x 20...	144½	7,500	1,665
2½	Chassis only, 2½ T, 6 x 4.....	N. B.....	700 x 20...	172	9,360	2,050
NA	Dump (5-cu. yd.) Diesel engine, N. A., N. A.....	F. F. D.....	975 x 20...	158	13,750	5,000
5-6	Tractor w/winch (cab over engine), 5-6 T, 4 x 4.....	N. J. U. 4 x 4.....	975 x 20...	153	14,340	6,075
5-6	Tractor w/winch (cab over engine) 5-6 T, 4 x 4.....	N. J. U. 4 x 4.....	975 x 20...	114	12,790	5,600
6	Prime mover for anti-aircraft w/closed cab and winches, 6 T, 6 x 6.....	N. M.....	22 x 8.....	177	21,660	7,310

1941

-----	Fire truck 750 gallon, N. A., N. A.....	70.....	900 x 20...	164	10,000	\$6,585
5-6	Tractor w/winch cab over engine, 5-6 T, 4 x 4.....	N. J. U. 4 x 4.....	975 x 20...	153	14,340	6,075
5-6	Tractor w/winch cab over engine, 5-6 T, 4 x 4.....	N. J. U. 4 x 4.....	975 x 20...	114	12,790	5,600
6	Prime mover for anti-aircraft w/closed cab and winches, 6 T, 6 x 6.....	N. M.....	22 x 8.....	177	21,660	7,310

MARMON-HERRINGTON

(Manufacturer: Marmon-Herrington Company Incorporated. Principal Plant: Indianapolis, Indiana)

1935

5	Dump (3½ cu. yd.), 5T, 4 x 4.....	N. A.....	1050 x 20...	161	12,735	\$3,895
5	Cargo, w/closed cab, 5T, 6 x 6.....	T. H. 315.....	975 x 20...	228	14,000	5,995

1936

NA	Truck, range fire, N. A., 4 x 4.....	M. H. B. 5.....	750 x 20...	132	6,550	\$3,57
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1937

½	Pickup w/closed cab, 1½T, 4 x 4.....	L. D. 1-4.....	750 x 15...	113½	3,400	\$1,400
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1938

1½	Earth borer and pole setter w/ closed cab, 1½T, 4 x 4.....	N. A.....	700 x 20...	135	10,110	\$6,195
1½	Telephone maintenance w/ closed cab, 1½T, 4 x 4.....	N. A.....	600 x 18...	135	8,180	3,965

1939

½	Pickup w/bucket seats, ½T, 4 x 4.....	L. D. 3-4.....	750 x 15...	113	3,700	\$1,305
½	Pickup w/closed cab, ½T, 4 x 4.....	L. D. 3-4.....	750 x 15...	113	3,700	1,185
½	Pickup, ½T, 4 x 4.....	L. D. 3-4.....	750 x 15...	113	3,790	1,140

MARMON-HERRINGTON—Continued

1940

Tonnage rating	Army nomenclature	Model	Standard tire size	Wheelbase (inches)	Base weight (lbs.)	Price when new
1½	Telephone construction and maintenance, 1½T, 4 x 4.....	4 W. D.....	750 x 20...	134	9,950	\$3,775
1½	Telephone construction and maintenance w/winch, 1½T, 4 x 4.....	4 W. D.....	750 x 20...	134	8,300	2,985
1½	Earth borer and pole setter, 1½T, 4 x 4.....	4 W. D.....	750 x 20...	134	10,400	5,990

OSKOSH

(Manufacturer: Oskosh Motor Truck Incorporated. Principal Plant: Oskosh, Wisconsin)

1935

5	Dump (3½ cu. yd.), 5T, 4 x 4.....	L-12.....	N. A.....	146	23,725	\$4,970
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1940

NA	Prime mover for 15-M-Gun (Diesel), N. A., 4 x 4.....	TR.....	1500 x 24...	121½	22,500	\$16,500
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PIRSCH

(Manufacturer: Peter Pirsch & Sons Company. Principal Plant: Kenosha, Wisconsin)

1940

NA	Fire truck, 750 gallon pumper, N. A., N. A.....	N. A.....	825 x 20...	183½	10,750	\$6,330
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REO

(Manufacturer: Reo Motors, Inc. Principal Plant: Lansing, Michigan)

1935

1½	Station wagon, 12 passenger, 1½T, 4 x 2.....	1B4.....	NA.....	146	23,725	\$4,970
1½	Chassis, 1½T, 4 x 4.....	4WD.....	700 x 20...	142	4,910	1,695
3	Dump 2½ cu. yd., 3T, 4 x 2.....	3J.....	900 x 20...	170	9,300	1,915
3	Comb. stake and platform, 3T, 4 x 2.....	3J.....	900 x 20...	170	8,800	1,835
3	Panel delivery, 3T, 4 x 2.....	3J.....	900 x 20...	170	7,500	1,925
3	Express, open body, 3T, 4 x 2.....	3J.....	900 x 20...	170	7,300	1,620
3	Stake and platform w/winch, 3T, 4 x 2.....	3J.....	900 x 20...	170	9,200	2,220

1936

1½	Station wagon, 12 passenger, 1½T, 4 x 2.....	2B4.....	700 x 20...	142	6,450	\$1,240
2½	Water tank, 500 gallon, 2½T, 4 x 2.....	2H.....	825 x 20...	153	8,725	2,240

1940

2½	Dump w/closed cab, 2½ T, 4 x 2.....	NA.....	825 x 20...	125	4,500	\$1,420
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SEAGRAVE

1940

NA	Fire truck 750 gallon, NA, NA.....	NA.....	825 x 20...	NA	NA	\$5,585
NA	Fire truck 500 gallon, NA, NA.....	NA.....	825 x 20...	NA	NA	3,150

STUDEBAKER

(Manufacturer: The Studebaker Corporation. Principal Plant: South Bend, Indiana)

1940

2½	Cargo (9 ft.), 2½T, 6 x 6.....	US6.....	750 x 20...	148	9,850	\$2,745
2½	Cargo (9 ft.) W/winch, 2½T, 6 x 6.....	US6.....	750 x 20...	148	10,460	3,005
2½	Cargo (12 ft.), 2½T, 6 x 6.....	US6.....	750 x 20...	162	9,975	2,735
2½	Cargo (12 ft.) W/winch, 2½T, 6 x 6.....	US6.....	750 x 20...	162	10,585	3,005

WARD-LA FRANCE

(Manufacturer: Ward-La France Truck Corporation. Principal Plant: Elmira, New York)

1940

Tonnage rating	Army nomenclature	Model	Standard tire size	Wheel base (inches)	Base weight (lbs.)	Price when new
4	Cargo, w/closed cab, 4T, 6 x 6.	106.....	900 x 20...	172	14,800	\$5,280
4	Cargo, w/closed cab, w/winch, 4T, 6 x 6.	106.....	900 x 20...	172	15,700	5,650
10	Tractor, w/3 man cab, 10T, 6 x 4.	204.....	975 x 24...	170	21,430	7,510

1941

10	Tractor, 10T, 6 x 4.....	204.....	975 x 24...	170	21,400	\$6,980
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WHITE

(Manufacturer: The White Motor Company. Principal Plant: Cleveland, Ohio)

1935

1½	Comb stake and platform, 1½ T, 4 x 2.	N. A.....	N. A.....	155	8,800	\$1,265
1½	Cargo, 1½ T, 4 x 4.....	Indiana.....	825 x 20...	148	11,000	1,745
1½	Radio, 1½ T, 4 x 4.....	Indiana.....	825 x 20...	148	11,000	1,825
2-4	Cargo, w/open cab, 2-4 T, 6 x 6.	Indiana.....	825 x 22...	160	12,395	3,765
2-4	Cargo, w/winch, 2-4 T, 6 x 6.	Indiana.....	825 x 22...	160	12,395	4,365
7½	Cargo, 7½ T, 6 x 6.....	Indiana.....	975 x 22...	190	19,690	6,710
7½	Cargo, w/winch, 7½ T, 6 x 6.	Indiana.....	975 x 22...	190	19,690	7,280

1936

1½	Dump, 1½ T, 4 x 2.....	Indiana 86...	700 x 20...	131	6,206	\$1,180
1½	Express open, 1½ T, 4 x 2.....	Indiana 86...	700 x 20...	143	5,600	915
1½	Cargo, w/open cab, 1½ T, 4 x 2.	Indiana 86...	700 x 20...	143	6,700	1,065
2½	Stake and platform w/closed cab, 2½ T, 4 x 2.	Indiana 87...	750 x 20...	155	6,900	1,300
2½	Cargo, flat bed, 2½ T, 4 x 2.	Indiana 87...	750 x 20...	155	6,930	1,255
7½	Cargo, flat bed w/closed cab, 7½ T, 6 x 6.	Indiana 20x6.	975 x 22...	190	19,250	6,760

1937

1½	Reconnaissance, 12 passenger, 1½ T, 4 x 2.	Indiana 86...	700 x 20...	167	5,530	\$2,055
2½	Cargo, w/closed cab, 2½ T, 4 x 2.	Indiana 87...	750 x 20...	155	6,810	1,335
2½	Cargo, flatbed w/closed cab, 2½ T, 4 x 2.	Indiana 87...	750 x 20...	155	6,810	1,435

1940

4	Cargo, w/closed cab and winch, 4T, 6 x 6.	950 x 6.....	900 x 20...	186	15,790	\$5,610
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WILLYS

(Manufacturer: Willys-Overland Motors Incorporated. Principal Plant: Toledo, Ohio)

1941

¾	Command reconnaissance "jeep" serial numbers 78401 to 85550, ¾ T, 4 x 4.	M. A.....	550 x 16....	80	2,170	\$960
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(2) TRAILERS

AUTO CRUISER

(Manufacturer: A. J. Miller Auto Cruiser Co., Principal Plant: Bradenton, Fla.)

1937

Tonnage rating	Army nomenclature	Model	Outside dimensions			Base weight (lbs.)	Price when new
			Length (inches)	Width (inches)	Height (inches)		
1 Ton, 1T.	2 wheel house trailer.....	17.....	201	82	95	2,100	\$885

1941

NA.....	2 wheel van—2 horse.....	NA.....	156	82	108	1,825	\$595
1 Ton, 1T.	2 wheel pigeon loft.....	17 Spec.....	201	82	96	2,400	1,100
NA.....	2 wheel communications.....	17 Spec.....	255	84	103	5,500	1,940
NA.....	2 wheel recruiting station.....	17 Spec.....	300	92	108	5,000	2,650

BEN-HUR

(Manufacturer: Ben-Hur Manufacturing Co., Principal Plant: Milwaukee, Wis.)

1941

Tonnage rating	Army nomenclature	Model	Outside dimensions			Base weight (lbs.)	Price when new
			Length (inches)	Width (inches)	Height (inches)		
1 Ton, 1T.	2 wheel water tank.....	NA.....	96	52	52	1,870	\$390
1 Ton, 1T.	2 wheel cargo w/retractable landing gear.	41-33.....	NA	NA	NA	1,500	190

CORBITT

(Manufacturer: The Corbitt Company, Principal Plant: Henderson, N. C.)

1935

NA.....	2 wheel command post.....	NA.....	276	93	90	3,200	\$510
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1936

4 Ton, 4T.	2 wheel cargo.....	T10.....	192	84	110	4,625	\$650
4 Ton, 4T.	2 wheel van.....	T10.....	192	84	132	5,125	835
4 Ton, 4T.	2 wheel stake and platform.....	T10.....	192	84	88	4,375	590
4 Ton, 4T.	2 wheel dump.....	T10.....	132	72	77	5,725	999

1937

4 Ton, 4T.	2 wheel semi-trailer (for use with Chevrolet).	T10.....	210	90	90	7,100	\$1,440
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1938

6 Ton, 6T.	2 wheel van.....	T11.....	216	84	126	6,500	\$822
6 Ton, 6T.	2 wheel stake and platform.....	T11.....	194	84	85	4,400	630
6 Ton, 6T.	2 wheel cargo.....	T11.....	194	84	113	4,700	755

1941

4 Ton, 4T.	2 wheel van.....	NA.....	240	95	112½	7,100	\$1,385
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DORSEY BROTHERS

(Manufacturer: Dorsey Brothers, Principal Plant: Elsa, Alabama)

1941

6 Ton, 6T.	2 Wheel comb stake and platform.	D8.....	202	84	89	5,050	\$750
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FLEETWHEELS

(Manufacturer: Fleetwheels—Gliders Inc., Principal Plant: Bristol, Pa.)

1940

NA.....	2 wheel communications.....	K19.....	291	88	113	5,225	\$1,875
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FLEETWINGS

(Manufacturer: Fleetwings, Inc., Principal Plant: Bristol, Pa.)

1939

NA.....	2 wheel communications.....	K9A.....	291	88	113	4,771	\$1,285
NA.....	2 wheel weather.....	K21-T1.....	296	88	113	5,287	1,650

FRUEHAUF

(Manufacturer: Fruehauf Trailer Co., Inc., Principal Plant: Detroit, Mich.)

1940

NA, 6T...	Semi-trailer van.....	118.....	225	84	126	6,650	\$1,140
	2 wheel semi-trailer, low platform.	CPT32.....	420	96	NA	16,700	2,840

GENERAL MOTORS

(Manufacturer: General Motors (Yellow), Principal Plant: Detroit, Mich.)

1939

NA.....	2 wheel semi-trailer, low platform.	NA.....	NA	NA	NA	4,564	\$875
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GRAMM

(Manufacturer: Gramm Motor Truck Corp., Principal Plant: Delphos, Ohio)

1941

Tonnage rating	Army nomenclature	Model	Outside dimensions			Base weight (lbs.)	Price when new
			Length (inches)	Width (inches)	Height (inches)		
NA, 6T	2 wheel semi-trailer van	DF40	224	84	125½	6,300	\$1,065

HIGHWAY

(Manufacturer: Highway Trailer Co., Principal Plant: Los Angeles, Calif.)

1935

NA	2 wheel van	75A	198	96	NA	6,200	\$730
NA	2 wheel comb. stake and platform	75A	198	96	NA	4,500	545
NA	2 wheel cargo	75A	198	96	NA	5,500	605
NA	2 wheel dump	75A	120	96	NA	5,435	840

1941

NA	2 wheel stake and platform	5B	224	90	89	5,966	\$865
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LaCROSSE

(Manufacturer: LaCrosse Trail. & Equip. Co., Principal Plant: LaCrosse, Wisc.)

1941

NA	Semi-trailer—low platform (45,000 lb. gross)	DF12	420	120	30	18,500	\$3,195
NA	Semi-trailer—low platform (20,000 lb. gross)	DF6C	216	45	96	13,000	2,930

LAVINE

(Manufacturer: Lavine Gear Co., Principal Plant: Milwaukee, Wisc.)

1940

¾ ton	¾T 2 wheel trailer	Cargo G	108	53¼	85	1,400	\$200
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1941

¾ Ton	¾T 2 wheel trailer	Cargo G	108	53¼	85	1,400	\$145
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LEONHARDT

(Manufacturer: Leonhardt Wagon Mfg. Co., Principal Plant: Baltimore, Maryland)

1937

NA	2 wheel semi-trailer surgical	17A	220	96	40	2,930	\$2,280
NA	2 wheel semi-trailer X-ray unit	17A	220	96	40	2,930	2,125

METROPOLITAN

(Manufacturer: Metropolitan Body Co., Principal Plant: Bridgeport, Conn.)

1935

1T	1T 2 wheel—cargo	A	243	46	65	3,700	\$415
	2 wheel—command post	C	120	114	84	4,200	485

NASH

(Manufacturer: Nash Kelvinator Corp., Principal Plant: Detroit, Mich.)

1941

1T, 1T	2 wheel cargo	A	104	55	33	1,600	\$215
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PALACE TRAVEL

(Manufacturer: Palace Travel Coach Corp., Principal Plant: Flint, Mich.)

1941

NA	2 wheel trailer, single axle type	NA	216	81	77	NA	\$945
NA	2 wheel trailer, independent wheel suspension	NA	288	81	77	NA	1,655

PLIMPTON

(Manufacturer: H. E. Plimpton Mfg. Co., Principal Plant: Walpole, Mass.)

1940

Tonnage rating	Army nomenclature	Model	Outside dimensions			Base weight (lbs.)	Price when new
			Length (inches)	Width (inches)	Height (inches)		
NA	2 wheel van—2 horse	S122	160	88	96	2,000	\$750

SAGINAW

(Manufacturer: Saginaw Stamping & Tool Co., Principal Plant: Saginaw, Mich.)

1941

¾	¾T, 2 wheel cargo	NA	108	54	30	1,400	\$155
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SPENCER

(Manufacturer: Spencer Trailer Co., Principal Plant: Augusta, Kansas)

1938

NA	2 wheel kitchen or surgical hospital	J205	248	96	129	6,215	\$1,800
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SPLIT COACH

(Manufacturer: Split Coach Motor Corp., Principal Plant: York, Pa.)

1935

NA	2 wheel command post	NA	126	116	72	1,046	\$475
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SPRINGFIELD

(Manufacturer: Springfield Wagon & Trailer Co., Principal Plant: Springfield, Mo.)

1935

1T, 1T	4 wheel cargo	NA	178	46	60	1,671	\$380
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1936

4T, 4T	2 wheel cargo	T500	194	83	111	6,150	\$750
4T, 4T	2 wheel van	T500	200	83	110	6,000	725
4T, 4T	2 wheel stake and platform	T500	200	83	86	6,000	625
4T, 4T	2 wheel dump	T500	NA	NA	NA	6,500	730

1938

1T, 1T	2 wheel cargo	NA	95	46	29	1,250	\$210
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STREICH

(Manufacturer: A. Streich & Bros. Co., Principal Plant: Oshkosh, Wis.)

1940

¾T, ¾T	2 wheel cargo	¾TUS	102	54	34	1,450	\$165
1, 1T	2 wheel cargo	1TUS	108	NA	NA	1,900	165

1941

4, 4T	4 wheel van	H-4	216	96	112	5,825	\$1,290
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TRAILCO

(Manufacturer: Trailco Mfg. & Sales Co., Principal Plant: Hammells Wharf, Pa.)

1936

4T, 4T	2 wheel cargo	H21	192	86	114	5,034	\$780
4T, 4T	2 wheel stake and platform	H21	192	77	89	4,284	605

1941

NA	2 wheel van	130	106	80	48	2,500	\$345
10T, 10T	2 wheel van	B-34	245	96	134	8,100	1,290

APPENDIX D—TABLE OF FREIGHT ALLOWANCE RATES FOR VEHICLES COVERED BY THIS REGULATION FROM PLACES OF MANUFACTURE TO STATES AND PARTS OF STATES NEAREST SPECIFIED CITIES—Continued

PLACE OF MANUFACTURE—continued																																								
[Rates in cents per 100 pounds]																																								
	Allentown, Pa.	Anderson, Ind.	Appleton, Wis.	Arlmore, Pa.	Augusta, Kans.	Baltimore, Md.	Bradenton, Fla.	Bridgeport, Conn.	Bristol, Pa.	Buffalo, N. Y.	Butler, Pa.	Chicago, Ill.	Cincinnati, Ohio	Cleveland, Ohio	Clyde, Ohio	Cortland, N. Y.	Dearborn, Mich.	Delphos, Ohio	Denver, Colo.	Detroit, Mich.	Elba, Ala.	Flint, Mich.	Henderson, N. C.	Indianapolis, Ind.	Lansing, Mich.	Los Angeles, Calif.	Milwaukee, Wis.	Oshkosh, Wis.	Pontiac, Mich.	Saginaw, Mich.	South Bend, Ind.	Springfield, Mo.	Springfield, Ohio	Toledo, Ohio	Walpole, Mass.	York, Pa.				
Maine:																																								
Augusta	109	157	173	109	286	120	301	92	105	122	140	140	156	139	143	109	143	148	345	143	279	145	161	157	147	528	161	173	145	147	133	264	148	143	76	117				
Portland	97	145	161	97	273	109	252	81	94	111	127	149	144	122	129	97	129	136	345	129	230	130	143	145	133	528	149	161	130	132	142	252	136	129	61	105				
Maryland:																																								
Baltimore	65	120	150	56	242		201	78	58	94	83	131	109	95	112	86	112	115	315	112	196	119	89	120	118	528	137	148	114	122	121	208	104	112	94	45				
Cumberland	77	103	133	77	225	68	225	94	78	86	65	113	93	78	90	83	90	99	298	90	218	99	94	103	100	528	119	131	95	102	104	198	88	90	111	63				
Massachusetts:																																								
Detroit	80	140	156	85	267	97	234	65	83	99	118	144	139	114	122	91	122	131	338	122	213	132	132	140	128	528	144	156	123	127	138	245	131	122	39	94				
Michigan:																																								
Detroit	111	73	90	115	195	112	262	117	115	74	82	78	77	65	52	90	31	60	263				213	45	143	90	50	501	78	82	35	63	67	170	67	43	122	103		
Grand Rapids	125	73	77	131	186	125	265	131	131	89	93	65	82	78	71	104	63	67	252	63	214	54	152	77	45	501	56	73	60	56	54	162	78	65	132	121				
Minnesota	197	148	98	203	193	301	330	205	203	165	163	123	144	139	114	122	178	141	148	237	141	256	141	237	150	137	487	109	99	141	139	133	188	151	145	213	196			
Mississippi	222	172	202	222	209	213	200	240	222	218	206	175	172	200	195	230	197	184	289	197	133	202	197	165	196	471	184	199	202	305	180	162	180	192	240	222				
Missouri:																																								
Kansas City	204	132	140	204	96	199	266	216	207	177	167	122	140	156	150	188	151	122	189	151	218	151	223	127	147	429	128	138	151	156	130	94	145	146	224	194				
St. Louis	150	78	96	130	140	143	245	159	152	125	117	78	86	109	99	136	101	90	228	101	180	104	162	74	99	471	88	99	104	105	86	105	90	97	164	139				
Montana:																																								
Billings	379	309	281	387	276	376	497	384	384	345	343	292	321	330	321	356	316	315	225	316	455	315	497	310	305	230	286	281	316	309	544	290	320	316	393	367				
Butte	426	353	326	431	327	420	497	428	431	383	386	336	365	374	368	403	360	358	268	360	455	358	497	354	352	281	329	324	360	355	301	361	364	363	439	414				
Nebraska:																																								
Lincoln	219	169	148	219	125	218	320	233	228	189	182	137	165	171	165	201	164	162	172	164	243	164	244	159	161	429	138	152	164	176	147	128	162	161	241	213				
Nevada:																																								
Las Vegas	528	501	487	528	399	528	528	528	528	512	512	487	501	512	512	528	501	501	337	501	512	501	528	501	501	110	487	487	501	501	501	471	501	501	528	528				
Reno	497	434	414	497	330	497	497	497	497	455	455	414	434	455	455	497	434	434	282	434	455	434	497	434	434	144	414	414	414	434	434	399	434	434	497	497				
New Hampshire:																																								
Newport	90	140	156	91	267	99	252	74	88	102	123	144	139	114	122	90	122	131	338	122	230	143	140	128	528	144	156	123	127	138	245	131	122	54	99					
New Jersey:																																								
Newark	48	130	152	44	254	71	230	65	43	94	93	139	128	105	115	76	115	129	327	115	208	120	110	133	125	528	142	153	120	122	130	230	116	115	83	67				
New Mexico:																																								
Albuquerque	410	314	294	410	202	377	402	395	384	385	377	282	314	368	342	306	360	342	246	360	329	359	304	314	350	206	289	350	360	350	332	237	350	356	396	373				
New York:																																								
Buffalo	86	90	114	94	220	94	260	97	94	99	103	103	67	77	65	74	89	291	74	223	77	132	99	83	512	103	114	77	82	93	196	88	82	101	86					
New York City	49	133	152	54	254	71	230	54	49	93	97	142	128	109	115	77	115	129	327	115	208	121	110	133	124	528	142	153	121	122	133	230	120	115	77	67				
North Carolina:																																								
Charlotte	137	172	206	137	262	123	179	150	133	165	145	178	147	144	156	162	165	156	334	165	156	170	95	170	170	528	185	204	167	188	170	230	147	158	167	131				
Winston-Salem	120	155	187	120	256	106	193	133	117	148	128	158	128	139	137	145	148	139	327	148	137	167	170	76	151	153	528	167	185	150	169	153	223	128	139	150	114			
North Dakota:																																								
Bismarck	283	225	187	289	221	296	300	289	289	249	252	208	235	240	234	264	224	228	235	224	315	224	307	226	220	471	199	192	224	224	217	222	234	227	284	275				
Fargo	244	185	145	250	207	245	358	250	250	211	213	108	196	200	194	217	184	187	241	184	281	184	272	188	181	471	157	149	184	184	177	216	194	187	258	235				
Ohio:																																								
Cincinnati	119	56	103	119	184	109	226	133	121	93	82	82		74	67	109	77	60	258	77	178	82	82	84	82	501	90	97	78	86	73	150	48	68	139	108				
Cleveland	100	77	109	100	199	95	259	109	101	67	60	86	56		48	88	65	63	270	65	211	71	133	82	71	512														

PART 1499—COMMODITIES AND SERVICES
[MPR 165, Amdt. 41]

FARMING 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.*

A new subparagraph is added to § 1499.101 (c) to read as follows:

(72) Such services rendered on the farm in connection with the planting, cultivating, harvesting or preparation for market of agricultural commodities or in connection with the raising or preparation for market of livestock or poultry or livestock or poultry products as are specified in any supplementary service regulation—rates, charges, and compensation for.

This amendment shall become effective June 28, 1944.

Issued this 23d day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9168; Filed, June 23, 1944;
11:40 a. m.]

PART 1499—COMMODITIES AND SERVICES
[Rev. SR 1* to GMPR, Amdt. 58]

FLOUR

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

The first paragraph of section 2.3 (q) is amended to read as follows:

(q) Flour produced from wheat, rye, buckwheat, rice, corn, oats, barley, soybeans, potatoes, cottonseed, peanuts; combinations of flours produced from these commodities; and bleached, bromated, enriched, phosphated and self-rising flours. "Flour produced from wheat" means:

This amendment shall become effective June 28, 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 23d day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9172; Filed, June 23, 1944;
11:39 a. m.]

PART 1499—COMMODITIES AND SERVICES
[Rev. SR 11* to GMPR, Amdt. 51]

FARMING SERVICES

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

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

¹ 7 F.R. 6428, 6966, 8239, 8431, 8798, 8943, 8948, 9197, 9342, 9343, 9785, 9971, 9973, 10480, 10619, 10718, 11010; 8 F.R. 1060, 3324, 4782, 5681, 5755, 5933, 6364, 8506, 8873, 10671, 10939, 11754, 12023.

² 8 F.R. 4978.

³ 7 F.R. 6426.

⁴ 9 F.R. 1385.

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

Section 1499.46 (b) (72) is amended to read as follows:

(72) Services rendered on the farm in connection with the planting, cultivating, harvesting or preparation for market of agricultural commodities or in connection with the raising or preparation for market of live stock or poultry or live stock or poultry products except as otherwise provided by any supplementary service regulation to Maximum Price Regulation No. 165 (but not including repairs to or maintenance of farm buildings and other farm structures, or repairs or maintenance of farm equipment)—rates, charges, and compensation for.

This amendment shall become effective June 28, 1944.

Issued the 23d day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9167; Filed, June 23, 1944;
11:40 a. m.]

Chapter XIII—Petroleum Administration
for War

[Recommendation 47, Revocation]

PART 1503—PRODUCTION

ABANDONMENT OF OIL OR GAS WELLS

Sections 1503.30 to 1503.34, inclusive (Recommendation No. 47 of the Office of Petroleum Coordinator for National Defense (7 F.R. 3489, 3783)), are hereby revoked, effective immediately.

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3687)

Issued this 23d day of June 1944.

RALPH K. DAVIES,
Deputy Petroleum
Administrator for War.

[F. R. Doc. 44-9146; Filed, June 23, 1944;
10:46 a. m.]

Chapter XIV—War Contracts Price
Adjustment Board

RENEGOTIATION REGULATIONS

The changes and additions to Parts 1603, 1607, and 1608 set forth below are also contained in Revision 7 of the Renegotiation Regulations, dated June 9, 1944.

JOSEPH M. DODGE,
Chairman.

PART 1603—DETERMINATION OF RENEGOTIABLE BUSINESS AND COSTS¹

SUBPART B—METHODS FOR SEGREGATING SALES BETWEEN RENEGOTIABLE AND NON-RENEGOTIABLE BUSINESS

Section 1603.324 is added, as set forth below.

§ 1603.324 Segregation and exclusion of exempt contracts. Sales and costs allocable to any contract or portion thereof

¹ 9 F.R. 6158.

which is exempt from renegotiation under subsection (1) (1) of the 1943 act, or which is exempted from renegotiation under subsection (1) (4) of the 1943 act, shall be entirely excluded from consideration in determining whether excessive profits have been realized and the amount thereof. However, sales allocable to such contracts shall not be excluded in determining whether the contractor is subject to renegotiation under subsection (c) (6) of the 1943 act. [RR 324]

SUBPART D—MANDATORY EXEMPTIONS AND EXCLUSIONS FROM RENEGOTIATION

Section 1603.340 is amended to read as follows:

§ 1603.340 Scope of subpart. The preceding subpart deals with the general interpretation of the coverage of the Renegotiation Act of 1943 and with the meaning of the terms "contract" and "subcontract" as used in the act. The act contains various specific exemptions and exclusions of mandatory character, which are found in subsections (1) and (c) (6) of the act. These exemptions and exclusions will be outlined in this subpart. Permissive exemptions are covered by the succeeding Subpart E of this part. Exempt contracts are excluded from consideration in determining whether excessive profits have been realized and the amount thereof, but are not excluded in determining whether the contractor is subject to renegotiation under subsection (c) (6). (See § 1603.324.) [RR 340]

Section 1603.344 (b) (2) is amended to read as follows:

§ 1603.344 Contracts and subcontracts for certain raw materials and agricultural commodities. * * *

(b) Agricultural commodities. * * *

(2) Interpretation and application of exemption—(i) Applicability. This provision of the 1943 act is retroactive as if it were a part of the Renegotiation Act on the date of its enactment, April 28, 1942.

(ii) Interpretation. The purpose of this provision is to exempt from renegotiation farmers, fruit growers, livestock raisers, fishermen and other basic producers of agriculture commodities and those who trade in such products or handle or transport them without processing them; it is not intended to exempt canners, processors, manufacturers and others who acquire products of this type from the basic producer and process them to a higher form or state. In order to qualify for exemption the product contracted for must be an agricultural commodity in its raw or natural state, or if such a commodity is not customarily sold or does not have an established market in its raw or natural state in the first form or state beyond the raw or natural state in which it is customarily sold or in which it has an established market.

(iii) Application. A commodity will be deemed to be an agricultural commodity in its raw or natural state only so long as it has not undergone some process of treatment or fabrication. In the case of fruits, vegetables and other

like products this state does not ordinarily extend beyond the state in which such products are harvested. In the case of livestock, it terminates at the time the animal is slaughtered. Where an agricultural commodity is not customarily sold or does not have an established market in its raw or natural state as above defined and is no longer in such state the exempt status of such commodity will terminate with the state in which the commodity is first customarily sold or has an established market, and, with the exception of the produce of live animals which are specifically exempted, the exemption will not apply to any derivative products which are derived from such commodity in the state in which it is first sold, whether as a result of division, separation or further treatment or processing. For the purposes of determining whether an agricultural commodity is customarily sold or has an established market, regard will be given to the entire field in which such commodity is produced or marketed rather than to sectional or local practices; and varieties, types or classes of the commodity will be disregarded. Profits or losses from sales of agricultural commodities in their exempt form or state, including sales of futures in such commodities, are excluded from consideration in renegotiation. The War Contracts Price Adjustment Board has determined the form or state at which the exemption terminates in the case of each of the agricultural commodities set forth in § 1608.844 and will continue to determine and publish from time to time additions to this list. [RR 344.2]

SUBPART E—PERMISSIVE EXEMPTIONS FROM RENEGOTIATION

Section 1603.350 is amended to read as follows:

§ 1603.350 *Scope of subpart.* The preceding subpart deals with mandatory exemptions and exclusions from the operation of the Renegotiation Act of 1943. The act contains certain provisions authorizing the War Contracts Board, or persons to whom its authority shall be delegated, to exempt other contracts and subcontracts from the operation of the act. This subpart will deal with these permissive exemptions. Such exempted contracts are excluded from consideration in determining whether excessive profits have been realized and the amount thereof, but are not excluded in determining whether the contractor is subject to renegotiation under subsection (c) (6). (See § 1603.324.) [RR 350]

SUBPART H—COSTS ALLOCABLE AND ALLOWABLE AGAINST RENEGOTIABLE BUSINESS

Subparagraphs (1) and (3) of § 1603.381 (d) are amended to read as follows:

§ 1603.381 *Statutory provisions and general regulations.* * * *

(d) *Profit, cost allocation and allowance; general—(1) Profit.* The term "profits derived from contracts with the departments and subcontracts" is defined by the act as the excess of the amount received or accrued under contracts and subcontracts over the costs paid or incurred with respect thereto. The term "costs" includes sell-

ing, general and administrative expenses. In connection with renegotiation on an over-all fiscal-year basis income received or accrued and items of cost paid or incurred will be considered as having been received or accrued or paid or incurred in the fiscal year to which such items are to be attributed in accordance with the method of accounting employed by the contractor or subcontractor in keeping his books. The method of accounting employed in determining the net income of the contractor or subcontractor for Federal income tax purposes shall be deemed to be the method of accounting employed by him in keeping his books. When the contractor requests that renegotiation be conducted on a completed contract basis, receipts and accruals and costs paid or incurred will be determined in accordance with the method agreed upon in connection with the granting of such request.

(3) *Tax deductions.* Costs allocable to renegotiable business shall be determined in accordance with the principles set forth above. Where the full amount of an item of cost is allocable to renegotiable business, it shall be allowed in the amount estimated by the War Contracts Board, or any agency to which its functions are delegated, to be allowable as a deduction or exclusion under Chapters 1 and 2E of the Internal Revenue Code. No such item of cost shall be allowed in an amount less than or in excess of that which is estimated to be deductible or excludible from income under the Internal Revenue Code, and all items of cost shall be attributed to the fiscal year in which they are allowable in the determination of taxable income under said Code. Where only a portion of an item of cost is allocable to renegotiable business, the War Contracts Board, or any agency to which its functions have been delegated, shall estimate the total amount allowable to the contractor, as a deduction or exclusion under Chapters 1 and 2E of the Internal Revenue Code and the portion of this estimated amount which is allocable to renegotiable business in accordance with the principles set forth above shall be allowed as a cost of renegotiable business. Where it is clear that a contractor's deductions and exclusions under the Internal Revenue Code result in allowable costs of renegotiable business which are either high or low on a comparative basis, this circumstance shall be considered in connection with the factor of the "reasonableness of costs" of the contractor and the determination of the amount of the profit adjustment to be required of the contractor. [RR 381.4]

PART 1607—FORMS FOR RENEGOTIATION¹

SUBPART E—FORMS OF REPORTS

Section 1607.752 (b) (3) is amended to read as follows:

§ 1607.752 *Statement to be furnished contractor.* * * *

(b) *Form of statement and specific instructions as to its preparation (statutory).* * * *

(3) *Summary of the relevant facts—(1) Financial comparisons.* (a) There shall

be made part of this statement comparative financial statements of the contractor which may be in the form of exhibits attached to the statement. If exhibits are used, they should be described and referred to in this part of the statement.

(b) Comparative balance sheets prepared from those furnished by the contractor, as of the end of the fiscal year 1936 and of each fiscal year thereafter up to and including the fiscal year under review, shall be included.

(c) Comparative income statements for the same fiscal periods shall be included.

(d) The statements shall be supplemented by such statistical data related to the fiscal periods as may be deemed pertinent to the renegotiation.

(e) Any disallowance (or additional allowance) as compared with costs shown on the contractor's books shall be indicated.

(f) The financial comparison referred to in subdivisions (b) and (c) may be omitted in the discretion of the Department giving a statement furnished after a determination by agreement. In such case, the statement should refer to Exhibit A to the renegotiation agreement (see § 1607.741 (c)) and also to the contractors annual earnings before taxes for the fiscal year 1936 and for each fiscal year thereafter up to and including the fiscal year under review, to the extent that such information is available and pertinent. When the statement is furnished after a determination by agreement, documentary information furnished by the contractor and properly identified, relating to the financial comparison referred to in subdivisions (b) and (c) may be incorporated by reference.

(g) In the case of a statement furnished after a determination by agreement or order, the financial comparison referred to in subdivisions (b) and (c) may be omitted to the extent information therefor is not made available to the renegotiating officials by the contractor.

(ii) *Other facts related to the determination.* The statutory factors required to be taken into consideration by subsection (a) (4) (A) of the Renegotiation Act of 1943 must receive consideration and the basic facts related thereto set forth, whether favorable or unfavorable to the contractor. The basic facts will be those resulting from consideration of the data submitted or assembled for the purpose of the renegotiation. Any other facts considered and pertinent to the consideration of the determination shall also be set forth.

Section 1607.752 (c) is amended by the addition of subparagraphs (3) and (4) as set forth below:

(c) *Substitute paragraphs for the statement where statutory determination has not yet been made.* * * *

(3) *Summary of the relevant facts.* The instructions of paragraph (b) (3) of this section applicable to a statement after a determination by agreement apply also to a statement where a statutory determination has not yet been made. In such case, Exhibit A to the renegotiation agreement may be referred to as

a preliminary draft and submitted to the contractor in such form (see paragraph (b) (3) (vi)).

(4) *Reasons for the determination.* See paragraph (b) (4). [RR 752.3]

PART 1608—STATUTES, ORDERS, JOINT REGULATIONS AND DIRECTIVES¹

SUBPART D—EXEMPTIONS

Section 1608.841 (c) is amended to read as follows:

§ 1608.841 *Raw material exemption.* * * *

(c) This determination is made under the principles set forth in § 1603.344 (a) of this chapter, including subparagraph (2) (iv) thereof. The products listed under paragraph (a) of this section are exempt only when they represent products of a mine, oil or gas well, or other mineral or natural deposit, or timber, which have not been processed, refined or treated beyond the first form or state suitable for industrial use and are not exempt if manufactured from raw materials which do not fall within

the above description or which have at some prior stage been processed, refined or treated beyond such first form or state suitable for industrial use. For example, magnesium products derived from sea water, products manufactured from the atmosphere, secondary aluminum pigs and ingots, and other similar products are not considered exempted products.

Section 1608.844 is added as set forth below:

§ 1608.844 *List of exempted agricultural commodities.* Determination of the War Contracts Price Adjustment Board of the exemption from renegotiation of contracts and subcontracts for agricultural commodities under section 403 (i) (1) (C) of the Renegotiation Act of 1943.

(a) Pursuant to the authority conferred upon the War Contracts Price Adjustment Board by section 403 (i) (2) of the Renegotiation Act of 1943, the Board hereby determines that under subsection (i) (1) (C) of such section, relating to the exemption of contracts or subcontracts for agricultural commodities, the form or state indicated in the following list, is the last form or state at which the exemption applies:

Agricultural commodity:	Last form or state at which exemption is to apply:
Beans and peas, dry.....	Threshed.
Berries, edible.....	Fresh.
Cinchona bark.....	As bark (unprocessed).
Coffee.....	Beans (green).
Corn.....	As grain (shelled).
Cotton.....	Ginned (in the bale).
Cottonseed.....	Unprocessed (as they come from the gin).
Cream, fluid.....	As sold from farms (not pasteurized).
Eggs.....	In the shell (raw).
Fiber Flax Straw.....	Deseeded (baled or unbaled).
Flaxseed (linseed).....	As seed (unprocessed).
Fruits, edible.....	Fresh.
Gum opium.....	As gum in its natural state.
Hay.....	Baled or unbaled.
Hemp fiber.....	In bales.
Jute and sisal fiber.....	In bales.
Livestock.....	On the hoof.
Milk, raw fluid.....	As sold from farms (not pasteurized).
Peanuts.....	In the shell (raw).
Poultry.....	Alive.
Rice.....	Rough, unpolished (as it comes from the thresher).
Sugar beets.....	As beets.
Sugar cane.....	As cane.
Tobacco.....	Not processed beyond the form or state at which farmers ordinarily sell it.
Tree nuts, edible.....	In the shell (raw).
Vegetables.....	Fresh.
Wheat, rye, oats and barley.....	As threshed grain.
Wool.....	In the grease (as clipped from live animals).

has been filed with the Division of the Federal Register.

Order No. A-1 under § 1499.159b of Maximum Price Regulation No. 188 is amended in the following respects:

1. Paragraph (a) (10) is amended to read as follows:

(10) *Modification of maximum prices for cast-iron warm-air furnaces and steel warm-air furnaces and repair parts for such furnaces—(i) Scope of this subparagraph (10).* Maximum prices established by this subparagraph shall apply to cast-iron and steel warm-air furnaces and repair parts for such furnaces.

For the purpose of this subparagraph the term

"Cast-iron warm-air furnaces" means any direct coal-fired, gas-fired, oil-fired, or wood-fired central plant, warm-air heating unit made of cast-iron with a BTU output at the register or outlet of 900,000 or less which is designed for the purpose of heating the interior of any structure; commonly known as a gravity or forced warm-air furnace, for use with or without air distribution pipes.

"Steel warm-air furnaces" means any direct coal-fired, gas-fired, oil-fired or wood-fired central plant, warm-air unit, the heating surface of which is wholly or partially made of steel, with a BTU output at the register or outlet of 900,000 or less which is designed for the purpose of heating the interior of any structure, commonly known as a gravity or forced warm-air furnace, for use with or without air distribution pipes.

The terms "cast-iron warm-air furnace" and "steel warm-air furnace" do not include portable or fixed space heaters, domestic heating stoves, or floor furnaces, nor do they include accessories and appurtenances for such furnaces. The terms do, however, include trim for such furnaces.

"Accessories and appurtenances" include but are not limited to the following:

All automatic controls including thermostats and humidifier.

Cabinet blower unit complete, including—Cabinet.

Filter.

Blower drive motor.

Blower fan and housing.

Blower pulleys and belt.

Oil burner assembly complete, including controls.

Gas burner assembly complete, including regulator.

"Trim" includes but is not limited to—

The shaker.

The poker.

Hand controlled draft regulator.

Water pan.

Check damper.

(ii) *Maximum prices for manufacturers.* (a) On and after June 24, 1944, no manufacturer of cast-iron or steel warm-air furnaces or repair parts for such furnaces may sell, offer to sell, or deliver and no person may buy, offer to buy, or receive cast-iron or steel warm-air furnaces or repair parts for such furnaces at prices higher than the lowest published list price for each type and size of cast-iron or steel warm-air furnace and type of repair part for such furnaces in effect on August 4, 1943, plus 9 percent of such lowest published list price.

(b) This determination is made under the principles set forth in § 1603.344 (b) of this chapter including subparagraph (2) (ii) thereof.

(c) This determination applies to all receipts or accruals under any contract or subcontract for the commodities listed in paragraph (a) of this section regardless of the date when such contract or subcontract was made.

(d) This section may be amended from time to time, revising, amending or supplementing the list of exempted commodities contained in paragraph (a) hereof. [RR 844]

[F. R. Doc. 44-9139; Filed, June 22, 1944; 4:16 p. m.]

¹ 9 F.R. 4156, 6196.

Notices

OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Order A-1, Amdt. 42]

WARM AIR FURNACES AND FURNACE REPAIR PARTS

MODIFICATION OF MAXIMUM PRICES

Amendment No. 42 to Order A-1 under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

An opinion accompanying this Amendment, issued simultaneously herewith,

(b) The maximum prices fixed under (a) shall be subject to at least the same extension of cash, quantity, and other discounts, the same absorption of transportation charges, and the same rendition of services as the manufacturer extended, absorbed, or rendered or would have extended, absorbed, or rendered on comparable sales to purchasers of the same class during March 1942.

(iii) *Notification to purchasers by manufacturers.* All manufacturers selling cast-iron or steel warm-air furnaces or repair parts for such furnaces under the authority of this subparagraph (10) shall send the following notice to every purchaser of cast-iron or steel warm-air furnaces or repair parts for such furnaces at the time of the first billing:

Amendment No. 42 to Order A-1 under § 1499.159b of Maximum Price Regulation No. 188 granted us an increase in the maximum prices of cast-iron and steel warm-air furnaces and repair parts for such furnaces equal to 9 percent of our lowest established list price in effect on August 4, 1943, for each type and size of cast-iron and steel warm-air furnace and any type of repair part for such furnaces. The prices charged you for cast-iron or steel warm-air furnaces or repair parts are not higher than the maximum prices which are permitted to be charged you under the provisions of that Amendment. The Amendment further provides that any person purchasing cast-iron or steel warm-air furnaces or repair parts for such furnaces for resale in substantially the same form may increase his maximum price in effect on August 4, 1943, by the actual dollars-and-cents increase in cost to him resulting from the 9 percent increase.

This notice is given to you at the express direction of the Office of Price Administration.

(iv) Every person selling cast-iron or steel warm-air furnaces or repair parts for such furnaces under the authority of this subparagraph (10) shall forward to the Office of Price Administration, Building Materials Price Branch, Washington 25, D. C., within 15 days after June 24, 1944, unless previously submitted, catalogues, price books and discount sheets relative to cast-iron or steel warm-air furnaces and repair parts for such furnaces. Copies of all such catalogues, price books, and discount sheets issued at any time subsequent to June 24, 1944, shall be forwarded to the Office of Price Administration, Building Materials Price Branch, Washington 25, D. C., at least 5 days prior to the issuance thereof.

(v) *Maximum prices for persons other than manufacturers.* (a) On and after June 24, 1944, any person who purchases cast-iron or steel warm-air furnaces or repair parts for such furnaces for resale may increase his maximum price in effect on August 4, 1943, for each type and size of cast-iron and steel warm-air furnace or any repair part for such furnaces purchased under the authority of this subparagraph (10) by an amount equal to his actual dollars-and-cents increase in cost resulting from the 9 percent increase permitted under subdivision (ii).

(b) The maximum prices fixed under subdivision (a) shall be subject to at least the same extension of cash, quantity, and other discounts, the same absorption of transportation charges, and the same rendition of services which the

seller extended, absorbed, or rendered or would have extended, absorbed, or rendered on comparable sales to purchasers of the same class during March 1942.

(vi) *Definitions generally.* Unless the context requires otherwise, the definitions set forth in § 1499.163 of Maximum Price Regulation No. 188 or § 1499.20 of the General Maximum Price Regulation, whichever is applicable, shall apply to the terms used herein.

2. Paragraph (a) (17) is revoked.

This Amendment No. 42 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 23d day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9164; Filed, June 23, 1944;
11:40 a. m.]

Regional and District Office Orders.

[Region I Order G-70 Under MPR 122,
Amdt. 5]

SOLID FUELS IN HOLYOKE, MASS., AREA

Amendment No. 5 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 (5) containing Appendix 5, 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—(5) Appendix 5: Specified solid fuels, Holyoke, Massachusetts Area—(a) Maximum prices established by this Appendix 5.* This Appendix 5 establishes specific maximum prices for sales of Pennsylvania anthracite, Koppers Coke and Springfield Coke in the Holyoke, Massachusetts Area by dealers, and for specified services rendered by dealers in connection with the sale or handling of said solid fuel. 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 Holyoke, Massachusetts Area shall include the following cities and towns in the Commonwealth of Massachusetts: Belchertown, Chicopee, Granby, Holyoke and South Hadley. 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 Holyoke, Massachusetts Area:

Kind and size	Per net ton	Per ½ ton	Per ¼ ton
Pennsylvania Anthracite:			
Broken, egg, stove and chestnut.	\$16.35	\$8.45	\$4.40
Pea.	14.80	7.65	4.00
Buckwheat.	12.15	6.35	3.35
Rice.	10.85	5.70	3.00
Yard Screenings.	4.00		
Coke—Koppers and Springfield:			
Egg, stove and chestnut.	16.05	8.30	4.25

(2) *Maximum authorized service and deposit charges.* (a) The maximum prices per 100 pounds include carrying or wheeling to buyer'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 buyer'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 carriers up or down flights of stairs.	\$0.50	\$0.25	\$0.15
For any carry up or down flights of stairs, per flight.	.25	.15	.10

(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 Holyoke, 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.	\$15.35	\$7.95	\$4.15	\$0.85
Pea.	13.80	7.15	3.75	.80
Buckwheat.	11.15	5.85	3.10	.65
Rice.	9.85	5.20	2.75	.60
Yard screenings.	2.50			
Coke: Koppers and Springfield: Egg, stove and chestnut.	15.05	7.80	4.00	.85

(2) *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 sale; sales to consumers.* If payment is made by the buyer within 10 days after receipt of the fuel, the maximum prices set forth in subparagraphs (b) and (c) shall, except in the case of Pennsylvania Anthracite yard screenings, be reduced by \$1.00 per ton or by 50 cents per half-ton, which reductions are "cash discounts". No further discount is required for cash on delivery, and no "cash discount" is required on sales of Pennsylvania Anthracite yard screenings, or on any sales of less than a half-ton. If payment is not required or made at the time of delivery or (except in the cases of yard screenings and less than half-ton lots) within 10 days thereafter, 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 Holyoke, 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.	\$13.35	\$6.70	\$3.35
Pea	11.80	5.90	2.95
Buckwheat	9.15	4.60	2.30
Rice	7.85	3.95	2.00
Coke—Koppers and Springfield:			
Egg, stove and chestnut	13.05	6.55	3.30

(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

This Amendment No. 5 shall become effective June 23, 1944.

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

Issued this 14th day of June 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-9079; Filed, June 21, 1944;
4:29 p. m.]

[Region II Order G-39 Under RMPR 122]

SOLID FUELS IN NEW JERSEY

Order No. G-39 under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Pennsylvania anthracite delivered by dealers in Hunterdon and Warren Counties and all of Somerset County except the Boroughs of North Plainfield and Watchung, State of New Jersey, Coal Area XI.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does—(1) Dealers' maximum prices; area covered.* If you are a dealer in "Pennsylvania anthracite," this order fixes the maximum prices which you may charge, and if you are a purchaser in the course of trade or business, this order fixes the maximum prices which you may pay, for certain sizes and quantities of "Pennsylvania anthracite" (hereinafter called simply "anthracite") delivered to or at any point in the zones comprising State of New Jersey, Coal Area XI. That area consists of two zones, as follows:

Zone 1. Zone 1 includes all of Somerset County except the boroughs of North Plainfield and Watchung, in the State of New Jersey.

Zone 2. Zone 2 includes all of Hunterdon County and Warren County, in the State of New Jersey.

(2) *Schedules of prices, charges and discounts.* The applicable prices, authorized charges, and required discounts, from which you shall determine the maximum prices for designated sizes and quantities of anthracite delivered within Zones 1 and 2 are set forth in Schedules I and II.

(3) *To what sales this order applies.* If you are a dealer in anthracite, you are bound by the prices, charges and discounts, and by all other provisions of this order for all deliveries within Zones 1 and 2.

You shall determine the maximum price for "direct-delivery" sales, as hereinafter defined, by reference to the appropriate schedule of this order covering the zone to which delivery is made, whether or not you are located in one of the two zones.

You shall determine your maximum price for a "yard" sale, as hereinafter defined, by reference to the appropriate schedule of this order covering the zone in which the purchaser takes physical possession or custody of the anthracite.

(b) *What this order prohibits.* Regardless of any contract or other obligations, you shall not:

(1) Sell or, in the course of trade or business, buy anthracite of the sizes and in the quantities set forth in the schedules herein, at prices higher than the maximum prices computed as set forth in paragraph (c) of this order, although you may charge, pay or offer less than maximum prices.

(2) Obtain any price higher than the applicable maximum price by:

(i) Changing the discounts authorized herein, or

(ii) Charging for any service which is not expressly requested by the buyer, or

(iii) Charging for any service for which a charge is not specifically authorized by this order, or

(iv) Charging a price for any service higher than the schedule price for such service, or

(v) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(vi) Using any other device by which a higher price than the applicable maximum price is obtained, directly or indirectly.

(c) *How to compute maximum prices.* You must figure your maximum prices as follows:

(1) *Use the schedule which covers your sale.* (Schedule I applies to sales on a "direct-delivery" basis and "yard sales" within Zone 1. You will find Schedule I in paragraph (d). In like manner, Schedule II applies to similar sales in Zone 2. You will find Schedule II in paragraph (e).)

(2) Take the dollars-and-cents figure set forth in the applicable table of the applicable schedule, for the sizes and quantity you are selling.

(3) Deduct from that figure the amount of the discount which you are required to give, as specified therein. Where a discount is required, you must state it separately on your invoice.

(4) If, at your purchaser's request, you actually render him a service for which this order authorizes a charge, you may add to the figure obtained as above, no more than the maximum authorized service charge. You must state that charge separately on your invoice. The only authorized service charges are those provided for in the schedules.

(d) *Schedule I.* Schedule I establishes specific maximum prices for certain sizes of anthracite in certain specific quantities, delivered to or at any point within Zone 1. There is a separate table of prices for "direct-delivery" sales and "yard sales".

(1) *Sales on a "direct-delivery" basis.*
For Sales of Anthracite of the Sizes and in the Quantities Specified

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more but less than ¼ ton
Broken, egg, stove, nut.	\$13.15	\$7.10	\$3.60	\$0.85
Pea	11.55	6.30	3.20	.75
Buckwheat	10.35	5.70	2.90	
Rice	9.55	5.30	2.70	
Barley	8.55	4.80	2.45	
Screenings	4.00			

Required discounts. You shall deduct from the prices set forth in table (1) of this schedule, on sales and deliveries of all sizes except screenings, in quantities of one ton or more, a discount of 50¢ per net ton where payment is made within ten days after delivery. Nothing herein requires you to sell on other than a cash basis.

Maximum Authorized Service Charges

Special service rendered at the request of the purchaser	Cents per net ton
"Carry" or "wheel" (except for sales amounting to less than one ton)	50
Carrying upstairs or downstairs, for each full flight above or below the ground floor (except for sales amounting to less than one ton). This charge shall be in addition to any charge for "carry" or "wheel"	50

(2) *"Yard sales."*

For Sales of Anthracite of the Sizes and in the Quantities Specified

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more but less than ¼ ton
Broken, egg, stove, nut.	\$12.15	\$6.00	\$3.35	\$0.75
Pea	10.55	5.80	2.95	.65
Buckwheat	9.35	5.20	2.65	
Rice	8.55	4.80	2.45	
Barley	7.55	4.30	2.20	
Screenings	3.00			

(e) *Schedule II.* Schedule II establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 2. There is a separate table of prices for "direct-delivery" sales and "yard sales."

(1) *Sales on a "direct-delivery" basis.*

For Sales of Anthracite of the Sizes and in the Quantities Specified

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more but less than ¼ ton
Broken, egg, stove, nut.	\$12.75	\$6.90	\$3.50	\$0.85
Pea	11.00	6.00	3.05	.75
Buckwheat	9.25	5.15	2.60	
Rice	8.20	4.60	2.35	
Barley	7.20	4.10	2.10	
Screenings	4.00			

Required discounts. You shall deduct from the prices set forth in table (1) of this schedule, on sales and deliveries of all sizes except screenings, in quantities of one ton or more, a discount of 50¢ per net ton where payment is made within ten days after delivery. Noth-

ing herein requires you to sell on other than a cash basis.

Maximum Authorized Service Charges

Special service rendered at the request of the purchaser	Cents per net ton
"Carry" or "Wheel" (except for sales amounting to less than one ton)	50
Carrying upstairs or downstairs, for each full flight above or below the ground floor (except for sales amounting to less than one ton). This charge shall be in addition to any charge for "carry" or "wheel"	50

(2) *"Yard sales."*

For Sales of Anthracite of the Sizes and in the Quantities Specified

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more but less than ¼ ton
Broken, egg, stove, nut.	\$11.75	\$6.40	\$3.25	\$0.75
Pea	10.00	5.50	2.80	.65
Buckwheat	8.25	4.65	2.35	
Rice	7.20	4.10	2.10	
Barley	6.20	3.60	1.85	
Screenings	3.00			

(f) *Commingling.* If you sell one size of anthracite, commingled with another size of anthracite, your maximum price for the combination shall be the maximum price established in this order for the smallest of the sizes so commingled, whether the sale be a "direct-delivery" sale or "yard sale", except in the following situation. Where a purchaser requests that two or more sizes of anthracite be commingled in one delivery, then, and in that event, if those sizes are separately weighed at the point of loading, the dealer may commingle those sizes in the truck or other vehicle in which the delivery is made. The price for anthracite so commingled shall be calculated on the basis of the applicable per net ton price for each size in the combination, and the invoice shall separately state the price, so determined, for the quantity of each size in the combination.

(g) *Ex parte 148; freight rate increase.* Since the Ex Parte 148 Freight Rate Increase has been rescinded by the Interstate Commerce Commission, dealers' freight rates are the same as those of December 1941. Therefore, you may not increase any schedule price on account of freight rates.

(h) *Addition of increase in suppliers' maximum prices prohibited.* You may not increase the specific maximum prices established by this order to reflect, in whole or in part, any subsequent increase to you in your supplier's maximum price for the same fuel. The specific maximum prices already reflect increases to you in your supplier's maximum prices occurring up to the effective date of this order. If increases in your supplier's maximum prices should occur after such date, as the result of any amendment to or revision of a maximum price regulation issued by the Office of Price Administration governing sales and deliveries made by such suppliers, the Regional Administrator will, if he then deems it to be warranted, take appropriate action to

amend this order to reflect such increases.

(i) *Taxes.* If you are a dealer subject to this order, you may collect, in addition to the specific maximum prices established herein, provided you state it separately, the amount of the Federal tax upon the transportation of property imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by you, or an amount equal to the amount of such tax paid by any of your prior suppliers and separately stated and collected from you by the supplier from whom you purchased. On sales to the United States or any agency thereof, or to the State of New Jersey or any political subdivision thereof, you need not state this tax separately.

(j) *Adjustable pricing.* You may not make a price adjustable to a maximum price which will be in effect at some time after delivery of the anthracite has been completed; but the price may be adjustable to the maximum price in effect at the time of delivery.

(k) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

(l) *Right of amendment or revocation.* The Regional Administrator or the Price Administrator may amend, revoke or rescind this order, or any provision thereof, at any time.

(m) *Applicability of other regulations.* If you are a dealer subject to this order, you are governed by the licensing provisions of Licensing Order 1. Licensing Order 1 provides, in brief, that a license is required of all persons making sales for which maximum prices are established. A license is automatically granted. It is not necessary to apply for a license. The license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If your license is suspended, you may not sell any such commodity during the period of suspension.

(n) *Records.* If you are a dealer subject to this order, you shall preserve, keep, and make available for examination by the Office of Price Administration, a record of every sale of anthracite hereunder, showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also state separately each service rendered and the charge made for it.

(o) *Posting of maximum prices; sales slips and receipts.* (1) If you are a dealer subject to this order, you shall post all your maximum prices (as set forth in the applicable schedule or schedules of this order) in your place of business in a manner plainly visible to and understandable by the purchasing public.

(2) If you are a dealer subject to this order, you shall, except for a sale of less than one-half ton, give each purchaser

a sales slip or receipt showing your name and address, the kind, size, and quantity of the anthracite sold to him, the date of the sale or delivery and the price charged, separately stating the amount, if any, of the required discounts which must be deducted from, and the authorized service charges and the taxes which may be added to the specific maximum prices prescribed herein.

In the case of all other sales, you shall give each purchaser a sales slip or receipt containing the information described in the foregoing paragraph, if requested by such purchaser or if, during December 1941, you customarily gave purchasers such sales slips or receipts.

(p) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Trenton District Office of the Office of Price Administration, or with the Price Panel of the appropriate War Price and Rationing Board.

(r) *Definitions and explanations.* When used in this Order No. G-39, the term: (1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling anthracite of the sizes set forth in the schedules herein, and does not include a producer or distributor making sales at or from a mine, a preparation plant operated as an adjunct of any mine, or a briquette plant.

(4) "Pennsylvania anthracite" means all coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(5) The sizes of "Pennsylvania anthracite" described as broken, egg, stove, nut, pea, buckwheat, rice, barley and screenings shall refer to the same sizes of the same fuel as were sold and delivered in the State of New Jersey, Coal Area XI 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.

(6) "Direct-delivery", except with respect to sales in 100 lb. lots, means delivery to the buyer's bin or storage space by dumping or chuting directly from the seller's truck or vehicle, or, where such delivery to the buyer's bin or storage space is physically impossible, by dis-

charging at the point nearest and most accessible to the buyer's bin or storage space and at which the coal can be discharged directly from the seller's truck. "Direct-delivery" in 100 lb. lots shall mean depositing in buyer's bin or other storage space designated by buyer.

(7) "Carry" and "wheel" refer to the movement of coal to buyer's bin or storage space in baskets or other containers, or by wheelbarrow or barrel, from seller's truck or vehicle, or from the point nearest and most accessible to the buyer's bin or storage space at which the coal is discharged from the seller's truck in the course of "direct delivery."

(8) "Yard sales" means sales accompanied by physical transfer to the buyer's truck or vehicle at the yard, dock, barge, car, or at a place of business of the seller other than at seller's truck or vehicle.

(9) Except as otherwise provided herein, or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to terms used herein.

(s) *Effect of order on Revised Maximum Price Regulation No. 122.* This order shall supersede Revised Maximum Price Regulation No. 122, except as to any sales or deliveries of solid fuels not specifically subject to this order.

Effective date. This order shall become effective June 11, 1944.

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

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

Issued this 7th day of June 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-9078; Filed, June 21, 1944;
4:29 p. m.]

[Region II Order G-42 Under RMPR 122]

SOLID FUELS IN ORANGE AND ROCKLAND
COUNTIES, N. Y.

Order No. G-42 under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Pennsylvania anthracite delivered by dealers in Orange and Rockland Counties. State of New York, Coal Area VIII.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does—*(1) *Dealers' maximum prices; area covered.* If you are a dealer in "Pennsylvania anthracite", this order fixes the maximum prices which you may charge, and if you are a purchaser in the course of trade or business, this order fixes the maximum prices which you may pay, for certain sizes and quantities of "Pennsylvania anthracite" (hereinafter called

simply "anthracite") delivered to or at any point in the zones comprising State of New York, Coal Area VIII. That area consists of three zones, as follows:

Zone 1 Zone 1 includes the City of Newburgh and the Towns of Newburgh, New Windsor, and Cornwall in Orange County.

Zone 2 Zone 2 includes all of Orange County not included in Zone 1.

Zone 3 Zone 3 includes all of Rockland County.

(2) *Schedules of prices, charges and discounts.* The applicable prices, authorized charges, and required discounts, from which you shall determine the maximum prices for designated sizes and quantities of anthracite delivered within Zones 1, 2, and 3 are set forth in Schedules I, II, and III, respectively.

(3) *To what sales this order applies.* If you are a dealer in anthracite, you are bound by the prices, charges and discounts, and by all other provisions of this order for all deliveries within Zones 1, 2 and 3.

You shall determine the maximum price for "direct-delivery" sales, as hereinafter defined, by reference to the appropriate schedule of this order covering the zone to which delivery is made, whether or not you are located in one of the three zones.

You shall determine your maximum price for a "yard" sale, as hereinafter defined, by reference to the appropriate schedule of this order covering the zone in which the purchaser takes physical possession or custody of the anthracite.

(b) *What this order prohibits.* Regardless of any contract or other obligations, you shall not

(1) Sell or, in the course of trade or business, buy anthracite of the sizes and in the quantities set forth in the schedules herein, at prices higher than the maximum prices computed as set forth in paragraph (c) of this order, although you may charge, pay or offer less than maximum prices.

(2) Obtain any price higher than the applicable maximum price by:

(i) Changing the discounts authorized herein, or

(ii) Charging for any service which is not expressly requested by the buyer, or

(iii) Charging for any service for which a charge is not specifically authorized by this order, or

(iv) Charging a price for any service higher than the Schedule price for such service, or

(v) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(vi) Using any other device by which a higher price than the applicable maximum price is obtained, directly or indirectly.

(c) *How to compute maximum prices.* You must figure your maximum prices as follows:

(1) *Use the schedule which covers your sale.* Schedule I applies to sales on a "direct-delivery" basis and "yard sales" within Zone 1. You will find

Schedule I in paragraph (d). In like manner, Schedules II and III apply to similar sales in Zones 2 and 3 respectively. You will find Schedule II in paragraph (e) and Schedule III in paragraph (f).

(2) Take the dollars-and-cents figure set forth in the applicable table of the applicable schedule, for the sizes and quantity you are selling.

(3) Deduct from that figure the amount of the discount, if any, which you are required to give, as specified therein. Where a discount is required, you must state it separately on your invoice.

(4) If, at your purchaser's request, you actually render him a service for which this order authorizes a charge, you may add to the figure obtained as above no more than the maximum authorized service charge. You must state that charge separately on your invoice. The only authorized service charges are those provided for in the schedules.

(d) *Schedule I.* Schedule I establishes specific maximum prices for certain sizes of anthracite in certain specific quantities, delivered to or at any point within Zone 1. There is a separate table of prices for "direct-delivery" sales and "yard" sales.

(1) *Sales on a "direct delivery" basis.*

For Sales of Anthracite of the Sizes and in the Quantities Specified

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more but less than ¼ ton
Broken, egg, stove, nut.	\$12.75	\$6.80	\$3.50	\$0.85
Pea	11.20	6.00	3.10	.75
Buckwheat	9.80	5.30	2.75	
Rice	8.75	4.80	2.50	
Barley	7.75	4.30	2.25	
Screenings	4.00			

Maximum Authorized Service Charges

Special service rendered at the request of the purchaser	Cents per net ton
"Carry" or "wheel" (in quantities of one ton or more)	75
Carrying upstairs or downstairs, for each floor above or below the ground floor (in quantities of one ton or more). This charge shall be in addition to any charge for "carry" or "wheel"	50
For deliveries involving hauling beyond five miles from the dealer's yard (in quantities of one ton or more)	150

¹ For each five miles or fraction thereof beyond five miles from the dealer's yard.

(2) *"Yard sales".*

For Sales of Anthracite of the Sizes and in the Quantities Specified

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more but less than ¼ ton
Broken, egg, stove, nut.	\$11.75	\$6.30	\$3.25	\$0.75
Pea	10.20	5.50	2.85	.65
Buckwheat	8.80	4.80	2.50	
Rice	7.75	4.30	2.25	
Barley	6.75	3.80	2.00	
Screenings	3.00			

(e) *Schedule II.* Schedule II establishes specific maximum prices for certain sizes of anthracite, in certain specific

quantities, delivered to or at any point within Zone 2. There is a separate table of prices for "direct-delivery" sales and "yard sales".

(1) *Sales on a "direct-delivery" basis.*

For Sales of Anthracite of the Sizes and in the Quantities Specified

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more but less than ¼ ton
Broken, egg, stove, nut.	\$13.40	\$7.10	\$3.65	\$0.85
Pea	11.75	6.30	3.25	.75
Buckwheat	9.90	5.35	2.80	
Rice	8.85	4.85	2.50	
Barley	7.85	4.35	2.25	
Screenings	4.00			

Required discounts. You shall deduct from the prices set forth in table (1) of this schedule, on sales and deliveries of all sizes except screenings, in quantities of one ton or more, a discount of 75¢ per net ton where payment is made within ten days after delivery. Nothing herein requires you to sell on other than a cash basis.

Maximum Authorized Service Charges

Special service rendered at the request of the purchaser	Cents per net ton
"Carry" or "wheel" (in quantities of one ton or more)	75
Carrying upstairs or downstairs for each floor above or below the ground floor (in quantities of one ton or more). This charge shall be in addition to any charge for "carry" or "wheel"	25
For deliveries involving hauling beyond five miles from the dealer's yard (in quantities of one ton or more)	150

¹ For each 5 miles or fraction thereof beyond 5 miles from the dealer's yard.

(2) *"Yard sales".*

For Sales of Anthracite of the Sizes and in the Quantities Specified

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more but less than ¼ ton
Broken, egg, stove, nut.	\$12.15	\$6.45	\$3.35	\$0.75
Pea	10.50	5.65	2.95	.65
Buckwheat	8.65	4.70	2.45	
Rice	7.60	4.20	2.20	
Barley	6.60	3.70	1.95	
Screenings	3.00			

(f) *Schedule III.* Schedule III establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 3. There is a separate table of prices for "direct-delivery" sales and "yard sales".

(1) *Sales on a "direct-delivery" basis.*

For Sales of Anthracite of the Sizes and in the Quantities Specified

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more but less than ¼ ton
Broken, egg, stove, nut.	\$13.60	\$7.30	\$3.90	\$0.90
Pea	12.05	6.50	3.50	.80
Buckwheat	10.40	5.70	3.10	
Rice	9.00	5.30	2.90	
Barley	8.00	4.80	2.65	
Screenings	4.00			

Required discounts. You shall deduct from the prices set forth in table (1) of this schedule on sales and deliveries of all sizes except screenings, in quantities of one ton or more, a discount of 50¢ per net ton where payment is made within ten days after delivery. Nothing herein requires you to sell on other than a cash basis.

Maximum Authorized Service Charges

Special service rendered at the request of the purchaser	Cents per net ton
"Carry" or "wheel" (in quantities of one ton or more)	75
Carrying upstairs or downstairs, for each floor above or below the ground floor (in quantities of one ton or more). This charge shall be in addition to any charge for "carry" or "wheel"	50

(2) *"Yard sales".*

For Sales of Anthracite of the Sizes and in the Quantities Specified

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more but less than ¼ ton
Broken, egg, stove, nut.	\$12.60	\$6.80	\$3.65	\$0.80
Pea	11.05	6.00	3.25	.70
Buckwheat	9.40	5.20	2.85	
Rice	8.60	4.80	2.65	
Barley	7.60	4.30	2.40	
Screenings	3.00			

Required discounts. You shall deduct from the prices set forth in table (2) of this schedule, on sales and deliveries of all sizes except screenings, in quantities of one ton or more, a discount of 50¢ per net ton where payment is made within ten days after delivery. Nothing herein requires you to sell on other than a cash basis.

(g) *Commingleing.* If you sell one size of anthracite, commingled with another size of anthracite, your maximum price for the combination shall be the maximum price established in this order for the smallest of the sizes so commingled, whether the sale be a "direct-delivery" sale or "yard sale", except in the following situation. Where a purchaser requests that two or more sizes of anthracite be commingled in one delivery, then, and in that event, if those sizes are separately weighed at the point of loading, the dealer may commingle those sizes in the truck or other vehicle in which the delivery is made. The price for anthracite so commingled shall be calculated on the basis of the applicable per net ton price for each size in the combination, and the invoice shall separately state the price, so determined, for the quantity of each size in the combination.

(h) *Ex parte 148; freight rate increase.* Since the Ex Parte 148 Freight Rate Increase has been rescinded by the Interstate Commerce Commission, dealers' freight rates are the same as those of December 1941. Therefore, you may not increase any schedule price on account of freight rates.

(i) *Addition of increase in suppliers' maximum prices prohibited.* You may not increase the specific maximum prices established by this order to reflect, in whole or in part, any subsequent increase to you in your supplier's maximum price for the same fuel. The specific

maximum prices already reflect increases to you in your supplier's maximum prices occurring up to the effective date of this order. If increases in your supplier's maximum prices should occur after such date, as the result of any amendment to or revision of a maximum price regulation issued by the Office of Price Administration governing sales and deliveries made by such suppliers, the Regional Administrator will, if he then deems it to be warranted, take appropriate action to amend this order to reflect such increases.

(j) *Taxes.* If you are a dealer subject to this order, you may collect, in addition to the specific maximum prices established herein, provided you state it separately, the amount of the Federal tax upon the transportation of property imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by you, or an amount equal to the amount of such tax paid by any of your prior suppliers and separately stated and collected from you by the supplier from whom you purchased. On sales to the United States or any agency thereof, or to the State of New York or any political subdivision thereof, you need not state this tax separately.

(k) *Adjustable pricing.* You may not make a price adjustable to a maximum price which will be in effect at some time after delivery of the anthracite has been completed; but the price may be adjustable to the maximum price in effect at the time of delivery.

(l) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

(m) *Right of amendment or revocation.* The Regional Administrator or the Price Administrator may amend, revoke or rescind this order, or any provision thereof, at any time.

(n) *Applicability of other regulations.* If you are a dealer subject to this order, you are governed by the licensing provisions of Licensing Order 1. Licensing Order 1 provides, in brief, that a license is required of all persons making sales for which maximum prices are established. A license is automatically granted. It is not necessary to apply for a license. The license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If your license is suspended, you may not sell any such commodity during the period of suspension.

(o) *Records.* If you are a dealer subject to this order, you shall preserve, keep, and make available for examination by the Office of Price Administration, a record of every sale of anthracite hereunder, showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also state separately each service rendered and the charge made for it.

(p) *Posting of maximum prices; sales slips and receipts.* (1) If you are a dealer subject to this order, you shall post all your maximum prices (as set forth in the applicable schedule or schedules of this order) in your place of business in a manner plainly visible to and understandable by the purchasing public.

(2) If you are a dealer subject to this order, you shall, except for a sale of less than one-half ton, give each purchaser a sales slip or receipt showing your name and address, the kind, size, and quantity of the anthracite sold to him, the date of the sale or delivery and the price charged, separately stating the amount, if any, of the required discounts which must be deducted from, and the authorized service charges and the taxes which may be added to the specific maximum prices prescribed herein.

In the case of all other sales, you shall give each purchaser a sales slip or receipt containing the information described in the foregoing paragraph, if requested by such purchaser, or if, during December 1941, you customarily gave purchasers such sales slips or receipts.

(q) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the New York District Office of the Office of Price Administration, or with the Price Panel of the appropriate War Price and Rationing Board.

(r) *Definitions and explanations.* When used in this Order No. G-42, the term:

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

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling anthracite of the sizes set forth in the schedule herein, and does not include a producer or distributor making sales at or from a mine, a preparation plant operated as an adjunct of any mine, or a briquette plant.

(4) "Pennsylvania anthracite" means all coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(5) The sizes of "Pennsylvania anthracite" described as broken, egg, stove, nut, pea, buckwheat, rice, barley and screenings shall refer to the same sizes of the same fuel as were sold and delivered in the State of New York, Coal Area VIII 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.

(6) "Direct-delivery," except with respect to sales in 100 lb. lots, means delivery to the buyer's bin or storage space by dumping or chuting directly from the seller's truck or vehicle, or, where such delivery to the buyer's bin or storage space is physically impossible, by discharging at the point nearest and most accessible to the buyer's bin or storage space and at which the coal can be discharged directly from the seller's truck. "Direct-delivery" in 100 lb. lots shall mean depositing in buyer's bin or other storage space designated by buyer.

(7) "Carry" and "wheel" refer to the movement of coal to buyer's bin or storage space in baskets or other containers, or by wheelbarrow or barrel, from seller's truck or vehicle, or from the point nearest and most accessible to the buyer's bin or storage space at which the coal is discharged from the seller's truck in the course of "direct delivery."

(8) "Yard sales" means sales accompanied by physical transfer to the buyer's truck or vehicle at the yard, dock, barge, car, or at a place of business of the seller other than at seller's truck or vehicle.

(9) Except as otherwise provided herein, or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to terms used herein.

(s) *Effect of order on Revised Maximum Price Regulation No. 122.* This order shall supersede Revised Maximum Price Regulation No. 122, except as to any sales or deliveries of solid fuels not specifically subject to this order.

Effective date. This order shall become effective June 11, 1944.

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

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

Issued this 7th day of June 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-9084; Filed, June 21, 1944; 4:26 p. m.]

[Region VII Order G-26 Under RMFR 122, Amdt. 3]

SOLID FUELS IN SPRINGVILLE-SPANISH
FORK, UTAH

Order No. G-26 under Revised Maximum Price Regulation No. 122, Amendment No. 3. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels when sold by dealers within specified trade areas in Region VII.

Pursuant to the Emergency Price Control Act of 1942, as amended, and §§ 1340.259 (a) and 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the accompanying opinion, this Amendment No. 3 to Order No. G-26 is issued.

6200 South Street; thence by a line extending west to 2700 East Street; thence by a line extending south to the southern boundary line of Salt Lake County; on the south by the southern boundary line of Salt Lake County, and on the west by 7200 West Street.

(2) *Specific maximum prices.* If you are a dealer and sell in the Salt Lake County Trade Area of the State of Utah, either f. o. b. your yard or delivered by truck direct from the mine or from your yard, any one or more of the kinds and sizes of coal named in this Appendix XXXIV, your maximum prices therefor are those set forth in Parts 1 and 2 of the following:

TABLE OF MAXIMUM PRICES

Kind and letter designation	Size	Part 1—delivered prices per ton	Part 2—yard prices		
			Ton	1/4-ton	100 pounds
Bituminous coal produced in District 20: Sub-district 1, Castlegate:	(A) #2, 8" and 10" lump	\$8.25	\$7.50	\$4.00	\$2.15
	(B) #3, 3" lump and 10" x 3" and 8" x 3"	8.10	7.35	3.95	2.10
	(C) #4, 1 1/4" lump	8.05	7.30	3.90	2.10
	(D) #7, 1 1/4" x 3" nut	7.75	7.00	3.75	2.00
	(E) #8, 1 1/4" x 1" pea	7.15	6.40	3.45	1.85
	(F) #9, 1" x 7/16" slack	7.00	6.25	3.40	1.80
	(G) #10, 1 1/4" x 0" slack	6.55	6.35	3.35	1.80
	Untreated	6.50	6.00	3.25	1.75
	Treated	6.40	5.90	3.20	1.75
	Untreated	6.15	5.15	3.10	1.65

4. Paragraph (q) of Order No. G-26 is amended by adding thereto Appendix XXXV, to read as follows:

APPENDIX XXXV—LEHI-LINDON TRADE AREA

(1) *To what sales this Appendix XXXV applies.* This Appendix XXXV applies only to sales made by dealers in the Lehi-Lindon Trade Area of the State of Utah, which means all that area bounded on the north by the southern boundary line of Salt Lake County, on the east by the foot of the Wasatch Mountains, on the south by a line drawn east and west through a point one-half mile south of the Town of Lindon, and on the west by Utah Lake and the River Jordan.

(2) *Specific maximum prices.* If you are a dealer and sell in the Lehi-Lindon Trade Area of the State of Utah, either f. o. b. your yard, or delivered by truck direct from the mine or from your yard, any one or more of the kinds and sizes of coal named in this Appendix XXXV, your maximum prices therefor are those set forth in Parts 1 and 2 of the following:

3. Paragraph (q) of Order No. G-26 is amended by adding thereto Appendix XXXIV, to read as follows:

APPENDIX XXXIV—SALT LAKE COUNTY TRADE AREA

(1) *To what sales this Appendix XXXIV applies.* This Appendix XXXIV applies only to sales made by dealers in the Salt Lake County Trade Area of the State of Utah, which means all that area bounded on the north by Thirty-third South Street, and on the east by Wasatch Boulevard South, from the point where it intersects Thirty-third South Street to the point where it intersects

TABLE OF MAXIMUM PRICES

Kind and letter designation	Size	Part 1—delivered prices per ton	Part 2—yard prices		
			Ton	1/4-ton	100 pounds
Bituminous coal produced in District 20: Sub-district 1, Castlegate:	(A) #2, 8" and 10" lump	\$8.25	\$7.50	\$4.00	\$2.15
	(B) #3, 3" lump and 10" x 3" and 8" x 3"	8.10	7.35	3.95	2.10
	(C) #4, 1 1/4" lump	8.05	7.30	3.90	2.10
	(D) #7, 1 1/4" x 3" nut	7.75	7.00	3.75	2.00
	(E) #8, 1 1/4" x 1" pea	7.15	6.40	3.45	1.85
	(F) #9, 1" x 7/16" slack	7.00	6.25	3.40	1.80
	(G) #10, 1 1/4" x 0" slack	6.55	6.35	3.35	1.80
	Untreated	6.50	6.00	3.25	1.75
	Treated	6.40	5.90	3.20	1.75
	Untreated	6.15	5.15	3.10	1.65

(3) *When delivery charge allowed.* A seller who makes delivery from his yard and not by truck direct from the mine to a point five miles or more distant from his yard may add to the applicable maximum price a delivery charge at the rate of 50¢ per ton.

(4) *Letter designation.* For record-keeping purposes, the letter designation hereinabove set forth may be used to show the kind of solid fuel sold.

(5) *Special service charges.* If, in connection with the sale and delivery of coal made by you in the Salt Lake County Trade Area, you, at the request of the purchaser, perform any one or more of the special services set forth below, the maximum prices which you may charge for such services are as follows:

	Per ton	Per 1/4-ton
"Wheel-in"	\$1.00	\$0.50
"Pull-back" or "trimming"	.25	.15
"Carrying up or down stairs"	1.00	.50

(d) Paragraph (3), "Specific maximum prices", is amended by deleting from the second line thereof the words "Springville Trade Area" and substituting therefor the words "Springville-Spanish Fork Trade Areas".

2. Paragraph (q) of Order No. G-26 is amended by adding thereto Appendix XXXIII to read as follows:

APPENDIX XXXIII—PAYSON TRADE AREA

(1) *To what sales this Appendix XXXIII applies.* This Appendix XXXIII applies only to sales made by dealers in the Payson Trade Area of the State of Utah, which means all that area contained within the corporate boundaries of the Town of Payson, Utah, and a distance of three miles beyond at all points.

(2) *Specific maximum prices.* If you are a dealer and sell in the Payson Trade Area of the State of Utah, either f. o. b. your yard, or delivered by truck direct from the mine or from your yard, any one or more of the kinds and sizes of coal named in this Appendix XXXIII, your maximum prices therefor are those set forth in Parts 1 and 2 of the following:

TABLE OF MAXIMUM PRICES

Kind and letter designation	Size	Part 1—delivered prices per ton	Part 2—yard prices		
			Ton	1/4-ton	100 pounds
Bituminous coal produced in District 20: Sub-district 1, Castlegate:	(A) #2, 8" and 10" lump	\$7.95	\$7.45	\$4.00	\$2.10
	(B) #3, 10" x 3" and 8" x 3" egg and 3" lump	7.80	7.30	3.90	2.05
	(C) #4, 1 1/4" lump	7.75	7.25	3.80	2.05
	(D) #7, 1 1/4" x 3" nut	7.15	6.65	3.60	1.90
	(E) #8, 1 1/4" x 1" pea	6.50	6.00	3.25	1.75
	Untreated	6.35	5.85	3.20	1.70
	(F) #9, 1" x 7/16" slack	6.50	6.00	3.25	1.75
	Untreated	6.35	5.85	3.20	1.70
	(G) #10, 1 1/4" x 0" slack	5.85	5.35	2.95	1.60
	Untreated	5.60	5.10	2.80	1.55

by you in the Payson Trade Area, you, at the request of the purchaser, perform any one or more of the special services set forth below, the maximum prices which you may charge for such services are as follows:

	Per ton	Per 1/4-ton
"Wheel-in"	\$1.00	\$0.50
"Pull-back" or "trimming"	.25	.15
"Carrying up or down stairs"	1.00	.50

TABLE OF MAXIMUM PRICES

Kind and letter designation	Size	Part 1—delivered prices per ton	Part 2—yard prices			
			Ton	½-ton	¼-ton	100 pounds
Bituminous coal produced in District 20:						
Sub-district 1, Castlegate:						
(A).....	#2—8" and 10" lump.....	\$8.05	\$7.55	\$4.05	\$2.15	\$0.50
(B).....	#3—3" lump and 10" x 3" and 8" x 3" egg.....	7.90	7.40	3.95	2.10	.50
(C).....	#4—1½" lump.....	7.85	7.35	3.95	2.10	.50
(D).....	#7—1½" x 3" nut.....	7.25	6.75	3.65	1.95	.40
(E).....	#8—1½" x 1" pea:					
	Treated.....	6.70	6.20	3.35	1.80	.40
	Untreated.....	6.55	6.05	3.30	1.75	.40
(F).....	#9—1" x ¾" slack:					
	Treated.....	6.70	6.20	3.35	1.80	.40
	Untreated.....	6.55	6.05	3.30	1.75	.40
(G).....	#10—1½" x 0" slack, #11—1" x 0" slack:					
	Treated.....	6.05	5.55	3.05	1.65	.40
	Untreated.....	5.80	5.30	2.90	1.60	.40

(3) *When delivery charge allowed.* A seller who makes delivery from his yard and not by truck direct from the mine to a point five miles or more distant from his yard may add to the applicable maximum price a delivery charge at the rate of 50¢ per ton.

(4) *Letter designation.* For record-keeping purposes, the letter designation hereinabove set forth may be used to show the kind of solid fuel sold.

(5) *Special service charges.* If, in connection with the sale and delivery of coal made by you in the Lehi-Lindon Trade Area, you, at the request of the purchaser, perform any one or more of the special services set forth below, the maximum prices which you may charge for such services are as follows:

	Per ton	Per ½-ton
"Wheel-in".....	\$1.00	\$0.50
"Pull-back" or "trimming".....	.25	.15
"Carrying up or down stairs".....	1.00	.50

5. Appendix XXIV is amended, revised, and rewritten to read as follows:

TABLE OF MAXIMUM PRICES

King and letter designation	Size	Part 1— Delivered Prices per ton	Part 2—Yard prices			
			Ton	½-ton	¾-ton	100 pounds
Bituminous coal produced in district 20:						
Sub-district 1, Castlegate:						
(A).....	#2—8" & 10" lump.....	\$7.95	\$7.45	\$4.00	\$2.10	\$0.50
(B).....	#3—10" x 3" and 8" x 3" egg and 3" lump.....	7.80	7.30	3.90	2.05	.50
(C).....	#4—1½" lump.....	7.75	7.25	3.90	2.05	.50
(D).....	#7—1½" x 3" nut.....	7.15	6.65	3.60	1.90	.40
(E).....	#8—1½" x 1" pea:					
	Treated.....	6.50	6.00	3.25	1.75	.40
	Untreated.....	6.35	5.85	3.20	1.70	.40
(F).....	#9—1" x ¾" slack:					
	Treated.....	6.50	6.00	3.25	1.75	.40
	Untreated.....	6.35	5.85	3.20	1.70	.40
(G).....	#10—1½" x 0" slack, #11—1" x 0" slack:					
	Treated.....	5.85	5.35	2.95	1.60	.40
	Untreated.....	5.60	5.10	2.80	1.55	.40

(4) *When delivery charge allowed.* A seller who makes delivery from his yard and not by truck direct from the mine to a point five miles or more distant from his yard may add to the applicable maximum price a delivery charge at the rate of 50¢ per ton.

(5) *Letter designation.* For record-keeping purposes, the letter designation hereinabove

set forth may be used to show the kind of solid fuel sold.

(6) *Special service charges.* If, in connection with the sale and delivery of coal made by you in the Provo-Orem Trade Area, you, at the request of the purchaser, perform any one or more of the special services set forth

below, the maximum prices which you may charge for such services are as follows:

	Per ton	Per ½-ton
"Wheel-in".....	\$1.00	\$0.50
"Pull-back" or "trimming".....	.25	.15
"Carrying up or down stairs".....	1.00	.50

6. *Effective date.* This Amendment No. 3 shall become effective on the 6th day of June 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 6th day of June 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44-9081; Filed, June 21, 1944; 4:30 p. m.]

[Region VII Order G-26 Under RMPR 122, Amdt. 4]

SOLID FUELS IN DENVER REGION

Order No. G-26 Under Revised Maximum Price Regulation No. 122, Amendment No. 4. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels when sold by dealers within specified trade areas in Region VII.

Pursuant to the Emergency Price Control Act of 1942, as amended, and § 1340.259 (a) and 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the accompanying opinion, this Amendment No. 4 to Order No. G-26 is issued.

1. Amendment No. 2 to Order No. G-26 effected certain price changes for Cerrillos Anthracite produced at Madrid, New Mexico, as set forth in lines (A), (B), (C), and (D) of Appendix I; and this Amendment No. 4 effects certain price changes for bituminous coal produced in District 18, Sub-district 1, Gallup, as set forth in lines (G), (H), and (I). Said Amendment No. 2 and this Amendment No. 4 are the only amendments that change or in any manner affect Appendix I.

2. Lines (G), (H), and (I), under Bituminous Coal produced in District 18, Sub-district 1, Gallup, are amended to read as follows:

SUB-DISTRICT 1, GALLUP

(G) #1—4" lump.....	\$11.60	\$6.05	\$11.10
(H) #3—1½" lump.....	11.25	5.90	10.75
(I) #4—8x2 egg.....	11.15	5.85	10.65

3. *Effective date.* This Amendment No. 4 shall become effective on the 7th day of June 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 7th day of June 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44-9080; Filed, June 21, 1944; 4:29 p. m.]

[Region VIII Rev. Order G-23 Under 18 (c)]

FRESH FRUITS AND VEGETABLES IN
CALIFORNIA

Revised Order No. G-23 under § 1499.18 (c) as amended of the General Maximum Price Regulation. Adjusted maximum prices for the transportation of certain fruits and vegetables by motor carriers other than common carriers.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) as amended of the General Maximum Price Regulation, *It is hereby ordered*, That Order No. G-23 under § 1499.18 (c) as amended of the General Maximum Price Regulation be amended and revised so as to read in its entirety as follows:

(a) The adjusted maximum prices which may be charged by any carrier other than a common carrier for the service of transporting by motor truck any of the fruits and vegetables listed in paragraph (b) when the point of origin and the point of destination are within the area described in paragraph (c), including the service of returning empty boxes to the point of origin, and including loading and unloading, shall be the rate specified in Appendix A attached hereto for the applicable distance between point of origin and point of destination and for the applicable weight of fruit or vegetables carried in the truck.

(b) This order shall apply to the hauling of peaches, pears, tomatoes, apricots, cherries, apples, grapes and unprocessed olives.

(c) This order shall apply in the State of California.

(d) In determining the distance between any two points for the purposes of this order, the constructive highway mileages set forth in Distance Table No. 3 issued by the Railroad Commission of the State of California on December 27, 1938 in connection with its Decision No. 31605, as said table has been amended and supplemented up to the date of this order, shall be used.

(e) When the person contracting to pay for any transportation service subject to this order shall require a load to be transported from more than one roadside pickup point to a single point of destination, the maximum price shall be computed according to the weight for the entire load and according to the constructive mileage for the shortest route by which it is possible to travel from one pickup point to all other pickup points successively and thence to the point of destination, and the carrier may add a further charge of \$1.00 for each pickup in excess of one.

(f) This order may be amended, revoked, or corrected at any time.

(g) This Revised Order No. G-23 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 14th day of June 1944.

L. F. GENTNER,
Regional Administrator.

APPENDIX A—ADJUSTED MAXIMUM PRICES IN CENTS
PER HUNDRED POUNDS

Miles		Under 10,000 pounds	10,000 to 18,000 pounds	Over 18,000 pounds
Over	But not over			
0	5	10.0	8.0	7.5
5	10	10.0	9.0	8.5
10	15	11.0	10.0	9.0
15	20	11.0	10.5	9.5
20	25	12.0	11.0	10.0
25	30	13.0	11.5	11.0
30	35	14.0	12.0	11.5
35	40	15.0	13.0	12.0
40	45	15.5	14.0	13.0
45	50	16.5	15.0	14.0
50	60	18.0	16.0	15.0
60	70	19.0	17.0	16.0
70	80	20.0	18.0	17.0
80	90	21.5	19.0	18.0
90	100	22.5	20.5	19.0
100	110	23.5	21.5	20.0
110	120	25.5	22.5	21.0
120	130	26.5	23.5	22.0
130	140	27.5	24.5	23.0
140	150	28.5	25.5	24.0
150	160	29.5	26.5	25.0
160	170	30.5	27.5	26.0
170	180	32.0	29.0	27.0
180	190	33.0	30.0	28.0
190	200	34.0	31.0	29.0
200	220	35.5	32.5	30.5
220	240	37.5	34.0	32.0
240	260	39.0	35.5	33.5
260	280	40.5	37.0	35.0
280	300	42.5	39.0	36.5
300	325	45.0	41.0	38.5
325	350	48.0	44.0	40.5
For each 25 miles in excess of 350 miles, add:		3.0	2.5	2.0

[F. R. Doc. 44-9089; Filed, June 21, 1944;
4:28 p. m.]

[Region II Order G-3 Under MPR 426]

FRESH FRUITS AND VEGETABLES IN NEW
YORK

Order No. G-3 under section 8 (a) (7) of Maximum Price Regulation No. 426. Fresh fruits and vegetables for table use, sales except at retail. Amount of freight from basing point to wholesale receiving point allowed for determining maximum prices of certain fresh fruits and vegetables in certain counties of New York.

For the reasons stated in an opinion issued simultaneously herewith and

APPENDIX A—FREIGHT FROM BASING POINT TO NEW YORK CITY

Commodity	Standard container and minimum contents	Basing point	Date	Freight allowance
Carrots, bunched	LA crate, 72 bunches, each bunch 1 lb.	El Centro, Calif.	Jan. 16-Mar. 31	\$1.49
		El Centro, Calif.	Apr. 1-May 31	1.59
		Salinas, Calif.	June 1-Nov. 30	1.68
		Salinas, Calif.	Dec. 1-Jan. 15	1.58
Cucumbers, except hothouse	Bushel, 48 pounds	Wachula, Fla.	Jan. 1-May 31	.74
	Bushel, 48 pounds	Ponchatoula, La.	June 1-June 30	.79
	Lug Box, 28 pounds	Wachula, Fla.	Jan. 1-May 31	.42
	Lug Box	Ponchatoula, La.	June 1-June 30	.44
Cucumbers, hothouse	Per pound	Davenport, Iowa	All year	.02
Eggplant	1½ bu. crate, 45 lbs.	Ft. Myers, Fla.	All year	.76
	Bushel, 30 lbs.	Ft. Myers, Fla.	All year	.52
Grapefruit, pink, California and Arizona	1½ bushel	Los Angeles, Calif.	Nov. 16-Apr. 30	1.20
Grapefruit, pink, All other states	1½ bushel	Weslaco, Tex.	May 1-Oct. 31	1.27
Grapefruit, White, California and Arizona	1½ bushel	Los Angeles, Calif.	All year	1.14
Grapefruit, White, All other states, including "Indian River"	1½ bushel	Los Angeles, Calif.	Nov. 16-Apr. 30	1.20
Lemons, all states	1½ bushel	Homestead, Fla.	May 1-Oct. 31	1.27
			All year	.90
Green peas	Bushel, 28 pounds	Los Angeles, Calif.	Nov. 1-Apr. 30	1.24
		Calipatria, Calif.	May 1-Oct. 30	1.38
		Santa Barbara, Calif.	Sept. 1-Mar. 31	.73
		Salinas, Calif.	Apr. 1-Aug. 31	.81
			All year	1.44
Lettuce, iceberg	LA or Salinas crate, 60 pounds and 48 heads	Los Angeles, Calif.	Nov. 16-Apr. 30	1.38
Oranges, California and Arizona	1½ bushel	Homestead, Fla.	May 1-Nov. 15	1.40
Oranges, all other including "Indian River"	1½ bushel		All year	.90
Snap beans	Bushel, 28 pounds	Pompano, Fla.	All year	.50
Spinach	Bushel, 18 pounds	Crystal City, Tex.	All year	.42
Sweet peppers	1½ bushel crate, 37 lbs.	Pompano, Fla.	All year	.65
	Bushel, 25 pounds	Pompano, Fla.	All year	.42

pursuant to the authority contained in section 8 (a) (7) of Maximum Price Regulation No. 426, this order is hereby issued.

SECTION 1. *What this order does.* This order establishes the amount of freight from basing point to wholesale receiving point which may be added to the maximum basing point price for the purpose of determining maximum selling prices for certain fresh fruits and vegetables at all wholesale receiving points in the area described in section 2.

SEC. 2. *Where this order applies.* This order applies in the Counties of Bronx, Dutchess, Kings, Nassau, New York, Orange, Putnam, Queens, Richmond, Rockland, Suffolk and Westchester in the State of New York.

SEC. 3. *Determination of the amount of freight allowed in establishing maximum selling price.* The amount of freight from basing point to wholesale receiving point which may be added to the maximum basing point price for the purpose of determining maximum selling prices of the items covered by this regulation at all wholesale receiving points in the area described above and in the markets they serve shall be the amounts set forth in the appendices annexed hereto.

This amount includes all allowances, if any, for protective and other accessorial services and all taxes on transportation costs.

The amount of freight from basing point to any wholesale receiving point other than the City of New York is determined by adding the appropriate amount listed in Appendix B to the appropriate amount listed in Appendix A.

SEC. 4. *Effective date.* This order shall become effective 12:01 a. m. on June 12, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; MPR 426, 8 F.R. 16409)

Issued this 8th day June 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

APPENDIX A—FREIGHT FROM BASING POINT TO NEW YORK CITY—Continued

Commodity	Standard container and minimum contents	Basing point	Date	Freight allowance
Tangerines, all states, except California and Arizona.	1½ bushel	Homestead, Fla.	All year	\$0.90

APPENDIX B—FREIGHT TO ALL WHOLESALE RECEIVING POINTS, EXCEPT NEW YORK CITY

Commodity in Standard Containers Packed as in Appendix A	For any wholesale receiving point in Nassau, Putnam, Rockland and Westchester Counties, except in the cities of Farmingdale, Ossining and Peekskill	For any wholesale receiving point in Suffolk County and in the cities of Farmingdale, Ossining and Peekskill	For any wholesale receiving point in Dutchess and Orange counties
Carrots, bunched	\$0.20	\$0.30	\$0.40
All citrus fruits, standard containers (1½ or 1¾ bu.)	.20	.30	.40
Cucumbers, except hot-house	.10	.15	.20
Egg plant, bushel or crate (1½ bushel)	.10	.15	.20
Green peas	.10	.15	.20
Lettuce, iceberg	.20	.30	.40
Snap beans	.10	.15	.20
Spinach	.10	.15	.20
Sweet peppers, bushel or crate (1½ bushel)	.10	.15	.20

¹ To determine the full amount of freight from basing point to any wholesale receiving point, except New York City, add the appropriate amount named in this Appendix B to the appropriate amount named for the item in Appendix A.

[F. R. Doc. 44-9131; Filed, June 22, 1944; 2:02 p. m.]

[Region VIII Order G-2 Under SR 14B]

CALIFORNIA BAKERY AND SOOREN'S BAKERY

Order No. G-2 under section 10 of Supplementary Regulation No. 14B to the General Maximum Price Regulation. Adjusted maximum prices of bread produced by California Bakery and Sooren's Bakery, Fresno, California.

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 section 10 of Supplementary Regulation No. 14B to the General Maximum Price Regulation, *It is hereby ordered:*

(a) The adjusted maximum prices at which any person may sell white, whole-wheat, French or Peda bread produced by California Bakery or Sooren's Bakery, Fresno, California, are established to be as follows:

Wholesale:

- 1 pound loaf—6¼¢ each.
- 1½ pound loaf—9¢ each.

Retail:

- 1 pound loaf—8¢ each, 4 for 30¢.
- 1½ pound loaf—11¢ each.

(b) This order may be amended, revised, or corrected at any time.

(c) 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 this 16th day of June 1944.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44-9132; Filed, June 22, 1944; 2:02 p. m.]

[Region VIII Order G-5 Under MPR 418]

FRESH FISH IN WASHINGTON

Order No. G-5 under Maximum Price Regulation No. 418, as amended. Fresh fish and seafood. Adjusted maximum prices for sales of certain fresh fish items in the State of Washington.

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 section 2 (d) of Maximum Price Regulation No. 418, as amended; *It is hereby ordered:*

(a) Maximum prices for sales by producers of the fresh fish items designated in schedules 27, 28, 29, 29b, and 34a, of Maximum Price Regulation No. 418, as amended, when boxed or barreled, and including all commissions and selling expense, shall be the applicable price set forth in Maximum Price Regulation No. 418, as amended for such fresh fish items plus 1¢ per pound.

(b) *Applicability.* This order shall apply to listed fresh fish items landed in ports of entry in the State of Washington.

This order shall become effective June 21, 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 15th day of June 1944.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44-9134; Filed, June 22, 1944; 2:03 p. m.]

[Region VIII Order G-7 Under 3 (c)]

H. R. ADAMS

Order No. G-7 under § 1499.3 (c) of the General Maximum Price Regulation. Establishment of maximum prices for certain persons located in Region VIII for sales of Bee Wise pollinating brush manufactured by H. R. Adams, Los Angeles.

For the reasons set forth in an opinion issued simultaneously herewith and under authority vested in the Regional Administrator of the Office of Price Administration by § 1499.3 (c) of the Gen-

eral Maximum Price Regulation and General Order No. 32; *It is hereby ordered:*

(a) The maximum prices at which wholesalers and retailers located in Region VIII who are unable to determine a maximum price pursuant to § 1499.3 (c) of the General Maximum Price Regulation, may sell Bee Wise pollinating brush, manufactured by H. R. Adams, Los Angeles, shall be the following:

Wholesalers price to retailers, \$4.14 per dozen.
Retailers price to consumer, \$6.91 per dozen or \$0.58 per brush.

(b) As used herein the term:

Region VIII means the States of California, Washington, Nevada, Oregon, except Malheur County, and Arizona, except those portions of Coconino County and Mohave County lying north of the Colorado River, and the following Counties in the State of Idaho: Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, New Perce and Shoshone.

This order may be revoked, amended, or corrected at any time.

This order shall become effective five days after issuance.

(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 16th day of June 1944.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44-9133; Filed, June 22, 1944; 2:02 p. m.]

[Region I Order G-71 Under RMPR 122]

BITUMINOUS COAL IN NEW LONDON, CONN., AREA

Order No. G-71 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Bituminous coal, New London, Connecticut area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, *It is hereby ordered:*

(a) Any dealer in solid fuels who has terminal facilities located within the New London, Connecticut Area may, in determining maximum prices for bituminous coal:

(1) Under Rule 1 in § 1340.254 (b) of Revised Maximum Price Regulation No. 122, treat any special service charge made by his supplier under § 1340.210 (a) (10) (i) or (ii) of Maximum Price Regulation No. 120 as part of his supplier's maximum price.

(2) Under Rule 3 in said § 1340.254 (b), treat any such service charge as part of the per net ton cost to him, f. o. b. supplier's shipping point.

(b) Any dealer in solid fuels who has terminal facilities located within the New London, Connecticut Area, may charge not more than ten cents (10¢) per net

ton in addition to the otherwise applicable maximum price for bituminous coal which the producer has subjected to a chemical or oil treatment for which a charge has been made under the first paragraph of § 1340.210 (a) (10), or under §§ 1340.213 (d), 1340.214 (c), 1340.218 (c) and 1340.219 (c), of Maximum Price Regulation No. 120.

(c) "New London Connecticut area" means the following cities, towns and townships in the State of Connecticut: Groton, Ledyard, Montville, New London, North Stonington, Stonington and Waterford.

(d) In reporting maximum prices under § 1340.262 (c) which are redetermined under paragraph (a) of this order, the dealer shall:

(1) In reporting prices determined under Rule 1, on Form 653-40, indicate separately the amount of any such service charge.

(2) In reporting prices determined under Rule 3, show in detail the method of calculation of the price.

(e) Except to the extent that special provision is made by this order, the provisions of Revised Maximum Price Regulation No. 122 shall apply to all sales of bituminous coal by dealers who have terminal facilities located within the New London, Connecticut Area; and unless the context otherwise requires, the definitions set forth in §§ 1340.255 and 1340.266 thereof shall apply to the terms used herein.

(f) This order may be revoked, amended or corrected at any time.

This Order No. G-71 shall become effective June 26, 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 19th day of June 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-9142; Filed, June 22, 1944;
4:21 p. m.]

[Boise Order G-1 Under MPR 154]

ICE IN IDAHO FALLS, IDAHO

Order No. G-1 Under Maximum Price Regulation No. 154. Ice. Establishment of specific maximum prices for dealers in Idaho Falls, Idaho.

Pursuant to the Emergency Price Control Act of 1942, as amended, § 1393.8 (c) (f) of Maximum Price Regulation No. 154, as Amended, and Region VII Delegation Order No. 38, and for the reasons set forth in the accompanying opinion, this Order No. G-1 is issued.

(a) *What this order does.* This order establishes specific maximum prices for "Ice" sold by dealers in Idaho Falls, Idaho or environs.

(b) *Specific maximum prices for ice sold by dealers.* On and after the effective date of this order, the maximum prices for ice sold by dealers and delivered at any place in the City of Idaho Falls, Idaho or its environs, to which the seller heretofore customarily made free delivery shall be as follows:

1. Commercial and industrial users, block or cake ice.

Deliveries:	Cents
25 lbs to 100 lbs4-----	60
Over 100 lbs-----	50

2. Domestic users, delivered.

25 lbs.	35 lbs.	40 lbs.	50 lbs.	60 lbs.	70 lbs.	80 lbs.	90 lbs.	100 lbs.
Cts. 20	Cts. 25	Cts. 30	Cts. 35	Cts. 40	Cts. 50	Cts. 55	Cts. 65	Cts. 70

3. Minimum charge.

Minimum charge of 15¢ on all "domestic" deliveries and 50¢ on all "commercial" or "industrial" deliveries.

(c) *Former discounts and differentials need not be maintained.* From and after the effective date of this order, it shall not be mandatory upon any dealer in the Idaho Falls, Idaho Area to grant, maintain, or give discounts, differentials, or allowances which he may formerly have maintained or allowed; but any dealer may, if he so desires, continue to allow such discounts, differentials, and allowances, and he may sell at a price lower than the maximum prices established hereby.

(d) *Applicability of other regulations.* Except insofar as the same may be inconsistent with or contradictory of the provisions of this order, all of the terms and provisions of Maximum Price Regulation No. 154 shall remain in full force and effect and be applicable to all ice dealers from the Idaho Falls, Idaho Area.

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

(f) *Right to revoke or amend.* This order may be revoked, modified or amended at any time by the Price Administrator, Regional Administrator or District Director.

Effective date. This order shall become effective on the 8th day of June, 1944.

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

Issued this 8th day of June 1944.

WM. S. HILL,
Acting District Director.

[F. R. Doc. 44-9141; Filed, June 22, 1944;
4:21 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

REGION II

Albany Order 1-F, Amendment 11, covering fresh fruits and vegetables in Albany, Rensselaer, Troy, Schenectady, Green Island, Cohoes and Watervliet, New York, filed 9:37 a. m.

Altoona Order 1-F, Amendment 10, covering fresh fruits and vegetables in Altoona, Pennsylvania, filed 9:34 a. m.

Buffalo Order 2-F, Amendment 8, covering fresh fruits and vegetables in Rochester, East Rochester, Fairport and Pittsford, New York, filed 2:02 p. m.

Camden Order 2-F, Amendment 8, covering fresh fruits and vegetables in Atlantic and Cape May Counties, New Jersey, filed 1:14 p. m.

District of Columbia Order 1-F, Amendment 10, covering fresh fruits and vegetables in the District of Columbia, Arlington County, Alexandria and Falls Church, Va. and All that Portion of Maryland within two mile of the District of Columbia Boundary Line, filed 9:37 a. m.

District of Columbia Order 1-F, Amendment 11, covering fresh fruits and vegetables in the District of Columbia, Arlington County, Alexandria and Falls Church, Va. and all that portion of Maryland within two miles of the District of Columbia Boundary Line, filed 1:13 p. m.

Harrisburg Order P-1, Amendment 3, covering fresh fish and seafood in all of Dauphin County, Camp Hill, Marysville, Enola, Lemoyne and New Cumberland, Pennsylvania, filed 9:37 a. m.

Philadelphia Order 1-F, Amendment 10, covering fresh fruits and vegetables in the City and County of Philadelphia, Pennsylvania, filed 1:13 p. m.

Scranton Order 3-F, Amendment 3, covering fresh fruits and vegetables in certain counties in Pennsylvania, filed 9:34 a. m.

REGION III

Cincinnati Order 1-F, Amendment 35, covering fresh fruits and vegetables in the County of Hamilton in Ohio, filed 1:15 p. m.

Cincinnati Order 2-F, Amendment 28, covering fresh fruits and vegetables in Butler, Clark, Montgomery and Scioto in Ohio, filed 1:14 p. m.

Cleveland Order 30, covering certain dry grocery items and items of perishables in certain areas in Ohio, filed 1:58 p. m.

Detroit Office Order 1-F, Amendment 22, covering fresh fruits and vegetables in certain counties in Michigan, filed 9:37 a. m.

Escanaba Order 9-F, Amendment 15, covering fresh fruits and vegetables in certain areas in Michigan, filed 9:37 a. m.

Escanaba Order 10-F, Amendment 15, covering fresh fruits and vegetables in certain areas in Michigan, filed 9:37 a. m.

Escanaba Order 11-F, Amendment 15, covering fresh fruits and vegetables in certain areas in Michigan, filed 9:38 a. m.

Escanaba Order 12-F, Amendment 14, covering fresh fruits and vegetables in certain areas in Michigan, filed 9:38 a. m.

Escanaba Order 13-F, Amendment 14, covering fresh fruits and vegetables in certain areas in Michigan, filed 9:38 a. m.

Escanaba Order 14-F, Amendment 14, covering fresh fruits and vegetables in certain areas in Michigan and Wisconsin, filed 9:38 a. m.

Escanaba Order 15-F, Amendment 14, covering fresh fruits and vegetables in certain areas in Michigan and Wisconsin, filed 9:38 a. m.

Escanaba Order 16-F, Amendment 14, covering fresh fruits and vegetables in the City of Sault Ste. Marie, Chippewa County, Michigan, filed 9:38 a. m.

Escanaba Order 17-F, Amendment 13, covering fresh fruits and vegetables in certain areas in Michigan, filed 1:52 p. m.

Lexington Order 1-F, Amendment 33, covering fresh fruits and vegetables in Fayette County, Kentucky, filed 1:58 p. m.

Lexington Order 2-F, Amendment 27, covering fresh fruits and vegetables in Campbell and Kenton Counties Kentucky, filed 1:59 p. m.

Lexington Order 3-F, Amendment 24, covering fresh fruits and vegetables in Boyd County, Kentucky, filed 2:02 p. m.

Louisville Order 1-P, Amendment 2, covering fresh fish and seafood in Jefferson

County, Kentucky, Floyd County, Indiana, and Clark County, Indiana, filed 1:53 p. m.

Louisville Order 1-F, Amendment 34, covering fresh fruits and vegetables in certain counties in Kentucky, and Indiana, filed 1:56 p. m.

Louisville Order 2-F, Amendment 28, covering fresh fruits and vegetables in Paducah, Kentucky and McCracken County, Kentucky, filed 1:55 p. m.

Louisville Order 3-F, Amendment 21, covering fresh fruits and vegetables in Daviess and Henderson Counties, Kentucky, filed 1:57 p. m.

Louisville Order 21, covering certain poultry items in Jefferson County, Kentucky, Clark County, Indiana, Floyd County, Indiana, filed 1:53 p. m.

Louisville Order 22, covering certain poultry items in certain named counties in Kentucky, filed 1:55 p. m.

REGION IV

Jacksonville Order 6-F, Amendment 5, covering fresh fruits and vegetables in Jacksonville, Florida, filed 1:08 p. m.

Jacksonville Order 22, covering certain food items in the Jacksonville, Florida area, filed 1:08 p. m.

Jacksonville Order 26, covering certain food items in the Key West, Florida area, filed 1:08 p. m.

Montgomery Order 11-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Alabama, filed 2:03 p. m.

Montgomery Order 12-F, Amendment 1, covering fresh fruits and vegetables in the Cities of Kothan, Enterprise and Ozark, Alabama, filed 2:03 p. m.

Montgomery Order 14-F, Amendment 1, covering fresh fruits and vegetables in Mobile County, Alabama, filed 2:05 p. m.

REGION VI

Fargo-Moorhead Order 1-F, Amendment 5, covering fresh fruits and vegetables in certain counties in North Dakota, filed 1:12 p. m.

Fargo-Moorhead Order 2-F, Amendment 5, covering fresh fruits and vegetables, in certain counties in North Dakota, filed 1:12 p. m.

Fargo-Moorhead Order 3-F, Amendment 5, covering fresh fruits and vegetables in certain counties in Minnesota, filed 1:12 p. m.

La Crosse Order 1-F, Amendment 19, covering fresh fruits and vegetables in the Cities of La Crosse, Wisconsin, and Winona, Minnesota, filed 1:13 p. m.

La Crosse Order 3-F, Amendment 15, covering fresh fruits and vegetables in the Cities of Eau Claire and Chippewa Falls, Wisconsin, filed 9:35 a. m.

La Crosse Order 5-F, Amendment 15, covering fresh fruits and vegetables in Rochester, Minnesota, filed 9:34 a. m.

North Platte Order 5-F, covering fresh fruits and vegetables in certain counties in Nebraska, filed 9:36 a. m.

North Platte Order 23, covering certain food items in the City of North Platte, Lincoln County, Nebraska, filed 9:36 a. m.

North Platte Order 24, covering certain poultry items in certain named counties in Nebraska, filed 9:35 a. m.

North Platte Order 25, covering certain poultry items in Cheyenne and Kimball Counties, Nebraska, filed 9:36 a. m.

Quad-Cities Order 37, covering certain dry grocery items in Louisa, Henry, Des Moines and Lee Counties in Iowa, filed 1:12 p. m.

REGION VIII

Los Angeles Order 1-F, Amendment 17, covering fresh fruits and vegetables in the Los Angeles area in California, filed 1:18 p. m.

Los Angeles Order L. A. 6, Amendment 17, covering certain poultry items in San Bernardino-Riverside area, California, filed 1:15 p. m.

Los Angeles Order L. A. 7, Amendment 17, covering certain poultry items in Santa Barbara-Ventura area, California, filed 1:16 p. m.

Los Angeles Order L. A. 8, Amendment 17, covering certain poultry items in San Luis Obispo area, filed 1:16 p. m.

Los Angeles Order L. A. 10, Amendment 6, covering certain poultry items in certain areas in California, filed 1:18 p. m.

Los Angeles Order L. A. 11, Amendment 5, covering certain poultry items in certain areas in California, filed 1:18 p. m.

Phoenix Order 1-P, Amendment 6, covering poultry and egg items in Arizona State area, filed 2:08 p. m.

Phoenix Order 3-F, Amendment 22, covering fresh fruits and vegetables in Phoenix area, filed 2:09 p. m.

Seattle Adopting Order 19, covering certain food items in the Seattle area, filed 1:19 p. m.

San Diego Order 1-F, Amendment 41, covering fresh fruits and vegetables in the San Diego area, California, filed 2:07 p. m.

Spokane Order 25, Amendment 2, covering certain food items in certain areas of Kootenai County, Idaho, filed 2:07 p. m.

Spokane Order 26, Amendment 2, covering certain food items in certain areas of Asotin County, Washington, and Nez Perce County, Idaho, filed 2:06 p. m.

Copies of these orders may be obtained from the OPA Office in the designated city.

The above orders were filed with the Division of the Federal Register on June 20, 1944.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-9163; Filed, June 23, 1944;
11:37 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-897]

ROCHESTER GAS AND ELECTRIC CORP. ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 22d day of June, A. D. 1944.

Rochester Gas and Electric Corporation, a subsidiary of NY PA NJ Utilities Company, a registered holding company, having filed a declaration pursuant to section 12 (c) of the Public Utility Holding Company Act of 1935 and Rule U-42 promulgated thereunder wherein it is proposed that Rochester Gas and Electric Corporation redeem and cancel, as at September 1, 1944, 40,000 shares (to be selected by lot) of its outstanding 160,000 shares of \$100 par value Series D 6% Cumulative Preferred Stock, at the redemption price of \$105, plus accrued dividends, and that the funds for such redemption be provided by the company from cash in its treasury; and

A public hearing having been held after appropriate notice, the Commission having considered the record in this matter and having made and filed its findings and opinion herein:

It is ordered, That the aforesaid declaration be, and hereby is, permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-9145; Filed, June 23, 1944;
9:44 a. m.]

[File Nos. 54-74, 59-69]

NORTH CONTINENT UTILITIES CORP., ET AL.

NOTICE OF 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 21st day of June, A. D. 1944.

In the matters of North Continent Utilities Corporation and subsidiary companies, File No. 54-74; North Continent Utilities Corporation and subsidiary companies, File No. 59-69.

The Commission having by order entered on November 16, 1943 approved a plan providing for the liquidation and dissolution of North Continent Utilities Corporation, a registered holding company, filed by that company and its subsidiary companies, pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, designed to enable the North Continent holding company system to comply with section 11 (b) of the act, and having by said order, pursuant to section 11 (b) of the act, directed North Continent Utilities Corporation to take such action as may be necessary to cause its liquidation and dissolution; and

An application or declaration (or both), designated as "Application No. 5", having been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by North Continent Utilities Corporation together with The Denver Ice and Cold Storage Company, its subsidiary company, and Raton Distributing Company, a subsidiary company of The Denver Ice and Cold Storage Company, and notice having been given of the filing thereof by publication in the FEDERAL REGISTER, and otherwise, as provided by Rule U-23 under said act; and

The said application or declaration (or both) concerning the following:

Raton Distributing Company, which manufacturers and sells ice and deals in oil, paint, and cattle feed in the City of Raton, New Mexico, proposes to sell its properties to Parley Roach, the general manager of said company, for \$41,000 in cash subject to certain adjustments to the date of sale; and

The proceeds of the said sale, after deducting necessary expenses, will be applied by Raton Distributing Company against an open account indebtedness of \$49,538 due to The Denver Ice and Cold Storage Company, and the latter company proposes to apply such funds towards the reduction of a promissory note in the principal amount of \$322,000 held by North Continent Utilities Corporation. North Continent Utilities Corporation proposes to deposit such funds with the Trustee under the indenture securing its First Lien Collateral and Refunding Gold Bonds, Series A, 5½%, due January 1, 1948, to be used by the Trustee in making ratable payments upon the unpaid principal of said Bonds, as provided in North Continent Utilities Corporation's aforesaid Plan; and

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 ap-

plication or declaration (or both) shall not be granted or permitted to become effective except pursuant to further order of this Commission;

It is hereby ordered, That a hearing on such matters under the applicable provisions of the Public Utility Holding Company Act of 1935 and the rules thereunder be held on July 5, 1944 at 10:00 a. m., e. w. t., in the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated at such time by the hearing room clerk in Room 318. All persons desiring to be heard or desiring to participate in the proceedings shall notify the Commission in the manner provided by Rule XVII of the Commission's rules of practice, on or before July 1, 1944.

It is further ordered, That Henry C. Lank or any other officer or officers of the Commission designated by it for that purpose shall preside at 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 application or declaration (or both), particular attention will be directed at said hearing to the following matters and questions:

(1) Whether the consideration to be received, including all fees, commissions, and other remunerations to whomsoever paid in connection with the proposed transactions, is fair and reasonable;

(2) Whether the imposition of terms and conditions is necessary in the public interest or for the protection of investors and consumers, and, if so, what those terms and conditions should be;

(3) Generally, whether in any respect the proposed transactions are detrimental to the public interest or the interests of investors and consumers or will tend to circumvent any provisions of the act or the rules and regulations promulgated thereunder.

It is further ordered, That the Secretary of the Commission shall serve notice of said hearing by mailing a copy thereof by registered mail to said applicants or declarants, and that notice of said hearing shall be given to all other persons by publication of a copy of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-9143; Filed, June 23, 1944;
9:44 a. m.]

[File No. 70-819]

INDIANA GAS UTILITIES CO. AND ASSOCIATED
ELECTRIC CO.

ORDER GRANTING EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission, held at its

office in the City of Philadelphia, Pa., on the 22nd day of June, A. D. 1944.

Associated Electric Company ("Aelec"), a registered holding company, and its wholly-owned subsidiary, Indiana Gas Utilities Company ("Utilities"), having filed an application-declaration, pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935, concerning the acquisition by Aelec of all the assets of Utilities, subject to its existing liabilities, upon the surrender by Aelec, for cancellation, of all the outstanding shares of capital stock of, and claims against, Utilities; and

The Commission having, on March 9, 1944, after notice and hearing, filed its memorandum opinion and order (Holding Company Act Release No. 4934) granting the application and permitting the declaration to become effective; and

The applicants-declarants having, on June 17, 1944, advised the Commission that the parties have been unable to consummate the transaction proposed in said application-declaration within the time prescribed by said memorandum opinion and order of March 9, 1944, and the provisions of Rule U-24 (c) (1) of the rules and regulations under the act, and having requested that the time for such consummation be extended to and including August 31, 1944; and

It appearing to the Commission that it is appropriate in the public interest and the interests of investors to grant said request:

It is ordered, That the time for consummating said transaction be, and hereby is, extended to and including August 31, 1944.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-9144; Filed, June 23, 1944;
9:44 a. m.]

WAR FOOD ADMINISTRATION.

HANDLING OF MILK IN CINCINNATI, OHIO,
MARKETING AREA

NOTICE OF REPORT AND OPPORTUNITY TO FILE WRITTEN EXCEPTION

Notice of report and opportunity to file written exceptions with respect to a proposed amendment to the tentatively approved marketing agreement and to the order, as amended, regulating the handling of milk in the Cincinnati, Ohio, marketing area.

Pursuant to § 900.12 (a) of the rules of practice and procedure (§ 900.17; 7 F.R. 3350, 8 F.R. 2815), Office of Distribution of the War Food Administration, notice is hereby given of the filing with the hearing clerk of this report of the Director of Distribution with respect to a proposed amendment to the tentatively approved marketing agreement and to the amended order regulating the handling of milk in the Cincinnati, Ohio, marketing area. Interested parties may file exceptions to the report with the Hearing Clerk, Room 1331, United States Department of Agriculture, Washington, D. C., not later than the close of business

on the 8th day after publication of this notice in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate.

The proceeding was initiated by the Office of Distribution, War Food Administration, upon receipt of a petition dated April 26, 1944, from the Cincinnati Sales Association and the Cooperative Pure Milk Association, both of Cincinnati, Ohio, for a public hearing on certain amendments they proposed. Following receipt of the petition, and after consideration of the proposals made, notice of hearing was issued on May 4, 1944, and a hearing was convened on May 10, 1944, in Cincinnati, Ohio. The time for filing briefs was set at the close of the hearing to expire at midnight May 24, 1944, and was extended to June 1, 1944.

The major issues to be decided are whether or not (1) the prices of Class I and Class II milk shall be increased, and (2) the Class III milk shall be prevented from exceeding a certain amount.

On these issues it is concluded that the prices of Class I and Class II milk should be adjusted and that no maximum should be placed on the price of Class III milk.

The following amendment is recommended as the detailed means by which these conclusions should be carried out. It applies equally to both the tentatively approved marketing agreement and the order, as amended.

Findings

It is found, upon the evidence introduced at the public hearing held in Cincinnati, Ohio, on May 10, 1944, such findings being in addition to the findings made upon the evidence introduced at prior public hearings on the original order and on the order, as amended (which findings are hereby ratified and affirmed save only as such findings are in conflict with the findings hereinafter set forth), that:

1. The prices calculated to give milk produced for sale in the marketing area a purchasing power equivalent to the purchasing power of such milk, as determined pursuant to section 2 and section 8 (e) (50 Stat. 246; 7 U.S.C. 602, 608e), are not reasonable in view of the price of feeds, the available supplies of feeds, and other economic conditions which affect market supply of and demand for such milk, and that the minimum prices set forth in this order, as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest.

2. The order, as hereby amended, regulates the handling of milk in the same manner as and is applicable only to handlers defined in a marketing agreement upon which a hearing has been held; and

3. The issuance of this amendment to the order, as amended, and all its terms and conditions, as so amended, tends to effectuate the declared policy of the act.

Provisions

1. Delete § 965.6 (a) (1) and substitute therefor the following:

(1) Class I milk—\$3.80: *Provided*, That beginning with the delivery period sec-

and following that during which the Class III price decreases to \$2.85 or less, the price for Class I milk shall be \$3.55.

2. Delete § 965.6 (a) (2) and substitute therefore the following:

(2) Class II milk—\$3.35: *Provided*, That beginning with the delivery period second following that during which the Class III price decreases to \$2.85 or less, the price for Class II milk shall be \$3.10: *Provided further*, That the price for Class II milk shall not be less than the price for Class III milk plus 15 cents.

This report filed at Washington, D. C., this 22d day of June 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44-9138; Filed, June 22, 1944;
3:18 p. m.]

WAR PRODUCTION BOARD.

[Certificate 203]

MANUFACTURERS OF PENICILLIN

APPROVAL OF COLLABORATION IN EXCHANGE OF TECHNICAL INFORMATION

The ATTORNEY GENERAL.

I submit herewith a memorandum dated June 5, 1944,¹ from the Director of the Chemicals Bureau and the Director of the Office of Production Research and Development of the War Production Board, proposing that certain named manufacturers of penicillin, as well as others who may be added from time to time, be requested to collaborate in the exchange of technical information respecting the production and processing of penicillin derived by fermentation

¹ Not filed with the Division of the Federal Register.

from penicillium notatum and of any raw material or intermediate components of penicillin.

For the purposes of section 12 of Public Law 603, 77th Congress (56 Stat. 357), I approve the proposal described in the memorandum; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with my approval as herein expressed is requisite to the prosecution of the war. Nothing in my approval, however, is to be construed as authorizing the imposition of limitations upon the use of information exchanged by the manufacturers.

DONALD M. NELSON,
Chairman.

JUNE 21, 1944.

[F. R. Doc. 44-9162; Filed, June 23, 1944;
11:19 a. m.]