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# FEDERAL REGISTER

VOLUME 9 NUMBER 142

*Washington, Tuesday, July 18, 1944*

## *The President*

### EXECUTIVE ORDER 9456

SUSPENDING CERTAIN STATUTORY PROVISIONS RELATING TO EMPLOYMENT IN THE CANAL ZONE

By virtue of the authority vested in me by section 2 of the War Department Civil Appropriation Act, 1945 (Public Law. 352, 78th Congress), section 108 of the Naval Appropriation Act, 1945 (Public Law 347, 78th Congress), and section 7 of the Military Appropriaton Act, 1945 (Public Law 374, 78th Congress), relating to certain kinds of employment in the Canal Zone, and deeming such course to be in the public interest, I hereby suspend, from and including the effective date of the said Acts, compliance with the provisions of the said sections during the continuance of any of the wars in which the United States is now engaged.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
*July 13, 1944.*

[F. R. Doc. 44-10468; Filed, July 14, 1944; 2:01 p. m.]

## *Regulations*

### TITLE 6—AGRICULTURAL CREDIT

#### Chapter I—Farm Credit Administration

#### PART 22—THE FEDERAL LAND BANK OF BALTIMORE

NEW LOAN FEES

Effective fifteen days after the filing of this document with the Federal Register Division, Part 22 of Title 6, Code of Federal Regulations, is amended by adding a new section designated as § 22.2 to read as follows:

§ 22.2 *New loan fees.* The following new loan and other fees shall be charged and collected from applicants and borrowers through the Puerto Rico Branch Bank of The Federal Land Bank of Baltimore:

(a) Each application for a new loan shall be accompanied by an initial fee in the amount of $10.00. If the application for loan is approved, an additional initial fee of $15.00 must be paid prior to the examination of title. If the application results in a Federal Land Bank loan of $2,100.00 or more, there shall be deducted from the proceeds of the loan an additional fee equal to the difference between the amounts hereinafter set out and the initial fee of $25.00:

| Face amount of loan: | *Total* |
|---|---|
| $2,100.00 to $3,000.00 | $37.50 |
| $3,100.00 to $4,000.00 | 50.00 |
| $4,100.00 to $5,000.00 | 62.50 |
| $5,100.00 to $6,000.00 | 75.00 |
| $6,100.00 to $7,000.00 | 87.50 |
| $7,100.00 to $8,000.00 | 100.00 |
| $8,100.00 to $9,000.00 | 112.50 |
| $9,100.00 to $10,000.00 | 125.00 |
| $10,100.00 to $11,000.00 | 137.50 |
| $11,100.00 to $12,000.00 | 150.00 |
| $12,100.00 to $13,000.00 | 162.50 |
| $13,100.00 to $14,000.00 | 175.00 |
| $14,100.00 to $15,000.00 | 187.50 |
| $15,100.00 to $16,000.00 | 200.00 |
| $16,100.00 to $17,000.00 | 212.50 |
| $17,100.00 to $18,000.00 | 225.00 |
| $18,100.00 to $19,000.00 | 237.50 |
| $19,100.00 to $20,000.00 | 250.00 |
| $20,100.00 to $21,000.00 | 262.50 |
| $21,100.00 to $22,000.00 | 275.00 |
| $22,100.00 to $23,000.00 | 287.50 |
| $23,100.00 to $24,000.00 | 300.00 |
| $24,100.00 to $25,000.00 | 312.50 |

If the application results in a joint Land Bank and Land Bank Commissioner loan, no fee shall be charged or collected from the applicant or borrower in connection with any loan made by the Land Bank Commissioner. If the application results in a single Commissioner loan, the initial fees totaling $25.00 shall be the only fees charged and collected from the applicant or borrower.

(b) Each application for an increased or additional loan shall be accompanied by a fee of $10.00 and, if the application is approved, an additional initial fee of $15.00 must be paid prior to the examination of title. If a loan in an increased amount is closed, there shall be deducted

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FEDERAL REGISTER

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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.**
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from the proceeds of such increased loan a fee comparable to the fee which would be collectible in connection with a new loan: *Provided, however*, That the amount of the fee shall be computed only upon the basis of the amount of new money loaned to the borrower.

(c) Fees in connection with divisions of loans, reappraisals, partial releases and releases of personal liability shall be charged and collected from applicants and borrowers to the same extent and under the same conditions as such fees are charged and collected from applicants and borrowers within the states of the Second Farm Credit District as provided in § 22.1 hereof.

In the event no appraisal of the property is made, the entire application fee shall be refunded. Each applicant shall also be required to pay actual cash outlays for notarial fees, recording fees or other disbursements necessary for the completing of the transaction.

(Sec. 4, 39 Stat. 362; sec. 13 "Ninth", 39 Stat. 372; sec. 26, 48 Stat. 44; sec. 32, 48 Stat. 48, as amended; 12 U.S.C. 674, 781 "Ninth", 723 (e), 1016 (e) and Sup.; 6 CFR 19.326 and 19.330) [Res. Bd. of Dir. May 16, 1944]

[SEAL] THE FEDERAL LAND BANK OF BALTIMORE,
By E. W. MCSPARRAN,
*Treasurer.*

[F. R. Doc. 44–10472; Filed, July 14, 1944; 9:48 a. m.]

PART 32—THE FEDERAL LAND BANK OF SPOKANE

APPLICATION FEES

Effective ten days after the filing of this document with the Federal Register Division, § 32.1 of Title 6, Code of Federal Regulations, is amended to read as follows:

§ 32.1 *Application fees; payable with application.* On each application for a partial release of mortgage security or for a release from personal liability on a loan, a fee is charged as follows:

| | |
|---|---|
| Application for partial release of mortgage security | $10.00 |
| Application for release from personal liability on loan | 10.00 |

In the event no appraisal of the property is made, the entire application fee is refunded.

A single fee is charged on such application applicable to single land bank or Land Bank Commissioner loans, or to joint land bank or Land Bank Commissioner loans.

No application fee or other fees are charged in connection with applications for new loans, or additional loans or for the division of existing loans.

Each applicant will be required to pay actual cash outlays for abstract expenses, title insurance fees, notarial fees, recording fees, or other disbursements necessary for the completion of the transaction.

(Sec. 13 "Ninth", 39 Stat. 372, sec. 26, 48 Stat. 44, sec. 32, 48 Stat. 48, as amended; secs. 1, 2, 48 Stat. 344, 345; 12 U.S.C. 781 "Ninth", 723 (e), 1016, 1016 (e), 1020, 1020 (a), and Sup.; 6 CFR 19.326) [Res. Bd. Dir. May 17, 1944]

[SEAL] THE FEDERAL LAND BANK OF SPOKANE,
By HENRY MATTHEW,
*Vice President.*

[F. R. Doc. 44–10471; Filed, July 14, 1944; 3:36 p. m.]

## TITLE 7—AGRICULTURE

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

[WFO 14, 2d Rev. Supp. Order 1]

PART 1202—FARM MACHINERY AND EQUIPMENT

NEW FARM MACHINERY AND EQUIPMENT

*Correction*

In Schedule II of Federal Register Document 44–10153, appearing at page 7803 of the issue for Thursday, July 13, 1944, the note references and the note should be indicated by single asterisks instead of superior numbers.

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

[WFO 79–63, Amdt. 2]

PART 1401—DAIRY PRODUCTS

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

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–63 (8 F.R. 14265, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Lansing, Michigan, metropolitan milk sales area, is hereby further amended by deleting therefrom the provisions in § 1401.88 (i) and inserting, in lieu thereof, the following:

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to nursery, elementary, junior high, and high schools, and (4) to the agencies or groups specified in (d) of WFO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., September 1, 1944. With respect to violations of said War Food Order No. 79–63, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–63, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 12th day of July 1944.

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

[F. R. Doc. 44–10368; Filed, July 13, 1944; 2:05 p. m.]

[WFO 79–64, Amdt. 2]

PART 1401—DAIRY PRODUCTS

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

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–64 (8 F.R. 14266, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream

in the Detroit, Michigan, metropolitan milk sales area, is hereby further amended by deleting therefrom the provisions in § 1401.96 (i) and inserting, in lieu thereof, the following:

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to nursery, elementary, junior high, and high schools, and (4) to the agencies or groups specified in (d) of WFO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., September 1, 1944. With respect to violations of said War Food Order No. 79–64, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–64, 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 12th day of July 1944.

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

[F. R. Doc. 44–10369; Filed, July 13, 1944; 2:05 p. m.]

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[WFO 79–65, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN SAGINAW-BAY CITY, MICH. METROPOLITAN SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–65 (8 F.R. 14267, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Saginaw-Bay City, Michigan, metropolitan milk sales area, is hereby further amended by deleting therefrom the provisions in § 1401.100 (i) and inserting, in lieu thereof, the following:

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to nursery, elementary, junior high, and high schools, and (4) to the agencies or groups specified in (d) of WFO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., September 1, 1944. With respect to violations of said War Food Order No. 79–65, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–65, 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 12th day of July 1944.

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

[F. R. Doc. 44–10370; Filed, July 13, 1944; 2:05 p. m.]

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[WFO 79–67, Amdt. 3]

PART 1401—DAIRY PRODUCTS

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

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–67 (8 F.R. 14269, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Flint, Michigan, metropolitan milk sales area, is hereby further amended by deleting therefrom the provisions in § 1401.95 (i) and inserting, in lieu thereof, the following:

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to nursery, elementary, junior high, and high schools, and (4) to the agencies or groups specified in (d) of WFO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., September 1, 1944. With respect to violations of said War Food Order No. 79–67, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–67, 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 12th day of July 1944.

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

[F. R. Doc. 44–10371; Filed, July 13, 1944; 2:05 p. m.]

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[WFO 6–1, Amdt. 3]

PART 1405—FRUITS AND VEGETABLES

CITRUS FRUIT

War Food Order No. 6–1 (8 F.R. 998, 9 F.R. 4321, 4319), issued on January 20, 1943, as amended, is further amended by inserting in § 1405.3 (a) (1) thereof the term "10 percent" as the percentage of oranges to be set aside with respect to shipments of oranges from California and Arizona, respectively.

This amendment shall become effective at 12:01 a. m., p. w. t., July 16, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 6–1, as amended, prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 6–1, as amended, in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 6, 8 F.R. 998, 9 F.R. 4321, 4319)

Issued this 15th day of July 1944.

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

[F. R. Doc. 44–10526; Filed, July 15, 1944; 3:48 p. m.]

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[WFO 69, Amdt. 3]

PART 1405—FRUITS AND VEGETABLES

FRUIT FOR ALCOHOLIC PURPOSES

War Food Order No. 69, as amended (9 F.R. 4528), is further amended as follows:

1. By inserting after § 1405.13 (a) (11) thereof the following additional provision:

(12) "Vinegar stock" means fermenting or fermented apple juice or apple cider.

2. By deleting therefrom the provisions of § 1405.13 (b) (1) and inserting, in lieu thereof, the following:

(b) *Restrictions.* (1) Except as provided in (b) (2) hereof, no person shall use fruit in the production for sale of any product containing 7 percent, or more, of alcohol, by volume, unless authorized to use such fruit for such purpose (i) pursuant to a special or general authorization issued by the Director, or (ii) pursuant to a special authorization issued by a member of the County AAA Committee in the county where such fruit is available. An authorization, as aforesaid, by a member of the respective County AAA Committee shall be issued only with respect to a particular lot of fruit which is in fresh form and is still owned by the grower thereof, if such member determines that no market is available for such fruit for human consumption except when used in the production for sale of a product contain-

ing 7 percent, or more, of alcohol, by volume: *Provided*, That if the member of the respective County AAA Committee determines that no market is available because the fruit is unsuitable for human consumption except when used in the production for sale of such alcoholic product, such fruit shall not be released if the grower thereof failed to exercise reasonable care to prevent such fruit from becoming unsuitable for human consumption, as aforesaid, or reasonable efforts to dispose of or utilize such fruit prior to its becoming unsuitable for human consumption, as aforesaid. The issuance of any special authorization in accordance with (b) (1) (ii) hereof, to use a particular lot of fruit, shall be under the supervision of the Director and subject to such additional or other conditions as the Director may, from time to time, specify.

3. By inserting after § 1405.13 (b) (4) thereof the following additional provision:

(5) No person shall use any alcoholic product (including, but not limited to, vinegar stock) having an alcoholic content of less than 7 percent, by volume, produced from fruit, after 12:01 a. m., e. w. t., July 15, 1944, in the production of a product having an alcoholic content of 7 percent, or more, by volume.

This amendment shall become effective at 12:01 a. m. e. w. t., July 15, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 69, as amended, prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 69, as amended, in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

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

Issued this 14th day of July 1944.

ASHLEY SELLERS,
*Assistant War Food Administrator.*

[F. R. Doc. 44-10469; Filed, July 14, 1944; 3:31 p. m.]

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[WFO 108]

## PART 1405—FRUITS AND VEGETABLES

### BARTLETT PEARS GROWN IN CERTAIN DISTRICTS OF CALIFORNIA

The fulfillment of requirements for the defense of the United States will result in a shortage in the supply of Bartlett pears 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:

§ 1405.45 *Restrictions relative to the shipment of pears*—(a) *Definitions.* (1) "Bartlett pears" means any and all strains of Bartlett pears grown in any district described in (a) (5) hereof.

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

(3) "Ship" means to ship by common carrier or private carrier, from a point within the district of production to a point outside thereof, Bartlett pears for sale for fresh consumption.

(4) "Shipper" means any person who ships Bartlett pears for his account or for the account of another person.

(5) "District" means any one of the following described geographical areas within the State of California:

(i) "Central Sacramento Valley District" includes and consists of Sutter County, Butte County, and Yuba County.

(ii) "Sacramento River District" includes and consists of Sacramento County, that portion of Yolo County east and south of a straight line from the northwest corner of Sacramento County to the northeast corner of Solano County, and that portion of Solano County east of a straight line from the northeast corner of Solano County to the town of Rio Vista.

(iii) "Solano District" includes and consists of that portion of Yolo County not included in the Sacramento River District, and that portion of Solano County not included in the Sacramento River District.

(iv) "Contra Costa District" includes and consists of Contra Costa County.

(v) "Santa Clara District" includes and consists of Alameda County, Monterey County, Santa Clara County, San Mateo County, Santa Cruz County, and San Benito County.

(vi) "North Coast District" includes and consists of Mendocino County, Humboldt County, Trinity County, and Del Norte County.

(vii) "North Bay District" includes and consists of Sonoma County, Napa County, and Marin County.

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

(7) "Canned Bartlett pears" means Bartlett pears which have been packed in any form, either separately or in combination with other fruits, for commercial purposes in hermetically sealed metal or glass containers and sterilized in the containers by the use of heat.

(8) "Canner" means any person who produces canned Bartlett pears.

(9) "Season" means the period from April 1 of any year through March 31 of the succeeding year.

(b) *Restrictions.* (1) No shipper may, during the season beginning April 1, 1944, except as otherwise provided herein, ship any Bartlett pears produced in any district in excess of 100 percent of the quantity of such pears, produced in the same district, shipped by such shipper during the season beginning April 1, 1942: *Provided*, That the Director may, from time to time, increase the aforesaid percent. Any person who has shipped Bartlett pears in excess of the quantity herein prescribed, prior to the effective date hereof, shall not, however, be deemed to have violated the provisions of this order.

(2) The Director may authorize any person to ship any Bartlett pears in addition to the Bartlett pears which he may ship pursuant to (b) (1) or (b) (3) hereof, if (i) the Bartlett pears are not suitable for canning, (ii) no suitable market exists for the Bartlett pears in the canning outlet by such date as the Director shall determine and announce with respect to each district, or (iii) such shipment should, for any other reason the Director may deem necessary, be made in order to effectuate the purposes of this order.

(3) The Director may, notwithstanding any other provision hereof, if he deems that such will tend to effectuate the purposes of this order, issue general authorizations from time to time permitting the shipment of any or all grades or sizes of Bartlett pears, produced in specified areas, or certain quantities thereof which may be shipped.

(4) The restrictions hereunder shall be complied with by each person affected by this order without regard to the rights of creditors, existing contracts, or payments made.

(5) The Director may require any shipper to have any lot of Bartlett pears inspected by an authorized representative of the Federal-State inspection service prior to the shipment of such pears; and the shipper shall submit promptly to the Fruit and Vegetable Branch, 220 Federal Building, P. O. Box #230, Sacramento, California, a Federal-State shipping point inspection certificate, covering each such lot or shipment of Bartlett pears, stating the grade and the size of the pears contained in such lot or shipment.

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

(d) *Records and reports.* Each canner shall report to the Fruit and Vegetable Branch, Office of Distribution, War Food Administration, Room 220 Federal Building, P. O. Box 230, Sacramento, California, within 48 hours after the effective date of this order and every 48 hours thereafter, with respect to each district, the cumulative quantity of Bartlett pears produced in the district which he has contracted to purchase for canning plus the quantity of Bartlett pears produced in the district which he will use to produce canned Bartlett pears but which will not be covered by purchase contracts. Whenever a canner has procured by purchase or otherwise his total canning supplies of Bartlett pears in any district he is not required to file additional reports for that district after he has submitted a complete report for the season for that district. The Director shall be entitled to obtain such other information from, and require such other reports and the keeping of such records by, any person, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(e) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may apply in writing for relief to the Director, setting forth in such petition all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, which action shall be final.

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

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

(h) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, except as provided herein, or unless instructions to the contrary are issued by the Director, be addressed to the Director of Distribution, War Food Administration, Washington 25, D. C., Ref. WFO 108.

(i) *Effective date.* This order shall become effective at 12:01 a. m., p. w. t., July 19, 1944.

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

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

Issued this 15th day of July 1944.

GROVER B. HILL,
*First Assistant*
*War Food Administrator.*

[F. R. Doc. 44-10525; Filed, July 15, 1944; 3:48 p. m.]

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[WFO 94, Amdt. 4]

## PART 1461—OILSEEDS

### TRANSFER OF DOMESTIC FLAXSEED

War Food Order No. 94, as amended (9 F.R. 2323, 4319, 5333, 6249, 6851), is further amended to read as follows:

§ 1461.1 *Restrictions on transfer of domestic flaxseed*—(a) *Definitions.* (1) "Domestic flaxseed" means flaxseed grown in the continental United States.

(2) "Designated area" includes the States of California, Illinois, Iowa, Kansas, Minnesota, Ohio, Oklahoma, Oregon, Texas, Wisconsin, and Erie County in the State of New York.

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

(4) "Director" means the Director of Distribution, War Food Administration.

(b) *Restrictions.* Except as otherwise authorized by the Director, no person shall transfer domestic flaxseed from the designated area to any place not included within the designated area.

(c) *Contracts.* The provisions of this order and of all orders or regulations issued pursuant thereto shall be observed without regard to contracts heretofore or hereafter made, or any rights accrued or payments made thereunder.

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

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

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

(f) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship upon him may file a petition for relief with the Order Administrator. Petitions shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the Order Administrator, he may, by request addressed to the Order Administrator, obtain a review of such action by the Director. After said review, the Director may take such action as he deems appropriate, which action shall be final.

(g) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using flaxseed. Any person who wilfully violates any provision of the order is guilty of a crime and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(h) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall be addressed to the Order Administrator, War Food Order No. 94, Fats and Oils Branch, Office of Distribution, War Food Administration, Washington 25, D. C.

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

(j) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., July 15, 1944.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under War Food Order No. 94, as amended, prior hereto, all provisions of said War Food Order No. 94, as amended, in effect prior hereto shall be deemed to remain in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

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

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

Issued this 15th day of July 1944.

GROVER B. HILL,
*First Assistant*
*War Food Administrator.*

[F. R. Doc. 44-10527; Filed, July 15, 1944; 3:48 p. m.]

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[WFO 74, Amdt. 2]

## PART 1598—GENERAL REGULATIONS

### LICENSED SHIP SUPPLIERS PERMITTED TO BUY SET-ASIDE AND RESTRICTED FOOD

War Food Order No. 74, as amended, 9 F.R. 4319, 4321 (formerly Food Distribution Regulation No. 3, as amended, 8 F.R. 13880, 8 F.R. 14017, 8 F.R. 15655), is hereby further amended to read as follows:

§ 1598.7 *Purchase and sale of set-aside and restricted food by licensed ship suppliers*—(a) *Definitions.* For the purposes of this order:

(1) "Ship operator" means any person conducting the business of vessels for the account of the United States under a general agency form of service agreement approved by the Administrator of the War Shipping Administration; or operating, as the owner or owner's agent, a vessel time chartered to the United States, represented by the Administrator of the War Shipping Administration; or operating a vessel, the services of which are employed by the United States, represented by the Administrator of the War Shipping Administration; or operating a vessel designated by the War Shipping Administration, which is owned, chartered, or operated by any allied or neutral country.

(2) "Set-aside food" means that portion of any of the foods listed in Schedule A hereof, as amended from time to time, held by any person pursuant to a food order.

(3) "Restricted food" means that portion of any of the foods listed in Schedule B hereof, as amended from time to time, which a person restricted by a food order has sold or may sell without such sales being charged against his quota under the food order.

(4) "Designated food" means that portion of any of the foods listed in Schedule C hereof, as amended from time to time, held by any person pursuant to a food order.

(5) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not, and includes the States and their political subdivisions and agencies. Separate branches or outlets of any firm shall be considered separate persons.

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

(7) "Ship supplier" means any person who during the last six months of 1942 was regularly engaged in operating a bona fide business of supplying foodstuffs directly to ship operators for ship stores.

(8) "Ship stores inventory" means that quantity of set-aside, restricted, and designated food which the ship supplier has obtained for sale as ship stores by use of certificates under this order, under War Food Order No. 73, as amended, 9 F.R. 4321, 4319 (formerly Food Distribution Regulation No. 2, as amended, 8 F.R. 7523, 8 F.R. 15655), or by special authorization from the Director, and which is (i) owned by him and in his possession, (ii) in transit to him, (iii) on consignment to him and in his possession, or (iv) in storage subject to his disposition. It also includes all food purchased or ordered by a ship supplier through the use of certificates under this order which has not been delivered, and includes foods bought through a ship supplier but to be delivered directly to the ship operator by the person from whom it was ordered by the ship supplier.

(9) "Ship stores quota" means a quantity of any set-aside, restricted, or designated food equal to the total quantity of such food sold directly to ship operators by a ship supplier (each outlet considered separately), during any two calendar months during the period July 1, 1942 to June 30, 1943.

(b) *License required of ship suppliers.* A ship supplier in order to obtain any set-aside, restricted, or designated foods for delivery to ship operators must hold a valid and effective license under the provisions of this order. Separate licenses are required for each outlet selling food for ship stores regardless of common ownership of two or more of such outlets.

(c) *Issuance of licenses.* All applications for licenses under this order shall be submitted on such forms and contain such information as the Director may require. Application forms may be obtained from regional offices of the Office of Distribution, War Food Administration, or regional offices of War Shipping Administration. Applications shall be submitted to the War Shipping Administration for approval. Upon the receipt of an application properly executed, and approved by the War Shipping Administration, the Director shall issue the license unless he has reason to believe that the applicant did not, cannot, or will not comply with the provisions of this order. Licenses issued hereunder may not be transferred in any manner. At any time the War Shipping Administration may withdraw its approval given hereunder, and thereupon shall advise the Director promptly.

(d) *Sales of food acquired under this order by ship suppliers.* A licensed ship supplier may sell or deliver food contained in his ship stores inventory only to a ship operator for immediate delivery on board a vessel, or to another licensed ship supplier who furnishes the certificate provided for in this order. Licensed ship suppliers shall not sell or deliver any such food to any other person or to any ship operator for purposes other than immediate delivery on board a vessel.

(e) *Acquisition of set-aside and restricted food by ship suppliers.* The ship stores inventory of any set-aside, restricted, or designated food of any licensed ship supplier may not exceed his ship stores quota. Within this limitation, and not otherwise, licensed ship suppliers may purchase set-aside and restricted food pursuant to this order. A ship supplier may not acquire any item of food under this order unless he has a ship stores quota for that item of food. If, on the effective date of a license issued under this order, a licensed ship supplier has a total ship stores inventory greater than his ship stores quota, he shall not purchase any of the kinds of set-aside, restricted, or designated food which he holds in excess of his ship stores quota until he has reduced his holdings below his ship stores quota.

(f) *Certifications.* Licensed ship suppliers shall attach to each of their purchase orders for set-aside and restricted food under this order a certificate in substantially the following form:

I hereby certify and represent to the War Food Administrator and to the seller that the quantities of the commodities listed herein and included in the attached purchase order are and may be ordered pursuant to the provisions of WFO 74, with the terms of which I am familiar.

Date _____ Name of firm _____

Address _____

License number _____ Authorized representative _____

This certificate shall not be used for purchases of other than set-aside, restricted, or designated food for sale as ship stores. This certificate must also be attached to all requests for transfers of food between divisions, branches, or outlets of one firm or company.

(g) *Sales of set-aside, restricted, and designated food to ship suppliers.* Notwithstanding the provisions of any food order now or hereafter issued, unless specifically prohibited therein, any licensed ship supplier may purchase set-aside, restricted, or designated food for sale as ship stores from any person and any person may sell or deliver set-aside, restricted, or designated food for sale as ship stores to licensed ship suppliers: *Provided,* That all such purchases are certified as provided in paragraphs (f) and (h). All such sales or deliveries may be reported and considered by the sellers in the same manner as sales to the War Shipping Administration. Purchases of set-aside, restricted, and designated food by licensed ship suppliers for purposes other than sale to ship operators are unaffected by this order.

(h) *Acquisition of designated food by ship suppliers.* Designated food may be purchased by licensed ship suppliers only by complying with provisions of paragraphs (e), (f), and (g) hereof and, in addition thereto, by securing special authorization therefor from the Director. Applications for such authorization shall be sent to the Director and shall specify the items desired and the quantity, quality, and container size desired. The name of the person from whom it is proposed to buy these foods shall also be stated. Applications may be made by mail or by telegraph. The certificate used for the purchase of designated food shall contain the following statement in addition to the statement prescribed by paragraph (f) hereof:

The purchase of all designated food listed hereon has been authorized by the Director of Distribution, War Food Administration.

(i) *Purchases from intermediate distributors.* A ship supplier may purchase set-aside and restricted food for ship stores directly from the person who is required to set aside food or who is restricted by any food order, or may purchase such food indirectly from jobbers, wholesalers, or other intermediate distributors. Where such purchases are made indirectly, the intermediate distributor shall make copies of the certificates provided in paragraph (f) hereof, certified by him to be correct, or may make lists of all or part of the food items on such certificates, certified by him to be correct. Any person may sell to any intermediate distributor the quantities of set-aside food or restricted food covered by such certified copy or certified list furnished to him and may treat such sales in the same manner as sales of ship stores made directly to licensed ship suppliers.

(j) *Change in ship stores quotas.* (1) When recommended by the War Shipping Administration, the Director may authorize an emergency increase in the ship stores quota of any licensed ship supplier. The Director may limit the duration of such increase.

(2) The Director may increase or reduce the ship stores quota of any licensed ship supplier, and may establish a ship stores quota for any licensed ship supplier.

(k) *Stockpiles established at the request of the War Shipping Administration.* None of the provisions of this regulation shall apply to any acquisition or disposition by licensed ship suppliers of food acquired by them for stockpiling purposes pursuant to written instruc-

tions concerning these stockpiling operations, issued by the War Shipping Administration, and subject to the direction and control of the War Shipping Administration.

(l) *Records and reports.* (1) Every licensed ship supplier must submit a report on form FDR 3–2 to Administrator, WFO 74, War Food Administration, Washington 25, D. C., not later than the 10th day of each calendar month, which report shall give data relative to food handled under the order during the preceding calendar month.

(2) The Director shall be entitled to obtain such other information from and require such other reports and the keeping of such records by any person as may be necessary or appropriate in his discretion to the enforcement of the provisions of this order.

(3) Every person subject to this order shall, for at least two years (or for such other period of time as the Director may designate), maintain an accurate record of his transactions in set-aside, restricted, and designated food, and a record of his ship stores inventory at the end of each calendar month. Every person receiving certificates or lists as provided in paragraphs (d), (g), and (i) hereof, shall preserve them for at least two years.

(m) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises and inventories of any person affected by this order and to make such investigations as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(n) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may apply, in writing, for relief to the Director, setting forth in such petition all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate and such action shall be final.

(o) *Revocation of license.* At any time, the Director may suspend or revoke the license granted under this order to any licensed ship supplier. Upon being notified by the War Shipping Administration that it has withdrawn its approval under the provisions of paragraph (c) of this order with respect to any licensee hereunder, the Director shall revoke the license of that licensee. A ship supplier whose license is suspended or revoked by the Director shall dispose of his ship stores inventory according to instructions issued by the Director.

(p) *Violations.* The Director may prohibit any person who violates any provision of this order from receiving, making any deliveries of, or using any materials listed in Schedule A, Schedule B, or Schedule C hereof, or as such schedules may hereafter be amended. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any or all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(q) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Administrator, WFO 74, War Food Administration, Washington 25, D. C.

(r) *Territorial extent.* This order applies to all persons in the forty-eight States, the District of Columbia, the territories, and the possessions of the United States.

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

(t) *Effective date.* The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., July 15, 1944. With respect to violations of said War Food Order No. 74, as amended, rights accrued, or liabilities incurred thereunder prior to the effective time of this amendment, said War Food Order No. 74, 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.

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

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

Issued this 14th day of July 1944.

ASHLEY SELLERS,
*Assistant War Food Administrator.*

SCHEDULE A

| Set-aside foods: | Applicable War Food Order |
|---|---|
| American (Cheddar) cheese | 15 |
| Beef | 75–2 |
| Dried Skim Milk | 54 |
| Rice | 10 |
| Butter | 2 |

SCHEDULE B

| Restricted foods: | |
|---|---|
| Frozen dairy foods | 8 |
| Fats and oils (excluding lard). (Limited to salad and cooking fats, shortening and compounds, margarine, and soap (bar soap and soap powder)) | 42 |
| Honey | 47 |
| Imported salted fish | 72 |
| Milk, Milk by-products, and cream | 79 |
| Molasses | 51 |
| Peanuts and peanut butter | 89 |
| Spices | 19 |
| Tea | 18 |
| Dried Milk (Excepting skim) | 93 |
| Cheese and Cheese Foods (Excepting Cheddar, cottage, pot and bakers) | 92 |

SCHEDULE C

| Designated foods: | |
|---|---|
| Canned fish and shellfish (Limited to Maine and California sardines, salmon, mackerel) | 44 |

SCHEDULE C—Continued

| Designated foods—Con. | Applicable War Food Order |
|---|---|
| Canned fruits and fruit juices (Limited to apples, apricots, berries, red sour pitted cherries, figs, fruit-cocktail, grapefruit, peaches, pears, pineapple, orange juice, grapefruit juice, orange and grapefruit juice, and pineapple juice) | 22–5, 6 |
| Canned vegetables and vegetable juices (Limited to asparagus, lima beans, snap beans, beets, carrots, corn, peas, pumpkin and squash, spinach, tomatoes, tomato puree, tomato paste, tomato juice, and tomato catsup) | 22–6 |
| Dehydrated vegetables (Limited to onions) | 30 |
| Dried fruits (Limited to apples, apricots, pears, peaches, prunes, and raisins) | 16 |

[F. R. Doc. 44–10470; Filed, July 14, 1944; 3:31 p. m.]

## TITLE 8—ALIENS AND NATIONALITY

### Chapter II—Office of Alien Property Custodian

[G. O. 21, As Amended]

### PART 503—GENERAL ORDERS

EXTENSION OF TIME FOR FILING NOTICES OF CLAIM UNDER VESTING ORDERS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, determining that it is in the national interest to extend the time for filing notices of claim under vesting orders as hereinafter set forth, and that adherence to a period of limitation expiring prior to December 1, 1944, may cause undue hardship or inequity to claimants, hereby further amends General Order No. 21 to read as follows:

§ 503.21 *General Order No. 21.* (a) Without limitation by reason of any provision as to a specified claim period in any vesting order heretofore issued, any person, except a national of a designated enemy country, asserting any claim arising as a result of a vesting order, may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, at any time up to and including December 1, 1944, or within such further time as may be provided in any such order or on application or otherwise.

(b) The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

(40 Stat. 411, 50 U.S.C. App.; 55 Stat. 839, 50 U.S.C. App. (Supp. 1942); E.O. 9193, 7 F.R. 5205)

Executed at Washington, D. C., on July 12, 1944.

[SEAL] JAMES E. MARKHAM,
*Alien Property Custodian.*

[F. R. Doc. 44–10549; Filed, July 17, 1944; 10:53 a. m.]

## TITLE 10—ARMY: WAR DEPARTMENT

### Chapter III—Claims and Accounts

### PART 308—ALLOTMENTS OF PAY

#### DEDUCTIONS FOR SUPPORT OF DEPENDENTS

Section 308.7 (c) (d) and (e) (8 F.R. 580) are rescinded and the following substituted therefor:

§ 308.7 *Deductions for support of dependents.* * * *

(c) *Effective date.* The final payment of class X allotments will be made by disbursing officers against deductions from pay for the pay month of August 1944, regardless of month in which pay is settled. Effective 1 September 1944, payment of class E allotments to dependents residing overseas, regardless of location of the allotter, is authorized and will be processed under the class E allotment procedures, starting with payments made for the month of September 1944.

(d) *Payments.* Payment of class E allotments will be made to allottees residing in foreign countries as follows:

(1) By check mailed from the Office of Dependency Benefits to those countries where payment in United States currency is not blocked.

(2) In local currency by appropriate disbursing officers (or by military attache where there is no disbursing officer) in the theater or country of residence of the allottee, where payment in United States currency is blocked by Treasury Department regulations.

(3) Allotments to dependents having residence in countries where payment is blocked in any currency are unauthorized. An exception will be made where allotments are required (see Army Regulations), and in such exceptional cases allotments will be accepted and processed, but the checks drawn to the order of the allottees will be sent to the Treasury Department where the proceeds will be held in trust until claimed at a later date. (Sec. 16, 30 Stat. 981; 40 Stat. 384; 52 Stat. 354; 10 U. S. C. 894) [Par. 29, AR 35–5520 C3, 1942 as amended by W. D. Cir. 253, 20 June 1944].

[SEAL] J. A. ULIO,
*Major General,*
*The Adjutant General.*

[F. R. Doc. 44–10488; Filed, July 14, 1944; 4:53 p. m.]

## TITLE 14—CIVIL AVIATION

### Chapter I—Civil Aeronautics Board

[Regs., Serial No. 314]

### PART 292—EXEMPTIONS AND CLASSIFICATIONS

#### ALASKAN AIR CARRIERS

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 13th day of July 1944.

The Civil Aeronautics Board, acting pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a), 1001, and Title IV thereof, and deeming its action necessary to carry out the provisions of said act and to exercise its powers and perform its duties thereunder, hereby makes and promulgates the following regulation:

1. *Addition of new paragraphs.* Section 292.2 (7 F.R. 11108, 8 F.R. 15731) of the Economic Regulations is hereby amended by adding thereto the following additional paragraphs:

§ 292.2 *Classification and exemption of Alaskan air carriers.* * * *

(e) *Place of filing.* Notwithstanding the requirements of any other regulation, order, or rule of the Board, all documents authorized or required by the Civil Aeronautics Act, or any regulation, order, or rule of the Board issued thereunder, to be filed with the Board by any Alaskan air carrier or in connection with air transportation performed or sought to be performed by such carrier shall be filed with the Alaska Office of the Board. The date of filing with the Alaska Office shall constitute the date of filing with the Board.

(f) *Duplicate originals required.* In addition to the number of copies of each document required to be filed by the regulation, order, or rule under which it is filed, one additional signed copy shall be filed, and if the regulation, order, or rule under which it is filed requires verification of documents filed thereunder, said additional signed copy shall also be verified. Two signed copies will constitute duplicate originals; one duplicate original will be transmitted to the offices of the Board in Washington, D. C., by the Alaska Office, and the other will be retained in the files of the Alaska Office.

(g) *Conformity to rules.* All such documents shall in all other respects conform to the requirements of the regulation, order, or rule of the Board under which they are filed. Upon written application, stating good and sufficient reason therefor, the Director of the Alaska Office may issue a written waiver of any such requirement if he finds that such waiver will not interfere with the work of the Board and will relieve the applicant from any unnecessary burden. He may at any time require any person filing such documents to file additional copies thereof, and to make service upon persons other than those specified in the pertinent regulation, order, or rule of the Board, if he finds such requirement is necessary in the public interest or in the interest of efficiency and expedition in the work of the Board. And if he is of the opinion that a formal or informal application, complaint or petition does not sufficiently set forth the material required to be set forth by any applicable regulation, order or rule of the Board, or is otherwise insufficient, he may advise the party filing the same of the deficiency and require that any additional information be supplied by amendment. And in case he deems an answer to formal complaints and petitions desirable, he may so notify the parties.

(h) *Posting and publicity of documents.* The Alaska Office copy of all documents subject to this regulation which are required by the Act, or by the regulations, orders, or rules of the Board thereunder, to be posted in the Office of the Secretary of the Board shall be posted in the Office of the Director of the Alaska Office; and the Alaska Office copy of documents which are required by section 1103 of the act to be preserved as public records in the custody of the Secretary of the Board, shall be preserved as public records in the custody of the Director of the Alaska Office under such reasonable arrangements as he may make for public inspection thereof. Such posting and preservation as public records shall be in addition to that required of the Secretary of the Board.

(i) *Docket of Alaska Office.* A complete docket of all formal proceedings by or against Alaska air carriers, or by or against persons seeking authority to engage in air transportation solely within the Territory of Alaska, shall be maintained in the offices of the Board at Washington, D. C., and in the Board's Alaska Office. Hearings and conferences in such proceedings shall be assigned, and procedural notices (other than notice of oral argument before the Board) and examiners' reports will be served, by the Alaska Office. Subject to the provisions of paragraphs (e), (f) and (g) of this section, all hearings and conferences in such proceedings shall be held in accordance with the Board's rules of practice (Part 285 of the Economic Regulations). Exceptions to the examiner's report in any such proceeding and briefs in support of such exceptions, may be filed with the Board at its offices in Washington, D. C., in which event one copy of such exceptions and briefs shall be sent by air mail to the Director of the Alaska Office by the party so filing; or may be filed with the Board at its Alaska Office, in which event they will be transmitted by that office to the Board's office at Washington, D. C. If any of the parties to any such proceedings so desire, the Director of the Alaska Office may on behalf of the Board hear oral argument upon exceptions to the examiner's report and shall transmit a transcript of such oral argument to the Board. Such oral argument before the Director of the Alaska Office shall be in lieu of oral argument before the Board.

(j) *Recommendations by Alaskan Office concerning regulations.* Unless otherwise specifically directed by the Board, the Director of the Alaska Office may submit drafts of proposed regulations, or of amendments or modifications of regulations, to the Alaskan air carriers for comment. Upon receipt of such comment, he shall transmit them, together with his recommendations, to the Board for consideration. The Board may revise any such proposed regulation, amendment or modification, and, in respect of any substantial revision, may direct the Director of the Alaska Office to submit such revision to the Alaskan air carriers for further comment.

2. *Effective date.* This amendment of § 292.2 of the Economic Regulations shall take effect on August 15, 1944: *Provided, however,* That in the event the Director of the Alaska Office certifies to the Board at any time prior to August 15, 1944, that the Board's office in Alaska is not open for business, this amendment shall not take effect unless and until the Board shall so provide by further regulation. Copy of such certification shall be served by the Director of the Alaska Office upon

each Alaskan air carrier by registered mail and upon such other persons as the Board may direct.

(Sec. 205 (a), 52 Stat. 984, 49 U.S.C. 425 (a); sec. 1001, 52 Stat. 1017, 49 U.S.C. 641; Tit. IV, 52 Stat. 987–1005, 49 U.S.C. 481–496)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS, *Secretary.*

[F. R. Doc. 44-10547; Filed, July 17, 1944; 11:00 a. m.]

## TITLE 16—COMMERCIAL PRACTICES

### Chapter I—Federal Trade Commission

[Docket No. 5066]

### PART 3—DIGEST OF CEASE AND DESIST ORDERS

### JAMES JEBAILY, INC.

§ 3.6 (c) *Advertising falsely or misleadingly—Composition of goods:* § 3.66 (a 7) *Misbranding or mislabeling—Composition—Wool Products Labeling Act:* § 3.71 (a) *Neglecting, unfairly or deceptively, to make material disclosure—Composition:* § 3.71 (a) *Neglecting, unfairly or deceptively, to make material disclosure—Composition—Wool Products Labeling Act:* § 3.96 (a) *Using misleading name—Goods—Composition.* I. In connection with offer, etc., in commerce, of articles of clothing or other garments, (1) using the word "taffeta", or the word "crepe", or the word "satin", or any other descriptive term indicative of silk to designate or describe any product which is not composed entirely of silk, the product of the cocoon of the silk worm; or (2) advertising, offering for sale, or selling products composed in whole or in part of rayon without clearly disclosing such rayon content; and II, in connection with the introduction or manufacture for introduction into commerce, or the sale, transportation or distribution in commerce, misbranding articles of clothing or other "wool products" as such products are defined in and subject to the Wool Products Labeling Act of 1939, which products contain, purport to contain or in any way are represented as containing "wool", "reprocessed wool" or "reused wool" as defined therein by failing to securely affix to or place on such products a stamp, tag, label or other means of identification showing in a clear and conspicuous manner, (a) the percentage of the total fiber weight of such wool product, exclusive of ornamentation not exceeding five percentum of said total fiber weight, of (1) wool, (2) reprocessed wool, (3) reused wool, (4) each fiber other than wool where said percentage by weight of such fiber is five percentum or more, and (5) the aggregate of all other fibers; (b) the maximum percentage of the total weight of such wool product of any non-fibrous loading, filling, or adulterating matter; (c) the name of the manufacturer of such wool product; or the manufacturer's registered identification number and the name of a seller of such wool product; or the name of one or more persons introducing such wool product into commerce, or engaged in the sale, transportation, or distribution thereof in commerce, as "commerce" is defined in the Federal Trade Commission Act and the Wool Products Labeling Act of 1939; prohibited, subject to the provision, however, as to prohibition "1", that said word or descriptive term there referred to may be used truthfully to designate or describe the type of weave, construction or finish if such word is qualified by using in immediate connection or conjunction therewith in letters of at least equal size and conspicuousness words clearly and accurately naming the fibers or materials from which such product is made; to the provision, as respects said prohibition "2" that when the products there referred to are composed in part of rayon and in part of other fibers or materials, all such fibers or materials, including the rayon, shall be clearly and accurately disclosed; and to the proviso that the foregoing provisions concerning misbranding shall not be construed to prohibit acts permitted by paragraphs (a) and (b) of section 3 of the Wool Products Labeling Act of 1939; and to the further proviso, that nothing contained in this order shall be construed as limiting any applicable provisions of said act or the rules and regulations promulgated thereunder. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b; 54 Stat. 1128; 15 U.S.C., sec. 68) [Cease and desist order, James Jebaily, Inc., Docket 5066, June 14, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 14th day of June, A. D. 1944.

*In the Matter of James Jebaily, Inc., a Corporation*

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of respondent, in which answer respondent admits all the material allegations of fact set forth in said complaint and states that it waives all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act and the provisions of the Wool Products Labeling Act of 1939;

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

1. Using the word "taffeta," or the word "crepe," or the word "satin," or any other descriptive term indicative of silk to designate or describe any product which is not composed entirely of silk, the product of the cocoon of the silk worm: *Provided, however,* That such word or descriptive term may be used truthfully to designate or describe the type of weave, construction or finish if such word is qualified by using in immediate connection or conjunction therewith in letters of a least equal size and conspicuousness words clearly and accurately naming the fibers or materials from which such product is made.

2. Advertising, offering for sale, or selling products composed in whole or in part of rayon without clearly disclosing such rayon content; and when such products are composed in part of rayon and in part of other fibers or materials, all such fibers or materials, including the rayon, shall be clearly and accurately disclosed.

*It is further ordered,* That respondent James Jebaily, Inc., a corporation, its officers, representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction or manufacture for introduction into commerce, or the sale, transportation or distribution in commerce as "commerce" is defined in the aforesaid Acts, do forthwith cease and desist from misbranding articles of clothing or other "wool products" as such products are defined in and subject to the Wool Products Labeling Act of 1939, which products contain, purport to contain or in any way are represented as containing "wool," "reprocessed wool" or "reused wool" as those terms are defined in said Act by failing to securely affix to or place on such products a stamp, tag, label or other means of identification showing in a clear and conspicuous manner:

(a) The percentage of the total fiber weight of such wool product, exclusive of ornamentation not exceeding five percentum of said total fiber weight, of (1) wool, (2) reprocessed wool, (3) reused wool, (4) each fiber other than wool where said percentage by weight of such fiber is five percentum or more, and (5) the aggregate of all other fibers.

(b) The maximum percentage of the total weight of such wool product of any non-fibrous loading, filling, or adulterating matter.

(c) The name of the manufacturer of such wool product; or the manufacturer's registered identification number and the name of a seller of such wool product; or the name of one or more persons introducing such wool product into commerce, or engaged in the sale, transportation, or distribution thereof in commerce, as "commerce" is defined in the Federal Trade Commission Act and the Wool Products Labeling Act of 1939.

*Provided,* That the foregoing provisions concerning misbranding shall not be construed to prohibit acts permitted by paragraphs (a) and (b) of section 3 of the Wool Products Labeling Act of 1939; *And provided, further,* That nothing contained in this order shall be construed as limiting any applicable provisions of said act or the rules and regulations promulgated thereunder.

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

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 44-10545; Filed, July 17, 1944; 10:04 a. m.]

[Docket No. 5081]

NATIONAL BUREAU OF MISSING HEIRS

§ 3.55 *Furnishing means and instrumentalities of misrepresentation or deception:* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Connections and arrangements with others:* § 3.69. (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Nature, in general:* § 3.72 (n 10) *Offering deceptive inducements to purchase or deal—Terms and conditions:* § 3.96 (b) *Using misleading name—Vendor—Nature, in general.* In connection with offer, etc., in commerce, of post cards or other mailable matter, (1) using the words "National Bureau of Missing Heirs", or any other word or words of similar import, to designate, describe or refer to respondent's business; or otherwise representing, directly or by implication, that respondent's business bears any relation to estates or to the rights or interests of heirs therein; or (2) representing, directly or by implication, that respondent has connections with attorneys in principal cities; or (3) that respondent is engaged in the business of locating heirs to estates or interests therein; or (4) that respondent is engaged in the business of searching records; or (5) that persons concerning whom information is sought through respondents cards or other mailable matter, have or may have any interests in estates or any other property; or (6) selling or distributing post cards or other mailable matter which represent, directly or by implication, that respondent's business is other than that of obtaining information to be used in the collection of debts; or which represent, directly or by implication, that the information sought by means of such devices is for any purpose other than for use in the collection of debts; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Jannette B. Downs trading as National Bureau of Missing Heirs, Docket 5081, June 14, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 14th day of June, A. D. 1944.

*In the Matter of Jannette B. Downs, an Individual*

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and testimony and other evidence taken before Arthur F. Thomas, an examiner of the Commission theretofore duly designated by it, in support of the allegations of said complaint and in opposition thereto, respondent having waived the filing of the trial examiner's report upon the evidence and briefs, and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act;

*It is ordered,* That the respondent, Jannette B. Downs, an individual, her representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of post cards or other mailable matter in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the words "National Bureau of Missing Heirs", or any other word or words of similar import, to designate, describe or refer to respondent's business; or otherwise representing, directly or by implication, that respondent's business bears any relation to estates or to the rights or interests of heirs therein.

2. Representing, directly or by implication, that respondent has connections with attorneys in principal cities.

3. Representing, directly or by implication, that respondent is engaged in the business of locating heirs to estates or interests therein.

4. Representing, directly or by implication, that respondent is engaged in the business of searching records.

5. Representing, directly or by implication, that persons concerning whom information is sought through respondents cards or other mailable matter, have or may have any interests in estates or any other property.

6. Selling or distributing post cards or other mailable matter which represent, directly or by implication, that respondent's business is other that that of obtaining information to be used in the collection of debts; or which represent, directly or by implication, that the information sought by means of such devices is for any purpose other than for use in the collection of debts.

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

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 44-10543; Filed, July 17, 1944; 10:04 a. m.]

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## TITLE 26—INTERNAL REVENUE

### Chapter I—Bureau of Internal Revenue

**Subchapter A—Income and Excess-Profits Taxes**

[T. D. 5392]

### PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

DISCRETIONERY TRUSTS FOR SUPPORT AND MAINTENANCE OF DEPENDENT BENEFICIARIES OF GRANTOR

Regulations 111 amended to conform to section 134 of the Revenue Act of 1943, relating to discretionary trusts for support and maintenance of dependent beneficiaries of the grantor.

In order to conform Regulations 111 (26 CFR, Cum. Supp., Part 29) to section 134 of the Revenue Act of 1943 (Public Law 235, 78th Congress, 2nd Session), enacted February 25, 1944, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding § 29.167–1 of Regulations 111 the following:

SEC. 134. TRUSTS FOR MAINTENANCE OR SUPPORT OF CERTAIN BENEFICIARIES. (Revenue Act of 1943.)

(a) *Income for benefit of grantor.* Section 167 (relating to income for benefit of grantor) is amended by adding at the end thereof the following subsection:

(c) Income of a trust shall not be considered taxable to the grantor under subsection (a) or any other provision of this chapter merely because such income, in the discretion of another person, the trustee, or the grantor acting as trustee or cotrustee, may be applied or distributed for the support or maintenance of a beneficiary whom the grantor is legally obligated to support or maintain, except to the extent that such income is so applied or distributed. In cases where the amounts so applied or distributed are paid out of corpus or out of other than income for the taxable year, such amounts shall be considered paid out of income to the extent of the income of the trust for such taxable year which is not paid, credited, or to be distributed under section 162 and which is not otherwise taxable to the grantor.

(b) *Taxable years to which applicable—*(1) *General rule.* Except as provided in paragraph (2), the amendments made by subsection (a) shall be applicable with respect to taxable years beginning after December 31, 1942, unless a taxable year of the trust beginning in 1942 ends within a taxable year of the grantor begininng in 1943, in which case, except as provided in paragraph (2), such amendments shall not be applicable to such taxable year of the grantor.

(2) *Retroactive effect.* The amendments made by subsection (a) shall also be applicable with respect to all taxable years to which such amendments are not made applicable under paragraph (1), in the same manner as if such amendments had been a part of the revenue laws applicable to such taxable years, but only if there are filed with the Commissioner (in accordance with regulations prescribed by him with the approval of the Secretary) at such time and by such persons as may be prescribed under such regulations, signed consents that there shall be paid, at such time as the Commissioner may prescribe, all of the taxes under Chapter I of the Internal Revenue Code or under the corresponding provisions of prior revenue laws which would have been paid for the taxable years concerned if such amendments had been a part of the revenue laws applicable to such taxable years.

(3) *Deficiencies and overpayments.* The period of limitations provided in sections 275 and 276 of the Internal Revenue Code or corresponding provisions of a prior revenue law on making of assessments and the beginning of distraint or a proceeding in court for collection shall with respect to any deficiency resulting from any such consents include one year immediately after the date such consents were filed, and such assessment and collection may be made notwithstanding any provision of the internal revenue laws or any rule of law which would otherwise prevent such assessment and collection. The period within which claim for credit or refund may be filed, or credit or refund allowed or made if no claim is filed, with respect to any overpayment by the grantor resulting from the consents shall include one year immediately after the date of the filing of the consents, and credit or refund may be allowed or made notwithstanding any provision or rule of law (other than this subsection, section 3760 of the Internal Revenue Code or a corresponding provision of prior law, relating to closing agreements, and section 3761 of the Internal Revenue Code or a corresponding provision of prior law, relating to compromises) which

would otherwise prevent such credit or refund. No interest shall be allowed or paid on any overpayment, or assessed on any deficiency, resulting from the application of paragraph (2) of this subsection.

PAR. 2. Section 29.167–1 is amended as follows:

(A) By striking out the parenthetical clause in the third paragraph of paragraph (b) and inserting in lieu thereof the following: "(except as provided in section 22 (k), 167 (c), or 171)".

(B) By striking out the last sentence of the fourth paragraph of paragraph (b).

PAR. 3. There is added immediately following the last paragraph of § 29.167–1 the following new sections:

§ 29.167–2 *Discretionary trusts for maintenance or support of certain beneficiaries.* Section 167 (c) provides that income shall not be taxable to the grantor under section 167 (a) or any other provision of chapter 1 of the Internal Revenue Code merely because such income, in the discretion of another person, the trustee, or the grantor acting as trustee or cotrustee, may be applied or distributed for the support or maintenance of a beneficiary, such as the wife or child of the grantor, whom he is legally obligated to support, except to the extent that such income is actually so applied or distributed. Where income has actually been so applied, such income is taxable to the grantor, whether or not the trust income may also be applied or distributed for purposes other than the maintenance or support of a beneficiary whom the grantor is legally obligated to support.

The grantor of a trust continues to be taxable under section 167 with respect to such income as may, in the discretion of persons lacking a substantial adverse interest, be applied in discharge of his obligations other than his obligation of support or maintenance falling within section 167 (c). Thus, if the grantor creates a trust, the income of which may, in the discretion of a person lacking a substantial adverse interest, be applied in the payment of the grantor's debts, including the payment of his rent or other household expenses, such income is taxable to the grantor regardless of whether it is actually so applied.

Section 167 (c) is not applicable if discretion to apply or distribute the trust income rests solely in the grantor or in the grantor in conjunction with other persons unless the grantor has such discretion as trustee.

Section 167 (c) does not affect the present scope of sections 22 (k) and 171 (relating to alimony and separate maintenance payments taxable to a wife or former wife). Nor does section 167 (c) alter the provisions governing the taxability of trust income to the grantor under some other provision of law, as for example, section 22 (a).

Section 167 (c) has no application where, under the terms of the trust, income is required to be applied to the support or maintenance of a beneficiary whom the grantor is legally obligated to support.

Section 167 (c) provides that in those cases where amounts applied or distributed for support or maintenance of beneficiaries whom the grantor is legally obligated to support are paid out of corpus or out of other than income for the taxable year such amounts are to be considered paid out of income to the extent of the income of the trust for such taxable year which is not paid, credited, or to be distributed under section 162 and which is not otherwise taxable to the grantor. For example, a trust indenture provides for the annual payment of income, not exceeding $7,000, to the grantor's adult son whom he is not legally obligated to support; for the payment of premiums on policies of insurance on the life of the grantor in an amount not to exceed $3,000 per annum; and for the application, in the trustee's discretion, of any part of the remaining income or of corpus for the support of the grantor's minor daughter. The entire income for the taxable year is $12,000, the trustee pays $7,000 of such income to the son and $3,000 thereof for insurance premiums, and $6,000 is applied for the support of the minor daughter. The grantor is taxable under section 167 (c) with respect to $2,000 of the sum applied to the support of the daughter, whether paid out of income or out of principal ($12,000 less $7,000 paid, credited or distributed under section 162, and less $3,000 taxable to the grantor under section 167 (a) (3)).

Section 167 (c) is applicable with respect to taxable years beginning after December 31, 1942, unless a taxable year of the trust beginning in 1942 ends within a taxable year of the grantor beginning in 1943, in which case the section shall not be applicable to such taxable year of the grantor except as provided in § 29.167–3. Thus, if the returns of the trust are made on the basis of a fiscal year ending June 30, and the grantor's returns are made on the calendar year basis, section 167 (c) will be effective with respect to the trust commencing with its fiscal year beginning July 1, 1943. Since the grantor's return for the calendar year 1943 includes the income of the trust's fiscal year beginning on July 1, 1942, and ending on June 30, 1943, the amendments will first be applicable with respect to the grantor to his calendar year 1944.

If section 167 (c) is not invoked retroactively by the filing of consents, as provided in § 29.167–3, the grantor must include in his tax returns for taxable years beginning prior to January 1, 1943, and for a taxable year beginning in 1943 in a case described in the next preceding paragraph all the income of the trust which, in the discretion of persons lacking a substantial adverse interest, could be applied for the support or maintenance of beneficiaries whom the grantor was legally obligated to support, regardless of whether the income was so applied. The grantor, however, is not taxable on such unapplied income of the trust for those taxable years covered by any agreement entered into with the Commissioner pursuant to the provisions of I. T. 3609, Internal Revenue Bulletin 1943–10, p. 40.

§ 29.167–3 *Retroactive application of section 167 (c).* Except for taxable years of the grantor for which allowance of credit or refund for any overpayment of tax by the grantor is barred by section 3760 of the Internal Revenue Code or a corresponding provision of prior law, relating to closing agreements, or section 3761 of the Internal Revenue Code or a corresponding provision of prior law, relating to compromises, the grantor may elect to have section 167 (c) applied retroactively upon the proper filing of consents for any taxable period of the grantor notwithstanding any other provision of the revenue laws or any rule of law, such as a prior judicial determination of the tax for the taxable period of the grantor. The election to have the section so applied is made by filing in duplicate with the Commissioner of Internal Revenue at Washington, D. C., written consents to the payment of all taxes under chapter 1 of the Internal Revenue Code or under the corresponding provisions of prior revenue laws which would have been paid for the taxable years covered by the consents if section 167 (c) had been a part of the revenue laws applicable to such taxable years.

Such consents must be filed on or before whichever of the following dates is the later: (1) January 1, 1945, or (2) six months after the due date of the return of the grantor for his last taxable year to which section 167 (c) is not applicable unless the required consents are filed. Such consents must be executed by the fiduciary of the trust and all beneficiaries who would have been taxable on any income of the trust if the provisions of section 167 (c) had been a part of the revenue laws applicable to the years for which the consents are filed. If any person required to sign a consent is not in existence or is under legal disability, the consent must be signed by his legal representative. Amended returns shall accompany the consents when filed and the payment of any tax shown by such returns to be due shall be made at that time. There shall also be filed with the consents (1) a statement by the fiduciary and each beneficiary, to the extent such parties may be entitled to refund or credit by reason of the taxability of the trust income to the grantor under the rule of Helvering v. R. Douglas Stuart (317 U. S. 154), whereby they agree not to file or prosecute any claim for refund or credit based upon such ground and (2) a statement by the grantor agreeing to indemnify the Commissioner with respect to any such refund or credit. The Commissioner may grant a reasonable extension of time for the making of the election, if request for such extension is filed with the Commissioner prior to the date heretofore fixed for the filing of the consent or within a reasonable time thereafter, and a showing is made to his satisfaction (1) that unusual circumstances exist, such as a case involving taxation of the grantor under the rule of Helvering v. Clifford, 309 U. S. 331, and (2) that the granting of the extension will not jeopardize the interests of the Government.

Consents filed must be applicable to all taxable years of the trust or beneficiaries corresponding to those taxable years of the grantor for which the grantor re-

quests retroactive application of section 167 (c). Such consents must also be applicable to all other taxable years of the trust or beneficiaries for which the filing of a claim for credit or refund by the trust or beneficiaries is not barred by any provision or rule of law or with respect to which the allowance of a credit or refund to the trust or beneficiaries without the filing of a claim is not so barred.

The period of limitations on making of assessments and the beginning of distraint or a proceeding in court for collection shall with respect to any deficiency resulting from the filing of consents include one year immediately after the filing of the consents and such assessment and collection may be made notwithstanding any provision of the internal revenue laws or any rule of law (such as a prior judicial determination of the tax for the taxable period of the person signing the consent) which would otherwise prevent such assessment and collection.

The period within which claim for credit or refund may be filed, or credit or refund allowed or made if no claim is filed, with respect to any overpayment by the grantor resulting from the consents, shall include one year immediately after the date of the filing of the consents, and credit or refund may be allowed or made notwithstanding any provision or rule of law (other than section 134 (b) of the Revenue Act of 1943, sections 3760 and 3761 of the Internal Revenue Code or corresponding provisions of prior laws) which would otherwise prevent such credit or refund.

No interest shall be allowed or paid on any overpayment or assessed on any deficiency resulting from the filing of the consents.

The acceptance by the Commissioner of the filing of consents, and of any payment of tax accompanying the consents, shall not preclude the Commissioner from asserting that the grantor is taxable on income of the trust for the taxable years involved under some provision of law other than section 167 (c).

Regulations 103 and prior income tax regulations are amended by incorporating therein the provisions of §§ 29.167–2 and 29.167–3 of Regulations 111 to the extent necessary to accord with section 134 of the Revenue Act of 1943 as applicable to years beginning prior to January 1, 1942.

(Sec. 134, Rev. Act of 1943 (Pub. Law 235, 78th Cong.), enacted Feb. 25, 1944, and secs. 62 and 167, I.R.C. (53 Stat. 32, 68, 26 U.S.C., 1940 ed., 62, 167))

HERBERT E. GASTON,
*Acting Commissioner of Internal Revenue.*

Approved: July 15, 1944.

JOHN L. SULLIVAN,
*Acting Secretary of the Treasury.*

[F. R. Doc. 44–10529; Filed, July 15, 1944; 4:05 p. m.]

[T. D. 5391]

## PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

## PART 35—EXCESS PROFITS TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

### EXTENSION OF TIME FOR MAKING CERTAIN ELECTIONS

Regulations 111 (26 CFR., Cum. Supp., Part 29) and Regulations 112 (26 CFR., Cum. Supp., Part 35) are amended as follows:

PARAGRAPH 1. Section 29.3–1 is amended as follows:

(A) By amending the first sentence thereof to read as follows: "These regulations, which constitute Part 29 of Title 26 of the Cumulative Supplement to the Code of Federal Regulations, are divided into eight subparts."

(B) By inserting at the end thereof the following sentence: "Subpart H relates to Miscellaneous Provisions."

PAR. 2. There is inserted immediately after subsection (f) of section 3801 the following:

### SUBPART H—MISCELLANEOUS PROVISIONS

*Extension of time for making certain elections.* If in these regulations a time is fixed on or before which an election or an application for relief may be made by the taxpayer and such time is not expressly provided in the law, the Commissioner in his discretion may, for good cause shown, except as provided in the next paragraph, grant a reasonable extension of time for the making of such election or application if request for such extension is filed with the Commissioner prior to the time fixed for making such election or application or within such time thereafter as the Commissioner may consider reasonable under the circumstances and it is shown to the satisfaction of the Commissioner that the granting of the extension will not jeopardize the interests of the Government.

The time fixed in these regulations will not be extended by the Commissioner in such cases as the following: (a) An election required to be made in or with the taxpayer's original income tax return; (b) an election required to be exercised by the filing of a claim for credit or refund or in a petition to The Tax Court; (c) an application for permission to change a previous election; or (d) an application for permission to change an accounting method as described in §§ 29.41–2 and 29.123–1, an application for permission to change an accounting period as described in § 29.46–1, or an application for permission to change the method of treating bad debts as described in § 29.23 (k)–1.

PAR. 3. There is inserted immediately after § 35.783–1 the following:

### MISCELLANEOUS PROVISIONS

*Extension of time for making certain elections.* If in these regulations a time is fixed on or before which an election or application for relief may be made by the taxpayer and such time is not expressly provided in the law, the Commissioner in his discretion may, for good cause shown, except as provided in the next paragraph, grant a reasonable extension of time for the making of such election or application if request for such extension is filed with the Commissioner prior to the time fixed for making such election or application or within such time thereafter as the Commissioner may consider reasonable under the circumstances and it is shown to the satisfaction of the Commissioner that the granting of the extension will not jeopardize the interests of the Government.

The time fixed in these regulations will not be extended by the Commissioner in such cases as the following: (a) An election required to be made in or with the taxpayer's original income or excess profits tax return; (b) an election required to be exercised by the filing of a claim for credit or refund or in a petition to The Tax Court; or (c) an application for permission to change a previous election.

PAR. 4. The above amendments to Regulations 111 and 112, which regulations are applicable to taxable years beginning after December 31, 1941, are hereby made applicable to any taxable year beginning after December 31, 1938, and prior to January 1, 1942, which is covered by Regulations 103, or after December 31, 1939, and prior to January 1, 1942, which is covered by Regulations 109.

(Sec. 62, I.R.C. (53 Stat. 32; U.S.C. 62) and sec. 729, I. R. C. (54 Stat. 989; 26 U.S.C. 729))

[SEAL] JOSEPH D. NUNAN, Jr.,
*Commissioner of Internal Revenue.*

Approved: July 14, 1944.

JOHN L. SULLIVAN,
*Acting Secretary of the Treasury.*

[F. R. Doc. 44–10528; Filed, July 15, 1944; 4:05 p. m.]

# TITLE 29—LABOR

## Chapter IX—War Food Administration (Agricultural Labor)

[Specific Wage Ceiling Reg. 16]

## PART 1111—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF WASHINGTON

### WORKERS ENGAGED IN PICKING PEACHES IN CERTAIN WASHINGTON COUNTIES

§ 1111.2 *Wages of workers engaged in picking peaches in the Counties of Chelan, Douglas, and Okanogan, State of Washington.* Pursuant to § 4001.7 of the regulations of the Director of the Office of Economic Stabilization relating to wages and salaries issued August 28, 1943 (8 F.R. 11960, 12139), as amended on December 9, 1943 (8 F.R. 16702) and June 1, 1944 (9 F.R. 6035) and to the regulations of the War Food Administra-

tor issued January 20, 1944 (9 F.R. 831), entitled "Specific Wage Ceiling Regulations" and based upon relevant facts submitted by the Washington WFA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops, and classes of workers.* Persons engaged in picking peaches in the Counties of Chelan, Douglas, and Okanogan, State of Washington, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Director of the Office of Economic Stabilization issued on August 28, 1943 (8 F.R 11960, 12139), as amended on December 9, 1943 (8 F.R. 16702) and June 1, 1944 9 F.R. 6035).

(b) *Wage rates; maximum wage rates for picking peaches.*

1. Hourly rate—85 cents per hour.
2. Piece rate—10 cents per 40-pound Lug.

(c) *Administration.* The Washington WFA Wage Board located at 235 Liberty Building, Yakima, Washington, will have charge of the administration of this order in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator January 20, 1944 (9 F.R. 831).

(d) *Applicability of specific wage ceiling regulations.* This specific wage ceiling regulation No. 16 shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831) and the provisions of such regulations shall be applicable to this specific wage ceiling regulation No. 16 and any violation of this specific wage ceiling regulation No. 16 shall constitute a violation of such specific wage ceiling regulations.

(56 Stat. 765, 50 U.S.C. App. 961 et seq.; Pub. Law 34, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681, regulations of the Director of Economic Stabilization, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035; regulations of the War Food Administrator, 9 F.R. 655, 6011, 9 F.R. 831)

Issued this 17th day of July 1944.

GEORGE W. HILL,
*Acting Director of Labor.*

[F. R. Doc. 44-10579; Filed, July 17, 1944; 11:17 a. m.]

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[Specific Wage Ceiling Reg. 17]

PART 1111—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF WASHINGTON

WORKERS ENGAGED IN PICKING APRICOTS IN CERTAIN WASHINGTON COUNTIES

§ 1111.3 *Wages of workers engaged in picking apricots in Counties of Chelan, Douglas, and Okanogan, State of Washington.* Pursuant to § 4001.7 of the regulations of the Director of the Office of Economic Stabilization relating to wages and salaries issued August 28, 1943 (8 F.R. 11960, 12139), as amended on December 9, 1943 (8 F.R. 16702) and June 1, 1944 (9 F.R. 6035) and to the regulations of the War Food Administrator issued January 20, 1944 (9 F.R. 831), entitled "Specific Wage Ceiling Regulations" based upon relevant facts submitted by the Washington WFA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops, and classes of workers.* Persons engaged in picking apricots in Counties of Chelan, Douglas, and Okanogan, State of Washington, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Director of the Office of Economic Stabilization issued on August 28, 1943 (8 F.R. 11960, 12139), as amended on December 9, 1943 (8 F.R. 16702) and June 1, 1944 (9 F.R. 6035).

(b) *Wage rates, maximum wage rates for picking apricots.*

1. Hourly rate—85¢ per hour.
2. Piece rate—20¢ per 40 lb. Lug.

(c) *Administration.* The Washington WFA Wage Board located at 235 Liberty Building, Yakima, Washington, will have charge of the administration of this order in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator January 20, 1944 (9 F.R. 831).

(d) *Applicability of specific wage ceiling regulations.* This specific wage ceiling regulation No. 17 shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831) and the provisions of such regulations shall be applicable to this specific wage ceiling regulation No. 17 and any violation of this specific wage ceiling regulation No. 17 shall constitute a violation of such specific wage ceiling regulations.

(56 Stat. 765, 50 U.S.C. App. 961 et seq.; Pub. Law 34, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8. F.R. 4681, regulations of the Director of Economic Stabilization, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035; regulations of the War Food Administrator, 9 F.R. 655, 6011, 9 F.R. 831)

Issued this 17th day of July 1944.

GEORGE W. HILL,
*Acting Director of Labor.*

[F. R. Doc. 44-10580; Filed, July 17, 1944; 11:17 a. m.]

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[Specific Wage Ceiling Reg. 18]

PART 1111—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF WASHINGTON

WORKERS ENGAGED IN PICKING, THINNING, AND SPRAYING APPLES IN CERTAIN WASHINGTON COUNTIES

§ 1111.4 *Wages of workers engaged in picking, thinning, and spraying apples in Counties of Chelan, Douglas, and Okanogan, State of Washington.* Pursuant to § 4001.7 of the regulations of the Director of the Office of Economic Stabilization relating to wages and salaries issued August 28, 1943 (8 F.R. 11960, 12139), as amended on December 9, 1943 (8 F.R. 16702) and June 1, 1944 (9 F.R. 6035) and to the regulations of the War Food Administrator issued January 20, 1944 (9 F.R. 831), entitled "Specific Wage Ceiling Regulations" and based upon relevant facts submitted by the Washington WFA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops, and classes of workers.* Persons engaged in picking, thinning, and spraying apples in Counties f Chelen, Douglas, and Okanogan, State of Washington, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Director of the Office of Economic Stabilization issued on August 28, 1943 (8 F.R. 11960, 12139), as amended on December 9, 1943 (8 F.R. 16702) and June 1, 1944 (9 F.R. 6035).

(b) *Wage rates; maximum wage rates for picking, thinning, and spraying apples.*

1. Hourly rate for thinning apples—80¢ per hour.
2. Hourly rate for spraying apples—80¢ per hour.
3. Hourly rate for picking summer apples—85¢ per hour.

(c) *Administration.* The Washington WFA Wage Board located at 235 Liberty Building, Yakima, Washington, will have charge of the administration of this order in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831).

(d) *Applicability of specific wage ceiling regulations.* This specific wage ceiling regulation No. 18 shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831) and the provisions of such regulations shall be applicable to this specific wage ceiling regulation No. 18 and any violation of this specific wage ceiling regulation No. 18 shall constitute a violation of such specific wage ceiling regulations.

(56 Stat. 765, 50 U.S.C. App. 961 et seq.; Pub. Law 34, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681, regulations of the Director of Economic Stabilization, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035; regulations of the War Food Administrator, 9 F.R. 655, 6011, 9 F.R. 831)

Issued this 17th day of July 1944.

GEORGE W. HILL,
*Acting Director of Labor.*

[F. R. Doc. 44-10581; Filed, July 17, 1944; 11:17 a. m.]

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## TITLE 32—NATIONAL DEFENSE

### Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 191]

PART 802—GENERAL LICENSES

MISCELLANEOUS AMENDMENTS

*Correction*

In F. R. Doc. 44-9986, appearing at page 7596 of the issue for Saturday, July 8, 1944, the entry for India under Group K should read:

India (including, Baluchistan, Bhutan, and Nepal)---------- 43

## Chapter IX—War Production Board

### Subchapter B—Executive Vice-Chairman

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

### PART 3026—PETROLEUM PRODUCTS

[Preference Rating Exclusion Order M-201 as Amended July 15, 1944]

The fulfillment of the requirements for the defense of the United States has created a shortage in certain petroleum products which will result, in certain areas, in a shortage in the supply of such petroleum products 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:

§ 3026.1 *Preference Rating Exclusion Order M-201*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to the applicable provisions of any priorities regulation issued by the War Production Board, as amended from time to time.

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

(2) "Petroleum" means petroleum, petroleum products and associated hydrocarbons, including, but not limited to, natural gas.

(3) "Restricted products" means those products of petroleum which may from time to time be specified in Exhibit A hereof and which are not excepted, in whole or in part, from the provisions of this order by Exhibit B hereof.

(c) *Exclusion of restricted products from certain provisions of priorities regulations and orders.* (1) Notwithstanding the provisions of any regulation, order, direction or certificate heretofore issued by the War Production Board or the Office of Production Management, deliveries of restricted products may be made by any person to any person for any purpose without regard to any preference rating assigned to the purchase, sale or delivery of such restricted products. No person shall require the application of a preference rating assigned by any regulation, order, direction or certificate to the purchase, sale or delivery of restricted products and, except as provided in paragraph (c) (2) hereof, no such purchase, sale or delivery of restricted products shall be deemed to bear any preference rating whatsoever.

(2) No preference rating shall be assigned to any purchase, sale or delivery of restricted products (other than to a purchase, sale or delivery of fuel oil for use in ocean-going vessels) by any regulation, order, direction or certificate hereafter issued by or under the authority of the War Production Board, except by or pursuant to a regulation or order hereafter issued by the War Production Board specifically assigning the rating and excepting the transaction from the provisions of this order.

(d) *Excepted products.* The provisions of this order do not apply to any product of petroleum specified in Exhibit B hereof.

(e) *Applications and communications.* Applications for a specific assignment of a preference rating and exception from the provisions of this order shall be made on Form WPB-541 accompanied by a letter in triplicate stating the reasons for such exception. Any such application shall be addressed to the Petroleum Administration for War, South Interior Building, Washington, D. C., Ref: M-201. All communications concerning this order shall be similarly addressed.

(f) *Violations.* Any person who wilfully violates any provision of this order or who wilfully furnishes false information to the War Production Board in connection with this order 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 by the War Production Board.

Issued this 15th day of July 1944.

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

EXHIBIT A

The following are specified restricted products.

(1) Liquefied petroleum gas: propane, propylene, butanes, butenes, or any combination or dilution thereof commonly known as liquefied petroleum gas.

(2) Aviation gasoline: any liquid fuel (including components thereof), except Diesel fuel, used for aircraft propulsion which meets current provisional or permanent United States Army or Navy specifications for aircraft fuels.

(3) Motor fuel: any liquid fuel (including components thereof) suitable for use in the propulsion of motor vehicles or motor boats.

(4) Naphtha: any liquid petroleum fraction or derivative commonly known as naphtha, including that cut of gasoline or kerosene classified as naphtha: *Provided*, That the term naphtha shall not include any toluene fraction of Kauri-butanol value of 85 Kauri-butanol number or higher, or any aromatic petroleum solvent, as defined in General Preference Order M-150, as amended.

(5) Insecticide base: any liquid petroleum fraction or derivative used as or suitable for use as a base or carrier for the active chemical ingredients of an insecticide, germicide or deodorant.

(6) Fuel oil: any liquid petroleum fraction or derivative commonly known as fuel oil, including grades No. 1, 2, 3, 4, 5, or 6, Bunker "C" fuel oil, Diesel fuel, kerosene, range oil, gas oil and any other liquid petroleum product used for the same purpose as the above designated grades.

(7) Lubricating oil: any liquid petroleum fraction or derivative regardless of the extent processed, (1) which is used for or is suitable for lubrication, including, but not limited to, cutting, drawing, processing, soluble, transformer and white oils, and (2) which does not contain in excess of 50% by weight of additives or compounds.

(8) Lubricating grease: any lubricant manufactured from petroleum and a soap, organic salt or ester of any fatty oil or fatty acid.

(9) Asphalt: asphalt of petroleum origin and all asphaltic products of petroleum origin, including road oils.

(10) Petroleum wax: any solid hydro-carbon mixture commonly known as paraffin wax (fully refined, semi-refined, or crude scale) or micro-crystalline wax (amorphous wax, petrolatum wax), or any combination of these, regardless of the extent processed.

(11) Petrolatum: any semi-solid hydrocarbon mixture, plastic and unctuous, commonly known as petrolatum or petroleum jelly, regardless of the extent processed.

(12) Mineral oil polymers: any resinous product produced by the polymerization of mixtures of unsaturated hydrocarbons (either the solid resin or solvent extended product); but not including polystyrene, polyisobutylene, polyethylene, butadiene, or the copolymers of such materials.

EXHIBIT B

The following are specified excepted products:

(None, as of July 15, 1944.)

[F. R. Doc. 44-10492; Filed, July 15, 1944; 10:59 a. m.]

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### PART 3130—MINERAL OIL POLYMERS

[General Preference Order M-258, Revocation]

Section 3130.1 *General Preference Order M-258* is hereby revoked. This action shall not be construed to affect in any way any liability or penalty incurred under that order.

Issued this 15th day of July 1944.

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

[F. R. Doc. 44-10491; Filed, July 15, 1944; 10:59 a. m.]

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### PART 3287—GOVERNMENT SERVICES

[Preference Rating Order P-141, as Amended July 15, 1944]

PUBLIC SANITARY SEWERAGE FACILITIES; MAINTENANCE, REPAIR AND OPERATING SUPPLIES

§ 3287.26 *Preference Rating Order P-141*—(a) *Definitions.* For the purpose of this order:

(1) "Operator" means any individual, partnership, association, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not, located in the United States, its territories, or possessions, engaged in or constructing facilities for the purpose of engaging in, the operation of a public sanitary sewerage system or a public sanitary sewerage system combined with a storm sewerage system, whether or not such operator has applied the preference ratings herein assigned.

(2) "Controlled material" means steel—both carbon (including wrought iron) and alloy—copper (including copper base alloys) and aluminum, in each case only in the forms and shapes indicated in Schedule I of CMP Regulation No. 1.

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

(4) "Maintenance" means the minimum upkeep necessary to continue an operator's property and equipment in sound working condition.

(5) "Repair" means the restoration of an operator's property and equipment to sound working condition after wear and tear, damage, destruction of parts or the like, have made such property or equipment unfit or unsafe for service.

(6) "Operating supplies" means:

(i) Material which is essential to the operation of the system specified in paragraph (a) (1) and which is generally charged to operating expense account.

(ii) Material for an addition to or an expansion of sewerage system or works, other than buildings, provided that such an addition or expansion shall not include any work order, job, or project, in which the cost of material shall exceed $1,500 and provided that no single construction project shall be subdivided into parts in order to come below these limits.

(7) Material for "maintenance", "repair" and "operating supplies" includes any material which is essential to minimum service standards, and does not include material for the improvement of an operator's property or equipment through the replacement of material which is still usable.

(8) "Supplier" means any person with whom a purchase order or contract has been placed for delivery of material to an operator, or to another supplier.

(9) "Calendar quarterly period" means the several three months of the year commencing January 1, April 1, July 1, and October 1, or the operator's customary accounting period closest to such period.

(10) "Inventory" means all new or salvaged material in the operator's possession, unless physically incorporated in plant, without regard to its accounting classification, excluding, however, material which is segregated for use in additions and expansions specifically authorized under paragraph (g) (2) of this order or by an operative preference rating order or certificate issued by the War Production Board.

(b) *Preference ratings.* A preference rating of AA-1 is hereby assigned to orders to be placed by an operator for material to be used for maintenance or repair, and for operating supplies.

(c) *Controlled materials; steel, copper and aluminum.* Subject to the quantity restrictions contained in paragraph (f) of this order, any operator requiring delivery of any controlled material for maintenance, repair or operating supplies may obtain the same by placing on his delivery order the certification required in paragraph (e) (1) hereof. An order bearing such certification shall constitute an authorized controlled material order.

(d) *Restrictions on use of symbol and ratings.* (1) The allotment symbol and preference ratings hereby assigned shall not be used by an operator or supplier to obtain deliveries of scarce material, the use of which could be eliminated without serious loss of efficiency by substitution of less scarce material or by change of design.

(2) The preference ratings assigned by paragraph (b) shall not be used to obtain any item included in Lists A or B of Priorities Regulation No. 3.

(e) *Application and extension of ratings; application of CMP allotment symbol*—(1) *Certification.* The AA-1 rating assigned by paragraph (b) of this order and the CMP allotment symbol MRO-P-141 may be applied by an operator to deliveries of material for use in maintenance, or repair, or as operating supplies only by use of a certification in substantially the following form:

Preference Rating AA-1, CMP Allotment Symbol MRO-P-141. The undersigned purchaser certifies, subject to the penalties of Section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board, that to the best of his knowledge and belief the undersigned is authorized under applicable War Production Board regulations or orders to place this delivery order, to receive the item(s) ordered for the purpose for which ordered, and to use any preference rating or allotment number or symbol which the undersigned has placed on this order.

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Name of operator

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Signature of designated official

Such certification shall be signed manually or as provided in Priorities Regulation No. 7.

(2) The ratings assigned by this order may be extended by a supplier in the manner provided in Priorities Regulation No. 3, and CMP Regulation No. 3.

(f) *Restrictions on deliveries, inventory and withdrawals*—(1) *Deliveries and withdrawals.* No operator shall, during any calendar quarterly period, accept delivery of any material or withdraw from inventory any material, to be used for maintenance or repair or as operating supplies or for any other purpose (except material to be segregated for use in extensions specifically authorized under paragraph (g) (2) of this order or by an operative preference rating order or certificate issued by the War Production Board), the aggregate dollar value of which shall exceed the aggregate dollar value of materials used for maintenance or repair or as operating supplies, during the corresponding calendar quarterly period of the year 1942, or at the operator's option, twenty-five per cent of the aggregate dollar value of materials used for said purpose during the operator's fiscal year ending closest to December 31, 1942.

(2) *Inventory.* No operator shall at any time, accept delivery of any material if the operator's inventory will, by virtue of such acceptance, be in excess of a practical working minimum.

(3) *Exceptions.* The provisions of paragraph (f) (1) of this order are subject to the following exceptions:

(i) An operator who, during the calendar year 1942 (or fiscal year ending closest to December 31, 1942), used for maintenance, repair, and as operating supplies, materials of the aggregate value of not exceeding $5,000, and whose estimated requirements for materials to be used for maintenance, repair and as operating supplies during any calendar year (or corresponding fiscal year) do not exceed $5,000 may, during such year, exceed the quantity restrictions prescribed by paragraph (f) (1) of this order. If the actual requirements of material for maintenance, repair and operating supplies for such year should prove to be in excess of $5,000, such operator shall not accept any deliveries of material or withdraw from inventory any material to be used for maintenance, repair or as operating supplies if such deliveries or withdrawals, when taken together with other deliveries or withdrawals within such year, would, in the aggregate, exceed $5,000. In such case the operator may apply for specific authorization to exceed such quantity restrictions pursuant to the provisions of paragraph (f) (4) hereof.

(ii) An operator may, in any calendar quarterly period, increase scheduled deliveries, and withdrawals of material required for maintenance or repair or as operating supplies over the limits prescribed in paragraph (f) (1) of this order, in proportion to the increase in the load on the system during the preceding calendar quarterly period of the year 1942 corresponding to the calendar quarterly period in question, determined by a measurement of the average daily flow for the two comparative periods: *Provided,* That in determining the average daily flow of sewage, any flow of surface storm water which enters the system shall not be taken into account.

(iii) An operator may, in any calendar quarterly period, accept deliveries of material or make withdrawals from inventory of material, necessary for the maintenance or repair of the operator's property or equipment which is damaged by acts of the public enemy, sabotage, explosion, or fire or by flood, storm or other similar climatic conditions: *Provided,* That if the restrictions of paragraph (f) (1) are exceeded because of such deliveries or use, a full report thereof shall be made within thirty days after such delivery or withdrawal, to the War Production Board.

(iv) An operator may, in any calendar quarterly period, accept delivery of material, having in the aggregate, a dollar value of not more than the dollar value of material of the same class taken from the operator's inventory for delivery to other persons authorized to accept delivery under applicable regulations of the War Production Board but only if, and to the extent that such taking has reduced the operator's inventory of material below a practical working minimum.

(v) An operator may, during any calendar year (or his fiscal year), withdraw from inventory, material, having in the aggregate, a dollar value of not more than the dollar value of usable material of the same class salvaged from plant during such year.

(vi) The provisions of paragraph (f) (1) and (f) (2) shall not apply to fuel or to chemicals for sewage treatment.

(4) The War Production Board, on its own initiative, or on application of any operator by letter, in triplicate, addressed to the Government Division, War Production Board, Washington 25,

D. C., Ref: P-141, may modify the limitations on practical working minimum inventory, and on scheduling or accepting deliveries, or on use or withdrawals, set forth in this paragraph (f).

(g) *Restrictions on construction of sewerage facilities.* No operator shall construct any sewerage facilities, including but not limited to sewer pipelines, manhole structures, pumping stations, sewage disposal or treatment plants and connections, and no operator shall, in case of contract construction, accept deliveries of material for such purposes except as follows:

(1) An operator may construct an addition to or an expansion of, sewerage system or works, other than buildings: *Provided,* That such addition or expansion shall not include any work order, job or project in which the cost of material shall exceed $1,500: *And provided,* That no single construction project shall be subdivided into parts in order to come below these limits: *And further provided,* That in making house connections or extension of line to serve premises, no iron or steel pipe shall be used except the minimum quantities required in making necessary connections.

(2) An operator may construct an extension of sewerage facilities, other than buildings, to serve premises which are being built or remodeled under authority of any Preference Rating order of the P-55 series, a specific authorization issued pursuant to Conservation Order L-41 or pursuant to any Petroleum Administrative Order issued by the Petroleum Administrator for War if all of the following conditions are satisfied:

(i) The cost of material for such extension does not exceed $5,000 but exceeds $1,500.

(ii) The extension does not duplicate an adequate service already installed.

(iii) No other operator can render the same service with lesser amounts of critical material.

(iv) The extension will not cause an overload on system including sewage disposal plants.

(v) The operator has completed Form WPB-3445 and delivered it to the builder of the premises to be served for attachment to the builder's application for L-41 approval. Preference ratings and allotment number to acquire material required for such extensions are assigned by paragraph (h) of this order.

(3) In addition to the authorization contained in paragraphs (g) (1) and (g) (2) an operator may construct sewage facilities of any kind if such construction is specifically authorized by the War Production Board. Application should be made on Form WPB-617 (formerly PD-200) or on such other form as may be prescribed. The following preference rating orders or certificates include permission for construction under this order although they do not say so: P-19-h, CMPL-127, CMPL-224. In all other cases a preference rating is not enough unless the instrument which assigns the rating also states that construction is permitted. However, any operator who prior to January 15, 1944, has been specifically authorized in writing by the War Production Board to use the lowest rating assigned to a rated project to obtain material to construct sewerage facilities to serve such project may use such rating to obtain material required for that purpose within the limits of said authorization.

(h) *Assignment of preference rating and CMP allotment symbol for extensions authorized under paragraph (g) (2).* (1) The preference rating AA-3 is hereby assigned to orders for material other than controlled material, and the abbreviated allotment number S2 is hereby assigned to orders for controlled material to be placed by an operator for use in the construction of extensions of facilities authorized by paragraph (g) (2) of this order or to replace in inventory material so used.

(2) The preference ratings and allotment number assigned by paragraph (h) (1) may be applied by an operator by using the certification provided in CMP Regulation No. 7. An order for controlled material bearing such certification and allotment number shall constitute a controlled material order.

(i) *Sales of material from inventory.* Any operator may sell to another operator, material from seller's inventory in excess of a practical minimum working inventory: *Provided,* That (1) a preference rating of AA-5 or higher assigned by this order or by any preference rating certificate, or (2) a specific direction issued by the War Production Board, is applied or extended to the operator selling such material.

(j) *Audits and reports.* (1) Each operator and each supplier who applies the preference ratings or allotment symbol hereby assigned, and each person who accepts a purchase order or contract for material to which a preference rating or symbol is applied, shall submit from time to time to an audit and inspection by duly authorized representatives of the War Production Board.

(2) Each operator and each such supplier shall execute and file with the War Production Board, such reports and questionnaires as said Board shall from time to time request, subject to approval by the Bureau of the Budget as required under the Federal Reports Act.

(3) Each operator shall maintain a continuing record of inventory and of segregated material in his possession and all material used by him for maintenance, repair or as operating supplies.

(k) *Communications to the War Production Board.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed by the War Production Board be addressed to the War Production Board, Government Division, Washington 25, D. C., Ref: P-141.

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

(m) *Revocation or amendment.* This order may be revoked or amended at any time as to any operator or any supplier. In the event or revocation, deliveries already rated pursuant to this order shall be completed in accordance with said rating, unless the rating has been specifically revoked with respect thereto. No additional applications of the ratings to any other deliveries shall thereafter be made by the operator or supplier affected by such revocation.

(n) *Applicability of regulations.* (1) Preference Rating Order P-141 is issued in lieu of Preference Rating Order P-46 in so far as it affects public sanitary sewerage systems as defined in paragraph (a) (1) hereof and any reference in any order or regulation of the War Production Board to said Preference Rating Order P-46 shall constitute a reference to orders in the P-141 series.

(2) This order and all transactions affected hereby, except as herein otherwise provided, are subject to all applicable regulations of the War Production Board as amended from time to time, *Provided,* That none of the provisions of CMP Regulations No. 5 or No. 5A shall apply to operators as defined in paragraph (a) (1) hereof, and no such operator shall obtain any material under the provisions of either of said regulations.

Issued this 15th day of July 1944.

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

[F. R. Doc. 44-10493; Filed, July 15, 1944; 10:59 a. m.]

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## PART 1010—SUSPENSION ORDERS

[Suspension Order S-586]

### GOLDEN PEACOCK CO., INC.

Golden Peacock Company, Incorporated, is engaged in the packing and distribution of cosmetics for an affiliated corporation. Its home office and plant are located in Paris, Tennessee. For the period from July 1 through December 31, 1943, the company accepted delivery of, or had set aside, 111,029 dozen new glass containers of less than two-gallon capacity, in excess of the quota permitted for that period by Supplementary Order L-103-b, and during the same period accumulated approximately a nine-month inventory of the containers, in violation of Priorities Regulation No. 1. During the period from October 1 through December 31, 1943, the company used new fibre shipping containers in excess of the quota permitted for that period by Limitation Order L-317, the excess being 12,426 pounds or 134,422 square feet. The company, through its officers, was familiar with Order L-103-b, Priorities Regulation No. 1 and Order L-317 and the company was sufficiently negligent so that its violations must be deemed wilful.

As a result of these violations, scarce materials have been diverted from the war effort to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.586 *Suspension Order No. S–586.* (a) Golden Peacock Company, Incorporated, its successors and assigns, shall limit its total use of new glass containers for the period from July 1 through December 31, 1944, to 50% of the usage permitted for that period by Order L–103–b, unless otherwise authorized in writing by the War Production Board.

(b) Golden Peacock Company, Incorporated, its successors and assigns, shall reduce its total use of new fibre shipping containers, for the period from July 1 through December 31, 1944, by 12,426 pounds or 134,422 square feet under the usage permitted for that period by Order L–317, unless otherwise authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Golden Peacock Company, Incorporated, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on the date of issuance, and shall expire on December 31, 1944.

Issued this 15th day of July 1944.

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

[F. R. Doc. 44–10532; Filed, July 15, 1944; 4:14 p. m.]

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## PART 1010—SUSPENSION ORDERS

[Suspension Order S–588]

### JOSEPH VITTORIO

Joseph Vittorio of 10 Swiss Street, Providence, Rhode Island, began construction of a single-family dwelling on Lots 34 and 35, Plat Card No. 51, on the southeasterly side of Hope Street in North Providence, Rhode Island, without authorization from the War Production Board. The cost of this construction was $3500., which amount exceeded the limit of $200. permitted by Conservation Order L–41 and was in violation of that order. Joseph Vittorio was aware of War Production Board restrictions on construction, and doing this construction without authorization constituted a wilful violation of Conservation Order L–41. This violation of Conservation Order L–41 has diverted critical materials to uses not authorized by the War Production Board and has hampered and impeded the war effort of the United States of America. In view of the foregoing, it is hereby ordered, that:

§ 1010.588 *Suspension Order No. S–588.* (a) Neither Joseph Vittorio, his successors or assigns, nor any other person, shall do any construction on the premises known as Lots 34 and 35, Plat Card No. 51, on the southeasterly side of Hope Street, North Providence, Rhode Island, including putting up or altering the structure, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Joseph Vittorio, his successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on July 15, 1944.

Issued this 15th day of July 1944.

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

[F. R. Doc. 44–10533; Filed, July 15, 1944; 4:14 p. m.]

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## PART 921—ALUMINUM AND MAGNESIUM DIVISION

[Supplementary Order M–1–i, as Amended July 15, 1944]

### ALUMINUM

Section 921.11 (*Supplementary Order M–1–i*) is hereby amended to read as follows:

§ 921.11 *Supplementary Order M–1–i—*

(a) *Use of aluminum allowed for certain specific purposes.* Any person may use aluminum for any purpose mentioned in List A at the end of this order.

(b) *Use of aluminum in repairs.* Aluminum may be used in making specific repairs for a used article, or in making repair parts for a specific used article in need of repair.

(c) *Use of aluminum as substitute for other metal.* (1) In addition to the uses mentioned in List A, any person may use aluminum as a substitute for any other metal in the manufacture of any article (including parts, components and subassemblies) if he does not make more units for civilian purchase orders in any quarter than the number of units of the same size he lawfully made out of other metal for civilian purchase orders in the second quarter of 1944. Also, without regard to second quarter production, aluminum may be used as a substitute for any other metal allowed by WPB orders in the following cases:

(2) A person whose output of an article is expressly limited to a specific number of units per quarter or a specified dollar amount (either under a WPB order or by an authorized production schedule under the Controlled Materials Plan or Priorities Regulation 11B) may use aluminum in place of other permitted metal as long as he does not exceed these limits.

(3) A person whose output is not restricted by a specific unit or dollar limit but is covered by a WPB order restricting his use of other metal during a given period to a specified percentage of his previous use, may use aluminum as a substitute for other metal as long as the total number of units of the article which he makes during the period, and the size of the units, is not greater when he uses aluminum for all or part of his production than it could be under the WPB order if he used other metal exclusively. (For example, under Order L–73 no one may use in the manufacture of certain types of office supplies more iron and steel in any quarter than 12½% of the total weight of all metals used by him during 1940. As applied to a particular manufacturer of steel calendar stands, this has the effect of restricting his production to 200,000 per quarter. If he wants to make some or all of his calendar stands out of aluminum, he still may not make a total of more than 200,000 per quarter, including those made of aluminum, and he may not make them any bigger than they would be if he made them of steel.)

(4) A person whose output is not restricted in any of the ways mentioned in (2) or (3) above, and who has been specifically allotted steel or copper for the third quarter of 1944 to make an article under CMP, may use aluminum to take the place of the allotted steel or copper as long as he does not increase his total production in the quarter (including aluminum, copper and steel) over the number of units of the same size he could have made with the allotted steel or copper only. In the fourth quarter of 1944 and subsequent quarters, his production will be controlled by the size of his allotments of controlled materials (including aluminum), determined in accordance with regular WPB procedures.

(d) *Restrictions in other orders on use of aluminum superseded, but scrap, pigment and composition not affected.* All restrictions in other orders of the WPB as to the use of aluminum (whether referred to by name or as a metal) no longer apply. However, restrictions as to the quantity of an article which may be made remain applicable even if it is made of aluminum as permitted by this order. Also, this order does not affect aluminum scrap, which is defined in and controlled by Order M–1–d, or aluminum pigment and composition, which are defined in and controlled by Order M–1–g.

(e) *Other uses of aluminum.* No one may use aluminum for a purpose not allowed by paragraphs (a), (b) and (c) above without the specific authorization in writing of the WPB. If a person wants such authorization, and does not need an exemption from any order of the WPB (or an authorized production schedule) governing the manufacture of the article he wishes to make, he may apply by letter to the Aluminum and Magnesium Division, War Production Board, Washington 25, D. C., Reference M–1–i. The letter should be filed in duplicate and should contain substantially the information, numbered as shown below:

(1) Weight, form and alloy of aluminum, for which authorization to use is requested.

(2) The number of months the quantity of aluminum requested will cover estimated requirements.

(3) The part to be fabricated, or other use to be made of the aluminum requested.

(4) The product into which such part will be incorporated, and end-use of the product.

(5) If previous requests for this use have been authorized or denied, give ref-

erence number of most recent authorization or denial.

(6) Manpower information on form WPB–3820, or, if granting the authorization will not involve any increase in number of production employees in applicant's plant, a statement to that effect.

(f) *Appeals for relief from quantity restrictions.* If a person wants to use aluminum as a substitute for other metal to make an article in greater quantity than is allowed by paragraph (c) of this order, and believes that his case involves exceptional conditions warranting relief, he may appeal to the WPB as explained in Priorities Regulation 16. The appeal should be filed with the Aluminum and Magnesium Division as an appeal from this order except that if he also wants relief from quantity restrictions imposed by another order of the WPB governing the article he is making, he should appeal from the other order.

(g) *How to get aluminum.* Aluminum may be obtained as explained in CMP Regulations. Allotments may be of the deferred kind described in Direction 54 to CMP Regulation 1 in cases where aluminum is to be used for purposes not previously permitted and in other cases where the WPB considers deferred allotments desirable to prevent possible interference with war requirements.

(h) *Reports.* All persons shall file such inventory and other reports as may be prescribed from time to time by the War Production Board.

(i) *Delivery for unlawful uses forbidden.* No person shall deliver any aluminum if he knows or has reason to believe that it is to be used in violation of the terms of this order.

(j) *Definitions.* For the purpose of this order:

(1) "Aluminum" means any material the principal ingredient of which by either weight or volume is metallic aluminum, which material is in ingot or similar raw form or in the form of finished or semi-finished parts, assemblies or products of any kind, but not including any material in the form of aluminum scrap (which is defined in and controlled by Order M–1–d), or aluminum pigment or aluminum composition (which are defined in and controlled by Order M–1–g).

(2) "Use aluminum in manufacture" means to melt, roll, forge, cast, extrude, draw, turn, spin, fabricate or process in any other way, or assemble or incorporate in assemblies, or to consume or otherwise use in the course of manufacture, any aluminum; but does not include the installation of a finished product or repair part for the ultimate consumer.

(3) "Civilian purchase order" means any purchase order for an article which is not to be delivered directly or indirectly to the United States Army or Navy, the Maritime Commission, the War Shipping Administration, or any foreign country under the Lend-Lease Act.

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

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

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

Issued this 15th day of July 1944.

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

LIST A

The use of aluminum is specifically permitted for the following purposes, including manufacture of the items listed below and parts, components and subassemblies of such items:

(1) Products and equipment prescribed for use by and produced for the Army or Navy of the United States, the Maritime Commission, or the War Shipping Administration or the army or navy of a foreign country.

(2) Aircraft, in addition to those described in subparagraph (1) above.

(3) Alloys.

(4) Aluminizing or calorizing.

(5) Aluminum to be exported in any of the forms and shapes described as a controlled material in CMP Regulation No. 1.

(6) Anhydrous aluminum chloride.

(7) Anodizing equipment.

(8) Automotive busses, trucks and truck trailers.

(9) Cans. The receipt and use of aluminum cans is subject to the quota provisions of Order M–81 except in the case of cans authorized under Direction 4 to Order M–81.

(10) Carbometer wire.

(11) Cathodes for the electrolytic refining of zinc and cadmium.

(12) Cauls for use in the manufacture of plywood.

(13) Chemical processing equipment for use in manufacturing plants.

(14) Closures for parenteral solutions and blood.

(15) Closures of aluminum sheet or strip for glass containers. The use of glass container closures made of aluminum is subject to the quota provisions of Order L–103–b.

(16) Collapsible tubes. The use of aluminum collapsible tubes is subject to the quota provisions of Order M–115.

(17) Cooking utensils to the extent allowed by orders in the L–30 series.

(18) Commercial radio equipment and all wire communications equipment, but only where aluminum, copper or copper base alloy was used in commercial production in the United States during 1939, 1940 or 1941. The above partial restriction on the use of aluminum does not apply to electronic equipment, as defined in Order L–265, manufactured pursuant to subparagraph (25) below.

(19) Data and instruction plates.

(20) Electric bus bars, electrical conductors, and current-carrying accessories for conductors.

(21) Electric condensers.

(22) Electric conduit fittings and wiring devices, but only where aluminum was used in commercial production in the United States during 1939, 1940 or 1941.

(23) Electric motors.

(24) Electric switch gear equipment.

(25) Electronic equipment, as defined in Order L–265.

(26) Fire fighting equipment, protective signal and alarm equipment, but only where aluminum, copper or copper base alloy was used in commercial production in the United States during 1939, 1940 or 1941.

(27) Food processing machinery for bakeries, canneries, dairies, dehydrating plants and packing plants.

(28) Foundry equipment, the following items only: bottom boards, core boxes, core dryers, flasks, match plates and patterns. Damaged and obsolete equipment listed in this paragraph may be remelted for the production of new items listed in this paragraph without a CMP application or authorization pursuant to Order M–1–d. (See Direction 1 to CMP Regulation No. 5.)

(29) Galvanizing, for addition to bath.

(30) Hydraulic brake pistons.

(31) Industrial type fans and blowers and fans and blowers manufactured for incorporation into other machinery or devices, but only where aluminum, copper or copper base alloy was used in commercial production in the United States during 1939, 1940 or 1941.

(32) Industrial machinery and attachments therefor but only where aluminum, copper or copper base alloy was used in commercial production in the United States during 1939, 1940 or 1941. "Industrial machinery" as used in this subparagraph means machinery designed for use in manufacturing and chemical processing on a commercial basis; construction machinery, packaging machinery; conveyors for use in connection with manufacturing and chemical plants and in connection with construction; laundry, drycleaners' and tailors' pressing machines; and shoe repair machinery. The above partial restriction on the use of aluminum does not apply to food processing machinery if manufactured pursuant to subparagraph (27) above.

(33) Industrial spray guns and grease guns, but only where aluminum, copper or copper base alloy was used in commercial production in the United States during 1939, 1940 or 1941.

(34) Instruments, mechanical and electrical. Dials, scales and panels for all types of such instruments. Other parts of only the following mechanical or electrical instruments:

(i) Drafting machines.

(ii) Engineering instruments.

(iii) Geophysical instruments.

(iv) Industrial instruments for measuring, recording or controlling industrial processes.

(v) Laboratory instruments.

(vi) Safety controls and heating controls.

(35) Internal combustion engines.

(36) Jigs and fixtures for use in manufacturing processes.

(37) Lighting equipment of the following types only:

(i) Aviation ground lighting equipment.

(ii) Hospital operating room lighting equipment.

(iii) Industrial type lighting equipment.

(iv) Miners' lamps.

(v) Reflectors for dry cell lights.

(38) Molds for the manufacture and repair of rubber products.

(39) Orthopedic, medical, dental, ophthalmic and surgical instruments and equipment designed exclusively for orthopedic, medical, dental, ophthalmic and surgical use.

(40) Portable electric and pneumatic tools.

(41) Portable power-driven tree felling saws.

(42) Pots and pans. See cooking utensils, subparagraph (17) above.

(43) Repair and maintenance parts for mechanical or electrical equipment.

(44) Refrigeration and heating coils and fins.

(45) Research, developmental or experimental activities, including the making of

experimental models to the extent permitted by applicable orders and regulations.[1]

(46) Safety equipment as defined in Limitation Order L–114, but only where aluminum, copper, or copper base alloy was used in commercial production in the United States during 1939, 1940 or 1941.

(47) Scales (weighing), but only where aluminum, copper or copper base alloy was used in commercial production in the United States during 1939, 1940 or 1941.

(48) Steel deoxidizer.

(49) Stove and range top burner heads.

(50) Thermit reaction, for use in the manufacture of thermit powders and ferro-alloys only.

(51) Welding rod and metallizing wire.

(52) X-ray equipment, infra-red and ultra-violet lamps.

[F. R. Doc. 44–10531; Filed, July 15, 1944; 4:14 p. m.]

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## PART 921—ALUMINUM AND MAGNESIUM

[General Preference Order M–2–b as Amended July 15, 1944]

### MAGNESIUM

Section 921.16 *General Preference Order M–2–b* is amended to read as follows:

§ 921.16 *General Preference Order M–2–b*—(a) *Definitions.* For the purposes of this order:

(1) "Unfabricated magnesium" means any metal in ingot or other raw form, including sticks, the principal ingredient of which by weight is the element magnesium.

(2) "Magnesium products" means any basic forms (such as, but not limited to, castings, extrusions (other than sticks), sheet, strip, plate, forgings, and powder), the principal ingredient of which by weight is magnesium.

(3) "Magnesium scrap" means any scrap material (except sawings, grindings, sweepings, and similar fines), the principal ingredient of which by weight is magnesium, generated in the course of any industrial process, or any discarded magnesium products, which must be remelted to be of value for further use. The term "magnesium scrap" also includes any dross or sludge resulting from melting magnesium or magnesium scrap, when the dross or sludge contains at least 20 percent of magnesium by weight.

(4) "Producer" means any person who makes unfabricated magnesium, in whole or in part, from a non-metallic raw material.

(5) "Approved smelter" means one of the smelting plants listed on Exhibit A.

(6) "Fabricator" means any person, including pattern shops, foundries, and powder grinders, who makes magnesium products.

(7) "Civilian purchase order" means any purchase order for an article which is not to be delivered directly or indirectly to the United States Army or Navy, the Maritime Commission, the War Shipping Administration, or any foreign country under the Lend-Lease Act.

(b) *Delivery and use of unfabricated magnesium.* (1) Except as provided in paragraph (m) with respect to dead stock, no person shall deliver, accept delivery of or use unfabricated magnesium without the written specific authorization of the War Production Board.

(2) A person who seeks the specific authorization of the War Production Board to accept unfabricated magnesium and to use it, and who seeks specific authorization for his supplier to deliver unfabricated magnesium, should apply monthly by letter in duplicate stating the form, alloy and other specifications of the unfabricated magnesium required, the amount in pounds of each type of unfabricated magnesium, the magnesium product to be made from each type of unfabricated magnesium or other use to which it is to be put, and the month in which, and the address to which the unfabricated magnesium is to be shipped. Such application should be made by the 10th of the month preceding the month of requested delivery.

(c) *Use of magnesium products permitted on military and aircraft orders.* Magnesium products may be used in making any items prescribed for use by and produced for the United States Army or Navy, Maritime Commission, the War Shipping Administration, or the Army or Navy of any foreign country, and in making any aircraft or aircraft components or airborne equipment.

(d) *Use of magnesium products for experimental purposes.* Magnesium products may be used for research, developmental, or experimental purposes, including the making of experimental models, to the extent permitted by applicable WPB orders and regulations.

(e) *Use of magnesium products as substitute for other metal.* (1) In addition to the uses mentioned above, any person may use magnesium products as a substitute for any other metal in the manufacture of any article (including parts, components and sub-assemblies) if he does not make more units for civilian purchase orders in any quarter than the number of units of the same size he lawfully made out of other metal for civilian purchase orders in the second quarter of 1944. Also, without regard to second quarter production, magnesium products may be used as a substitute for any other metal allowed by WPB orders in the following cases:

(2) A person whose output of an article is expressly limited to a specific number of units per quarter or a specified dollar amount (either under a WPB order or by an authorized production schedule under the Controlled Materials Plan or Priorities Regulation 11–B) may use magnesium products in place of other permitted metal as long as he does not exceed these limits.

(3) A person whose output is not restricted by a specific unit or dollar limit but is covered by a WPB order restricting his use of other metal during a given period to a specified percentage of his previous use, may use magnesium products as a substitute for other metal as long as the total number of units of the article which he makes during the period, and the size of the units, is not greater when he uses magnesium products for all or part of his production than it could be under the WPB order if he used other metal exclusively.

(4) A person whose output is not restricted in any of the ways mentioned in (2) or (3) above, and who has been specifically allotted steel, copper or aluminum for the third quarter of 1944 to make an article under CMP, may use magnesium products to take the place of the allotted steel, copper or aluminum as long as he does not increase his total production in the quarter (including production from magnesium as well as from steel, copper and aluminum) over the number of units of the same size he could have made with the allotted steel, copper and aluminum only. In the fourth quarter of 1944 and subsequent quarters, his production will not be restricted except as may be otherwise provided.

(f) *Restrictions in other orders on use of magnesium products superseded.* All restrictions in other WPB orders as to the use of magnesium products (whether referred to by name or as a metal) no longer apply. However, magnesium products obtained with priorities assistance for a particular purpose may not be used for other purposes except as permitted in applicable Priorities Regulations.

(g) *Other uses of magnesium products.* Except as stated above, no person may use magnesium products without the specific authorization in writing of the WPB. Authorization to accept a delivery of magnesium products for a particular purpose is equivalent to authorization to use it for that purpose. Anyone who wants specific authorization of the WPB to use magnesium products for a purpose not permitted above, and does not need an exemption from any order of the WPB (or an authorized production schedule), may apply by letter

[1] Aluminum in controlled material forms may be ordered for research, developmental and experimental activities by placing an order bearing the controlled material symbol V–9 and the standard CMP certification, all as provided in Order P–43.

to the Aluminum and Magnesium Division, War Production Board, Washington 25, D. C., Reference M–2–b. The letter should be filed in duplicate and should contain substantially the information numbered as shown below:

(1) Weight, form and alloy of magnesium products for which authorization to use is requested.

(2) The number of months the quantity of magnesium products requested will cover estimated requirements.

(3) The part to be fabricated or other use to be made of the magnesium product requested.

(4) The article into which such part will be incorporated and end use of the article.

(5) Manpower information on form WPB–3820, or, if granting the authorization will not involve any increase in number of production employees in applicant's plant, a statement to that effect.

(h) *Appeals for relief from quantity restrictions.* If a person wants to use magnesium products as a substitute for other metal to make an article in greater quantity than is allowed by paragraph (e) of this order, and believes that his case involves exceptional conditions warranting relief, he may appeal to the WPB as explained in Priorities Regulation 16. The appeal should be filed with the Aluminum and Magnesium Division as an appeal from this order except that if he also wants relief from quantity restrictions imposed by another order of the WPB governing the article he is making, he should appeal from the other order.

(i) *How fabricators fill orders for magnesium products.* Every fabricator shall fill, in preference to all other orders, those orders for magnesium products which he is specifically authorized in writing by the WPB (or, in the case of certain deliveries for aircraft products, by the Aircraft Scheduling Unit of the Aircraft Resources Control Office) to deliver before October 1, 1944. All orders for magnesium products which are not so authorized shall be filled according to preference ratings as provided in Priorities Regulation 1.

(j) *Prohibition against alloying, contamination, and debasement.* No person shall alloy, contaminate or debase unfabricated magnesium except as the War Production Board may specifically authorize in writing.

(k) *Collection, segregation, and use of scrap.* (1) Each person owning or generating magnesium scrap shall collect it, place it in containers, label the containers so as to identify the scrap, and otherwise prepare all such scrap for reprocessing. All magnesium scrap shall be kept free of contamination by other metals and materials, and otherwise handled in such manner so that it will be of acceptable quality for reprocessing.

(2) In addition, each person generating more than 1,500 pounds of magnesium scrap in any month beginning with December, 1943, shall thereafter segregate all magnesium scrap unless specifically authorized in writing by the War Production Board to do otherwise. Such scrap shall be segregated by alloys in accordance with the alloy designation of the American Society for Testing Materials. Commercially pure magnesium, and magnesium scrap of each alloy not described by such designations, shall be kept segregated.

(3) Each person receiving segregated magnesium scrap must keep such scrap segregated prior to its use to the same extent as when received by him, and if he redelivers such scrap, he shall do so segregated to the same extent as when it was received by him.

(4) Any fabricator may use any magnesium scrap generated in his plant (or any casting of his own manufacture rejected or spoiled by another person) but only (i) if the scrap is remelted and refabricated in such plant into products for the production of which the fabricator is currently obtaining deliveries of unfabricated magnesium in conformity with this order and (ii) if, in estimating, applying for, and ordering such magnesium, the fabricator reduces his requirements by an amount which represents a reasonable anticipation of the amount of magnesium scrap which will be recoverable for re-use under this paragraph.

(l) *Disposition of all scrap.* (1) Except as the War Production Board may specifically authorize in writing, any person, other than a producer or approved smelter, owning any magnesium scrap, shall sell or deliver for processing on toll all such scrap at reasonable intervals to a producer or approved smelter and shall not use or dispose of it in any other way. However, a person who has found a new magnesium casting to be defective or has spoiled it, may deliver the casting back to the foundry which produced it.

(2) Except as specifically authorized in writing by the War Production Board no producer or approved smelter shall mix two or more alloys during the remelting of scrap.

(3) Unless specifically authorized by the War Production Board in writing, no person other than a producer or approved smelter shall accept delivery of any magnesium scrap except that a foundry may accept delivery of a casting of its own manufacture which has been rejected or spoiled in machining.

(m) *Dead stock.* All unfabricated magnesium and magnesium products which are not being used in, or which are in excess of reasonable needs for, the manufacture of items approved by written specific authorization, may be sold subject to the restrictions of Priorities Regulation No. 13.

(n) *Requests for authorizations and other communications.* All requests for authorizations under this order shall be filed in duplicate and shall give the relevant facts, including any information specifically called for above. All such requests and other communications regarding this order should be addressed to the War Production Board, Aluminum and Magnesium Division, Washington 25, D. C., Reference M–2–b.

(o) *Special directions.* The War Production Board may issue special directions with respect to the ordering, production, delivery, and receipt and use of magnesium and magnesium products.

(p) *Report of operations.* Any person who in any calendar month has had in inventory any unfabricated magnesium, magnesium products, or magnesium scrap, shall file such reports as may be required from time to time by the War Production Board.

(q) *Intra-company deliveries.* The provisions of this order with respect to deliveries prohibit or restrict deliveries not only to other persons, including affiliates and subsidiaries, but also deliveries from one branch, division, or section of a single enterprise to another branch, division, or section of the same or any other enterprise under common ownership or control.

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

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

NOTE: The reporting provisions of this order have been approved by the Bureau of the Budget under the Federal Reports Act of 1942.

Issued this 15th day of July 1944

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

EXHIBIT A—APPROVED SMELTERS

Aluminum and Magnesium, Inc., 1 Huron St., Sandusky, Ohio.
American Smelting & Refining Co., Federated Metals Division, Barber, N. J.
Apex Smelting Co., 2537 West Taylor St., Chicago, Illinois.
Berg Metals Corp., 2652 Long Beach Ave., Los Angeles, Calif.
Gallagher Smelting Co., 1820 Tenth St., Oakland, California.
National Smelting Co., 6700 Grant Avenue, Cleveland 5, Ohio.

[F. R. Doc. 4–10530; Filed, July 15, 1944; 4:14 p. m.]

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

[CMP Reg. 1, Direction 54]

DEFERRED ALLOTMENTS FOR ALUMINUM

The following direction is issued pursuant to CMP Regulation 1:

(a) *General.* This direction describes the operation of deferred allotments for aluminum. These allotments and authorized controlled material orders based on them are identified with the letter "Z" either as the sole allotment symbol or as a prefix to the regular allotment symbol. Deferred allotments and authorized controlled material orders based on them are exactly the same as regular allotments and authorized controlled material orders, except as provided in this direction or as may be provided under other regulations.

(b) *Identification of deferred allotments.* Any consumer receiving an allotment identified with the symbol "Z", either as the sole allotment symbol or as a prefix to the regular allotment symbol, must place the same identification on every allotment which he passes on under the allotment received by him, as well as on every authorized controlled material order placed by him based on that allotment.

(c) *Treatment by an aluminum producer of authorized controlled material orders based on deferred allotments.* (1) An aluminum producer must accept or reject an authorized controlled material order identified by the symbol "Z" in the same way that he must accept any other authorized controlled material order under Direction 23 to CMP Regulation No. 1. However, if after accepting orders identified by a "Z" symbol, he receives authorized controlled material orders (other than "Z" orders) or "AM" orders which he would be unable to accept because of the provisions of Direction 23, he must remove his most recently accepted "Z" orders from his schedule to the extent necessary and accept the other authorized controlled material order.

(2) An aluminum producer must defer production of his most recently accepted "Z" orders to the extent necessary to make deliveries on time on other authorized controlled material orders and "AM" orders.

(3) Whenever an aluminum producer finds that he will be unable to fill a "Z" order within the month promised, he must promptly notify the customer stating approximately when he expects to make delivery.

(d) *Reports to WPB.* Producers shall treat "Z" orders separately on all reports filed with the Aluminum and Magnesium Division of WPB.

Issued this 15th day of July 1944.

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

[F. R. Doc. 44–10534; Filed, July 15, 1944; 4:14 p. m.]

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## PART 3285—LUMBER AND LUMBER PRODUCTS

[Order L–335, Direction 13]

DISTRIBUTORS RECEIPTS OF RED CROSS LUMBER

The following direction is issued pursuant to Order L–335:

Any lumber distributor who receives ratings from the American Red Cross on a preference rating certificate for use in obtaining lumber required for emergency relief in disaster strickened areas may extend those ratings to get the amount of lumber for which the preference rating certificate was issued. In placing the order with his lumber supplier the distributor is authorized and required to use the certification prescribed by paragraph (q) (3) of Order L–335. A lumber distributor who has placed an order with his supplier to get lumber for a purpose for which he has received a preference rating from the American Red Cross may accept delivery of that lumber after July 31, 1944 provided he validates the order prior to July 20, 1944. Orders should be validated in accordance with the provisions of paragraph (y) (1) of Order L–335. Lumber that a distributor receives from his supplier under this direction may be delivered on uncertified and unrated orders of victims of disaster strickened areas in accordance with the program of the American Red Cross. If the distributor delivers lumber to such victims out of inventory the lumber obtained from the supplier may be used to replace that lumber in inventory. Any lumber that a distributor receives by the use of such a preference rating which is over and above the amount required by such victims may only be sold on certified and rated orders.

Issued this 15th day of July 1944.

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

[F. R. Doc. 44–10535; Filed, July 15, 1944; 4:14 p. m.]

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**Subchapter C—Director, Office of War Utilities**

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 4501—COMMUNICATIONS

[Utilities Order U–2, as Amended July 17, 1944]

GENERAL CONSERVATION ORDER FOR TELEPHONE INDUSTRY

(a) Definitions.
(b) Conservation.
(c) Availability of facilities for essential uses.
(d) Limitation on additional telephones.
(e) Limitation on drop and block wire.
(f) Limitation on replacements.
(g) Limitation on additions.
(h) Non-applicability to certain replacements and additions.
(i) Producers of substantial quantities of food.
(j) Exemption of armed forces.
(k) Engineering and planning.
(l) Reports.
(m) Records.
(n) Appeals.
(o) Violations.
(p) Communications.
Schedule A.
Schedule B.
Schedule C.

§ 4501.1 *Utilities Order U–2*—(a) *Definitions.* (1) "Operator" means any individual, partnership, association, business trust, corporation, receiver, or any form of enterprise whatsoever, whether incorporated or not, the United States, the District of Columbia, any state or territory of the United States, any political, corporate, administrative or other division or agency thereof, to the extent engaged in rendering telephone communication service within, to, or from the United States, its territories or possessions.

(2) [Revoked July 17, 1944.]

(3) Without regard to accounting practices:

(i) "Maintenance" means the minimum upkeep necessary to continue a facility in sound working condition.

(ii) "Repair" means the restoration of a facility to sound working condition when the same has been rendered unsafe or unfit for service by wear and tear, damage, failure of parts or the like.

(iii) Neither maintenance nor repair shall include the improvement of any plant, facility or equipment, by replacing material which is still usable with material of a better kind, quality, or design.

(4) [Revoked July 17, 1944.]

(5) [Revoked July 17, 1944.]

(6) "Schedule A service" means service to the extent required for the proper discharge of duties in the direct defense, public health, welfare and security categories listed on Schedule A attached.

(7) "Interim service" includes all service installed or reconnected on and after April 15, 1943 which requires an allocation or assignment of exchange central office station terminal equipment or ex-

change line plant. It also includes any service installed prior to that date according to a contract specifying that the service was on an interim basis.

(b) *Conservation.* (1) Operators shall conserve scarce and critical materials by the employment of all practical methods.

(2) [Revoked Jan. 20, 1944]

(3) Operators shall discontinue the further installation of dial P. B. X. systems and dial private intercommunicating systems. This provision does not prevent the installation of systems of less than 100 lines where the equipment is already in the stock of the operator or can be obtained from the stock of another operator. Nor does it bar additions to dial systems. Nor does it bar moves for the same business service within the same exchange area, or to a contiguous exchange area of the same operator, so long as no addition to exchange central office equipment is made except for Schedule A business service.

(c) *Availability of facilities for essential uses.* (1) Operators shall disconnect service when they learn that the present real user of service is not a user contemplated in the service agreement. Any such disconnections shall be considered "normal disconnections" within the meaning of paragraph (c) (2) below.

(2) Exchange line plant, exchange central office equipment, or telephone sets made available through normal disconnection or by new acquisition shall be used to take care of applications for service in the following order: *Provided however,* That paragraphs (c) (2) (ii) through (c) (2) (vii) shall not take effect until July 24, 1944:

(i) Schedule A service, public pay station service and service specifically authorized by the War Production Board because of essentiality or unreasonable hardship.

(ii) Changes of address of business service within the same exchange or to another exchange of the same operator within the same metropolitan area or within such other area as is defined by the operator's established practices; and, within the same area, restoration of business "interim service" disconnected to make facilities available for Schedule A service.

(iii) Changes of address of residence service within the same exchange or to another exchange of the same operator within the same metropolitan area or within such other area as is defined by the operator's established practices; and, within the same area, restoration of residence "interim service" disconnected to make facilities available for Schedule A service.

(iv) New business service and additions to existing business service.

(v) New residence service set forth in Schedule B.

(vi) New residence service set forth in Schedule C.

(vii) New residence service other than that included in categories (i), (v) and (vi.)

(viii) Where the operator finds that immediate installation of service is essential to the protection of life, such installation may be made as an exception to the order provided in the above categories. Such service shall, however, be disconnected promptly at the termination of the emergency and the facilities used to take care of applications as otherwise specified above.

(3) Idle facilities may be reserved to the extent operators find necessary to meet promptly the known or fairly anticipated requirements for Schedule A service and to provide for essential public pay station service.

(4) To the extent necessary to meet minimum needs for Schedule A service and for essential public pay station service, operators shall make available additional exchange central office equipment or exchange line plant by regrading any service or disconnecting "interim service" under the following provisions:

(i) "Interim service" shall not be subject to disconnection so long as it continues to meet the requirements of Schedule A service or essential public pay station service.

(ii) Regrading is to be done only when current installations of central office equipment permit. Regrading of Schedule A service and of business service is to be done only if regraded service meets minimum service needs.

(iii) In so far as practical these steps shall be taken in the following order. Regrading shall precede disconnection. Residence service shall be regraded or disconnected before business service. Any regrading or disconnection shall be in the reverse order of the dates of connection at the existing locations, that is, the most recent shall be regraded or disconnected first.

(5) Subject to the provisions of (c) (4) (ii) and (c) (4) (iii) above, operators shall regrade existing service to the extent necessary to provide service authorized by the War Production Board because of unreasonable hardship.

(d) *Limitations on additional telephones.* (1) Main stations. Operators shall limit the number of main telephone stations, including P. B. X. trunks, connected to any central office to 105% of the number the central office was designed to serve under pre-war engineering and operating practices. This provision has the following exclusions and exceptions:

(i) Main stations do not include extensions or P. B. X. stations.

(ii) If the number of main stations connected to a central office on March 25, 1943 exceeded the 105% limit, the number need not be reduced so long as service is satisfactory.

(iii) The 105% limitation need not be applied to a single-office exchange which is designed to serve less than 1,000 main stations.

(iv) The War Production Board may approve a percentage other than 105% for any central office.

(2) Residence extension service. Operators shall not install or reconnect residence extension telephones, residence extension bells or residence P. B. X. telephones, nor as a substitute provide additional main lines or stations on party lines, nor install jacks and plugs for residence service. This provision has the following exclusions and exceptions.

(i) Jacks already in place may be reconnected provided that no more than one telephone and one bell shall be furnished with the telephone line with which the jacks are associated.

(ii) Temporary installations of one residence extension may be made when the operator finds it essential in cases of serious illness.

(iii) For practicing physicians and surgeons, the following services may be provided, but the operator shall supply the minimum which will meet professional requirements. The operator may install two jacks and make the main station telephone a portable telephone, or, as an alternative, install one extension telephone or, as an alternative, install two jacks for use with a single portable extension telephone. The operator may also provide a connection with an answering bureau.

(iv) The installation and reconnection in residence quarters of telephones connected to private branch exchanges serving hotels, apartment houses, etc., may be made to the extent that no more than one such telephone may be provided in any residence quarters.

(e) [Revoked July 17, 1944.]

(f) *Limitation on replacements.* Operators shall not make replacements of central office and P. B. X. equipment and station apparatus (other than inside wiring and cabling) except:

(1) To maintain or protect existing service.

(2) In making an addition, to the extent that the cost of material replaced or of the replacing material does not exceed

25 percent of the cost of the total material added.

(3) To provide a permanent installation in lieu of one temporarily made to meet an exigency.

(4) To provide for decreased service demands or for the regrading provided for in paragraph (c).

(5) To make necessary replacements for supplying the residence extension service which is permitted for practicing physicians and surgeons in paragraph (d) (2) (iii) and for reconnecting jacks in paragraph (d) (2) (i).

(6) To effect a change in the "class" or "grade" of service, provided the change is not otherwise prohibited by this order. The "classes" of service involved are business, residence, semi-public, residence coin; the "grades" of service involved are individual, two-party, four-party, multi-party.

(7) To provide station wiring plans or key arrangements which conserve one or more telephones.

(8) To replace "left-in" telephone sets and station cords so that a subscriber may retain the same type telephone sets and cords after a change of address within the area indicated in paragraph (c) (2) (iii).

(9) To install amplifying equipment for the hard-of-hearing.

(10) [Revoked July 17, 1944.]

(g) *Limitation on additions.* Operators shall not add exchange central office equipment except:

(1) To maintain or protect existing service.

(2) To meet the known or fairly anticipated needs of Schedule A service or to provide essential public pay station service where facilities cannot be made available through regrading or disconnection as provided in paragraph (c) above.

(3) [Revoked July 17, 1944.]

(4) Where 75 percent or more in cost of material required for the addition is recovered from the operator's plant or is obtained from any operator's stocks. The material taken from stocks or plant pursuant to this subparagraph shall not be replaced.

(5) [Revoked July 17, 1944.]

(h) *Non-applicability to certain replacements and additions.* (1) The terms of this order shall not prohibit wire communications projects approved by the War Production Board on form WPB-2774 or other appropriate form.

(2) Nor do they prohibit the completion of a project the physical installation of which was started at a time when the project was permitted by Order L-50 or an earlier issue of Order U-2.

(i) [Revoked July 17, 1944.]

(j) *Exemption of armed forces.* The restrictions of paragraphs (b) (3) and (f) shall not apply to facilities for the official use of the armed forces.

(k) *Engineering and planning.* All operators shall engineer all replacements or additions to central office equipment so as to limit the margin for expected growth of requirements to a period not in excess of one and one-half years.

(l) *Reports.* All operators affected by this order shall execute and file with the Office of War Utilities such reports as the Director, Office of War Utilities, shall from time to time require; subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(m) [Revoked Jan. 20, 1944]

(n) *Appeals.* Any appeal from the provisions of this order shall be made by filing Form WPB-2117 (PD-761), giving all information required by said form.

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

(p) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: Communications Division, Office of War Utilities, War Production Board, Washington 25, D. C., Ref.: U-2.

Issued this 17th day of July 1944.

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

SCHEDULE A—CATEGORIES TO BE ACCORDED PREFERENCE IN OBTAINING SERVICE TO THE EXTENT REQUIRED FOR THE PROPER DISCHARGE OF DUTIES IN DIRECT DEFENSE, PUBLIC HEALTH, WELFARE AND SECURITY

1. *Armed forces and government.* (a) Official Army, Navy, Marine Corps and Coast Guard Units. Office of Civilian Defense Units.

(b) Official Federal, State, county, and municipal government services.

(c) Official agencies of foreign governments.

2. *War production and directly related activities.* (a) Business concerns furnishing material, equipment or facilities under prime or subcontracts to the Armed Forces of the United States (or their suppliers). Petroleum operators, for their oil or gas producing or drilling operations. The business offices of persons who regularly perform special services for these business concerns, such as consulting engineers, chemists, lawyers, and accountants. The business offices of persons rendering special service in connection with construction of defense projects authorized by the War Production Board, such as contractors, engineers, and architects. Labor unions having bona fide collective bargaining agreements with business concerns identified in this Schedule A.

(b) Public transportation, pipe line companies, all types of public utilities.

(c) Business concerns who regularly maintain or service equipment essential to the Armed Forces, war production, public transportation, public utilities, and pipe line companies.

3. *Public health and welfare.* (a) Public or private organizations directly serving the public safety, health or welfare, such as: hospitals, clinics, sanitoria; physicians, surgeons, dentists, nurses, nurses' registries, veterinarians, ambulance services, manufacturers or distributors (wholesale and retail) of drugs, surgical, medical, hospital or dental supplies or equipment; mortuaries, burial service organizations; the American Red Cross and similar agencies.

(b) Philanthropic and eleemosynary organizations recognized as such by the Bureau of Internal Revenue, including their fund-raising offices; United Service Organizations and other similar organizations; religious establishments and their officiating clergy; Christian Science Practitioners; public and private schools.

(c) Press associations, newspapers, radio broadcasting stations.

(d) The business or management offices of new housing developments.

(e) Food processing, food distribution (wholesale and retail) and food storage organizations and producers of substantial quantities of food.

NOTE: Schedules B and C added July 17, 1944.

SCHEDULE B

Categories to be accorded preference in obtaining service in the order provided in paragraph (c) (2).

1. Residence service where the attending physician or surgeon certifies in substantially the form set forth in the Schedule B Certification Form (WPBI-2101) that there exists a condition of serious illness or pregnancy involving serious complications, that he must be called repeatedly at unpredictable intervals for emergency treatment and that in view of all the circumstances telephone service is essential. Such service shall be terminated within 30 days of the termination of the conditions specified above.

2. Residence service required where a person lives alone and the attending physician certifies in substantially the form set forth in the Schedule B Certification Form (WPBI-2101) that such person is confined to residence quarters for a protracted period by reason of serious illness or physical disability and that in view of all the circumstances telephone service is essential. The phrase "lives alone" includes a person who is alone all day or during the day or night working hours, except for one or more children aged

ten years or younger or another person similarly certified to be confined to residence quarters by reason of serious illness or physical disability. Such service shall be terminated within 30 days after the termination of the conditions specified above.

SCHEDULE C

Categories to be accorded preference in obtaining service in the order provided in paragraph (c) (2).

1. Residence service for the wife of a member of the armed forces who is on active duty away from home, where her household consists only of herself and one or more children aged ten years or younger. The applicant for service must certify to these facts in substantially the form set forth in the Schedule C Certification Form (WPBI-2102).

2. Residence service for those who discontinued residence service upon entering the armed forces of the United States and who apply, within six months after being honorably separated from the armed forces, for residence service within the area indicated in paragraph (c) (2) (iii). The applicant for service must certify to these facts in substantially the form set forth in the Schedule C Certification Form (WPBI-2102).

[F. R. Doc. 44-10582; Filed, July 17, 1944; 11:23 a. m.]

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## Chapter XI—Office of Price Administration

### PART 1346—BUILDING MATERIALS

[MPR 546]

### USED AND RECONDITIONED PLUMBING AND HEATING EQUIPMENT

In the judgment of the Price Administrator, it is necessary and proper in order to effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, to replace the General Maximum Price Regulation [1] and Maximum Price Regulation No. 188 [2] with a separate regulation establishing maximum prices for used and reconditioned plumbing and heating equipment.

Insofar as this regulation uses specifications and standards which were not, prior to such use, in general use in the trade or industry affected, the Administrator has determined, with respect to such standardization, that no practicable alternative exists for securing effective price control with respect to the commodities subject to this regulation.

So far as practicable, the Price Administrator has consulted with representatives of the trade and industry which will be affected by the regulation. In the judgment of the Price Administrator, the maximum prices established by this regulation are generally fair and equitable and will effectuate the purpose of said act. A statement of the considerations involved in the issuance of this Maximum Price Regulation No. 546 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

§ 1346.705 *Maximum prices for used and reconditioned plumbing and heating equipment.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and pursuant to Executive Orders Nos. 9250 and 9328, Maximum Price Regulation No. 546 (Used and Reconditioned Plumbing and Heating Equipment), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1346.705 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 546—USED AND RECONDITIONED PLUMBING AND HEATING EQUIPMENT

ARTICLE I—PERSONS AND TRANSACTIONS SUBJECT TO THIS REGULATION AND ITS RELATIONSHIP TO OTHER REGULATIONS

Sec.

1. The matters to which each article in this regulation relates.
2. Prohibition against sales at prices above ceiling prices.
3. Coverage of this regulation.
4. Items covered by this regulation.
5. Persons covered by this regulation.
6. Relationship of this regulation to other regulations.

ARTICLE II—USED PLUMBING AND HEATING EQUIPMENT

7. Ceiling prices for used plumbing and heating equipment for sales at wholesale.
8. Ceiling prices for used plumbing and heating equipment for sales at retail.
9. Posting provisions.

ARTICLE III—RECONDITIONED BOILERS AND BOILER REPAIR PARTS, AND RECONDITIONED AUTOMATIC DOMESTIC HOT WATER HEATERS

10. Ceiling prices for reconditioned boilers and boiler repair parts, and reconditioned automatic domestic hot water heaters.

ARTICLE IV—SECONDS OR CULLS

11. Ceiling prices for seconds or culls.

ARTICLE V—MISCELLANEOUS PROVISIONS

12. Prohibited practices.
13. Penalties.
14. Applications for adjustment.
15. Petitions for amendment.
16. Adjustable pricing.
17. Federal and state taxes.
18. Records.
19. Reports.
20. Notification of purchaser of existence of regulation.
21. Suspension of free delivery.
22. Licensing.
23. Other definitions.
24. Schedules of ceiling prices for certain items of used plumbing and heating equipment.

ARTICLE I—PERSONS AND TRANSACTIONS SUBJECT TO THIS REGULATION AND ITS RELATIONSHIP TO OTHER REGULATIONS

SECTION 1. *The matters to which each article in this regulation relates.* This regulation is divided into five articles: Article I explains the coverage of the regulation; Article II establishes ceiling prices for sales of used plumbing and heating equipment; Article III establishes ceiling prices for sales of reconditioned boilers and boiler repair parts, and reconditioned automatic domestic hot water heaters; Article IV establishes ceiling prices for sales of seconds or culls; and Article V contains general provisions applicable to all of the regulation.

SEC. 2. *Prohibition against sales at prices above ceiling prices.* (a) On and after the 9th day of August 1944, the effective date of this regulation, no person shall sell or deliver, and no person in the course of trade or business shall buy or receive any commodity subject to this regulation at prices higher than the ceiling prices fixed by this regulation, and no person shall agree, offer, solicit, or attempt to do any of these things. The provisions of this section shall not be applicable to sales or deliveries of any commodity covered by this regulation if prior to August 9, 1944, any such commodity had been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to the purchaser.

(b) Lower prices than the ceiling prices fixed by this regulation may be offered, charged, and paid.

SEC. 3. *Coverage of this regulation.* This regulation establishes the highest price at which used and reconditioned plumbing and heating equipment and seconds or culls may be sold and bought at any point within the 48 states of the United States and the District of Columbia. All sales of these items, including sales at wholesale and retail, except as noted below, are covered.

"Sale at wholesale" means a transaction in which the item is sold to a retailer or any other person who purchases for resale rather than for use.

"Sale at retail" means a transaction in which the item is sold to an ultimate purchaser, and includes sales to and by plumbing and building contractors. Installation charges only to the extent permitted by any applicable maximum price regulation may be added for installation actually performed.

The following sales are not covered, except as noted:

(a) Sales by any person to "peddlers" and "wreckers" and sales by "peddlers" and "wreckers" to a wholesaler are exempt from price control. However, sales by peddlers and wreckers to any person other than a wholesaler are subject to this regulation. This means that sales by peddlers and wreckers to retailers and to consumers are covered by this regulation.

A "peddler," for the purpose of this regulation, is a person who has no fixed yard or other place of business at which day to day sales of used and reconditioned plumbing and heating equipment or seconds or culls are made.

A "wrecker," for the purpose of this regulation, is a person who tears down old buildings and disposes, in the course of business, of materials salvaged from such operation.

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[1] 9 F.R. 1385.

[2] 7 F.R. 5872, 7967, 8943, 8948, 10155; 8 F.R. 537, 1815, 1980, 3105, 3788, 3850, 4140, 4931, 5759, 7107, 8751, 8754, 9836, 10433, 10906, 11037, 12406, 12479, 12186, 12668, 14622, 14766, 16298, 17415; 9 F.R. 1912, 2556, 3095, 3858, 4396, 4506, 4882.

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

(b) Sales by a householder of articles originally purchased for his own use are exempt from price control pursuant to section 3.2 (c) of Revised Supplementary Regulation No. 1 [2] to the General Maximum Price Regulation. However, sales made out of a residence as a regular business enterprise are covered by this accompanying regulation.

(c) Sales at good faith auctions of items sold for the account of a householder are not subject to price control, except that auction sales conducted by a wholesaler or retailer regularly engaged in the business of selling items covered by this regulation other than by auction are subject to this regulation if made for the wholesaler's or retailer's own account.

(d) Sales by the War Department, the Navy Department, or the Procurement Division of the Treasury Department are not subject to this regulation but remain subject to the maximum price regulation governing such sales.

SEC. 4. *Items covered by this regulation.* The items covered by this regulation are referred to as "used and reconditioned plumbing and heating equipment." That term, when used with reference to items covered by this regulation, also includes reconditioned boilers and boiler repair parts, reconditioned automatic domestic hot water heaters, and seconds or culls.

"Used plumbing and heating equipment" means, for the purpose of this regulation, any plumbing fixture or piece of heating equipment, including any repair or service part, which had been, at any time, incorporated into or connected to a sanitary plumbing system, plumbing supply system, heating system, or domestic hot water supply system, and which is capable of being used for the purpose for which it was originally designed. Fuller descriptions are set forth below.

(a) *Used plumbing equipment includes:*

(1) All kinds of plumbing fixtures, such as basins, bathtubs, drinking fountains, lavatories, sinks, toilet tanks, toilet bowls, trays, tubs, urinals, wash sinks, and water closets.

(2) All kinds of plumbing fixture trim, such as bath cocks, bath supply fittings, bathtub wastes, combination bath and shower fixtures, combination sink faucets, continuous wastes, curtain rods for showers, drinking fountain bubblers, escutcheons, flush ells, flush valves, hose bibbs, lavatory faucets, lavatory wastes, mixing valves, over-rim tub fillers, showers, sink faucets, sink wastes, tailpieces, toilet seats, toilet seat hinges, and traps.

(3) All kinds of plumbing specialties, such as clean-out plugs, deck plugs, downspouts, ferrules, floor drains, floor flanges, roof drains, solder bushings, solder nipples, test tees, vent couplings, and water-operated (siphon) cellar drainers, whether manufactured from brass, iron, or any other material.

(4) All kinds of hot water heaters, except cast-iron or steel boilers or heaters, whether direct-fired or indirect-fired, whether for coal, oil, gas, or any other fuel, and whether connected to a tank, part of a tank, or maintained as a separate unit.

(5) All kinds of fire-fighting (standpipe) equipment, such as nozzles, play pipes, hose racks, siamese or steamer connections, and wrenches, but not including hose or hose couplings, fire hydrants, or municipal fire-fighting equipment.

(6) All kinds of sprinkler system equipment, such as alarm valves, sprinkler heads, and wrenches.

(7) All kinds of small tanks (up to 192-gallon capacity), such as expansion tanks, hot water storage tanks, pneumatic tanks, and range boilers, whether black, galvanized, painted, unpainted, cement-lined, or glass-lined.

(8) All kinds of fittings, such as bushings, couplings, elbows, nipples, plugs, tees, and unions, made from all kinds of metal, including steam fittings, whether regular or of a special design, such as fittings for one-pipe hot water jobs.

(9) All kinds of cast-iron pipe and fittings used for gas mains, water mains, and sewers, including pressure pipe and fittings, and soil pipe and fittings of all weights, whether standard, medium, extra-heavy, or "Victory."

(b) *Used heating equipment includes:*

(1) All kinds of boilers manufactured from cast iron and designed for low pressure steam heating or hot water heating, as long as they are made from cast iron, whether they are round or square, flat tops, or round tops, sectional or of one piece.

(2) All kinds of boilers, manufactured from steel and designed for low pressure steam heating or hot water heating. This means any steel boiler designed by the manufacturer to operate at steam working pressures not exceeding 15 pounds gauge per square inch, or at hot water pressure not exceeding 160 pounds gauge per square inch, or at temperatures not exceeding 250° F.

(3) All kinds of furnaces, whether they are made from cast iron or steel, as long as they are used for heating, whether installed on the floor, in the chimney, or within the floor, with or without fans, but not including portable space heaters.

(4) All kinds of radiation made from all kinds of metal, either small tube or large tube, hospital type or wall type, convector type, or any other type, whether designed for steam, hot water, or gas-fired, but not including "radiant" heaters.

(5) All kinds of unit heaters, whether they use gas, electricity, hot water, or steam to produce heat.

(6) All kinds of heating specialities, such as air expellers, air valves, bucket traps, damper regulators, gauge cocks, modulating valves, orifice valves, radiator traps, radiator valves, steam traps, strainers, and vent traps.

(c) *Reconditioned boilers and boiler repair parts include:*

(1) Any cast-iron boiler or cast-iron boiler repair part and those steel boilers and steel boiler repair parts designed by the manufacturer to operate at steam working pressures not exceeding 15 pounds gauge per square inch, or at hot water pressures not exceeding 160 pounds gauge per square inch, or at temperatures not exceeding 250° F, reconditioned in accordance with subparagraph (2) or (3) below.

(2) Type A reconditioned and guaranteed boilers and parts. Cast iron and steel boilers and cast iron and steel boiler repair parts, described in the preceding paragraph (c) (1) shall be deemed to be within "Type A reconditioned and guaranteed boilers and parts" class (see section 10 (a) (1) for ceiling prices) only when the following steps are taken:

1. The interior and exterior surfaces must be thoroughly cleaned;

2. The exterior surfaces must be scraped or sanded;

3. All defective parts must be replaced with new or serviceable used parts;

4. The boiler or boiler repair part must be hydrostatically tested at four times the steam working pressure or twice the water working pressure for which it was designed (minimum 60 pounds gauge per square inch). The seller must certify that there are no leaks or defects at these pressures;

5. All exterior surfaces must be painted;

6. All movable parts must be in free working order;

7. A tag must be attached to or furnished with the boiler or boiler repair part which must have the following guarantee printed thereon:

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(Name of seller)

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(Address of seller)

guarantees that this boiler (or boiler repair part) has been reconditioned in accordance with the provisions of section 4 (c) (2) of Maximum Price Regulation No. 546 and the seller will repair or replace without charge any materials or parts found defective under proper operating conditions and in the manner for which this boiler (or part) was designed within one year from date of purchase. The seller will either pay for all labor and installation charges or will himself perform all necessary work to replace or repair such defective materials and parts. This guarantee, however, does not apply to grates or grate bars.

(3) Type B reconditioned and guaranteed boilers and parts. Cast iron and steel boilers and cast iron and steel boiler repair parts, described in the preceding paragraph (c) (1), shall be deemed to be within "Type B reconditioned and guaranteed boilers and parts" class (see section 10 (a) (2) for ceiling prices) only when the following steps are taken:

1. The exterior surfaces must be cleaned;

2. All defective parts must be replaced with new or serviceable used parts;

3. The boiler or boiler repair part must be hydrostatically tested at the water working pressure for which it was designed (30 pounds gauge per square inch). The seller must certify that there are no leaks or defects at this pressure;

4. All movable parts must be in free working order;

5. A tag must be attached to or furnished with the boiler or boiler repair part which must have the following guarantee printed thereon:

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(Name of seller)

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(Address of seller)

[2] 9 F.R. 3581, 3590, 4391, 4948.

guarantees that this boiler or boiler repair part has been reconditioned as defined under section 4 (c) (3) of Maximum Price Regulation No. 546, and the seller will replace without charge any materials or parts found defective under proper operating conditions and in the manner for which this boiler (or part) was designed, within 60 days from the date of purchase. This guarantee does not include labor and installation charges to replace such defective materials or parts nor does this guarantee apply to grates or grate bars.

(d) *Reconditioned automatic domestic hot water heaters.* "Reconditioned automatic domestic hot water heaters" means any automatic domestic hot water heater which has been subjected to the following reconditioning steps:

1. The interior and exterior surfaces have been thoroughly cleaned;

2. All defective parts have been replaced with new or serviceable used parts;

3. The automatic domestic hot water heater has been hydrostatically tested at one and one-half times the water working pressure for which it was designed (minimum 150 pounds gauge per square inch); the seller must certify that there are no leaks or defects at these pressures;

4. All movable parts and automatic devices have been disassembled and the operating mechanism of these parts has been thoroughly examined, with particular attention to the seats and the bimetal expanders; all defective or worn parts have been replaced with new or serviceable used parts; all movable parts and automatic devices have been reassembled;

5. The whole automatic domestic hot water heater has been subjected to a continuous test operation of 6 hours and all automatic devices have been found to operate free and properly under all conditions during this test period;

6. All exterior surfaces have been painted;

7. A tag must be attached to or furnished with the automatic domestic hot water heater which must have the following guarantee printed thereon:

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(Name of seller)

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(Address of seller)

guarantees that this automatic domestic hot water heater has been reconditioned in accordance with the provisions of section 4 (d) of Maximum Price Regulation No. 546 and the seller will repair or replace without charge any materials or parts found defective under proper operating conditions and in the manner for which this automatic domestic hot water heater was designed within one year from date of purchase. The seller will either pay for all labor and installation charges or will himself perform all necessary work to replace or repair such defective materials or parts.

(e) *Second or culls.* "Seconds or culls" mean any new plumbing fixtures designated by the manufacturer as seconds or culls which have at no time been incorporated into or connected to a sanitary plumbing system or plumbing supply system. The term "seconds or culls" includes "rejects," "imperfects," and "damaged."

In the case of vitreous china plumbing fixtures, seconds or culls usually are identified by two red indelible parallel lines placed on the fixture in an inconspicuous place by the manufacturer.

In the case of cast-iron enameled or formed metal plumbing fixtures, seconds or culls are usually identified by a hole punched by the manufacturer in the apron or back of the fixture, although other methods of identification are also used.

SEC. 5. *Persons covered by this regulation.* Any person who makes the kind of a sale and any person who makes the kind of a purchase described by this regulation is covered by it. The term "person" includes an individual, corporation, partnership, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any other Government or any of its political subdivisions, or any agency of any of the foregoing.

SEC. 6. *Relation of this regulation to other regulations.* (a) The provisions of this regulation supersede the provisions of the General Maximum Price Regulation and Maximum Price Regulation No. 188 with respect to sales and deliveries for which maximum prices are established by this regulation.

(b) The following items are not covered by this regulation:

(1) Sales of second hand valves, such as gate, globe, angle, or check valves, remain subject to the General Maximum Price Regulation, particularly section 6.33 (b) of Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation.

(2) Sales of articles and parts listed in Maximum Price Regulation No. 136 (Machines and Machine Parts),[4] such as gauges, pop safety valves, pumps, and controls, remain subject to that regulation.

(3) Sales of used and reconditioned steel boilers designed by the manufacturer to operate at pressures exceeding 15 pounds gauge for steam, or exceeding 160 pounds gauge for hot water, or at temperatures exceeding 250° F. remain subject to Maximum Price Regulation No. 136 (Machines and Machine Parts).

(4) Sales of reusable pipe remain subject to Maximum Price Regulation No. 230 (Reusable Iron and Steel Pipe).[5]

(c) *Installed sales.* The maximum price at which any item subject to this regulation may be sold on an installed basis must be determined under Maximum Price Regulation No. 251 (Construction and Maintenance Services and Sales of Building and Industrial Equipment and Materials on an Installed or Erected Basis),[6] to the extent that Maximum Price Regulation No. 251 or any revision thereof, or successor regulation thereto, is applicable.

(d) *Exports.* Maximum prices for export sales of items covered by this regulation shall be determined in accordance with the provisions of the Second Revised Export Price Regulation[7] issued by the Office of Price Administration.

(e) *Imports.* This regulation is not applicable to initial sales of used plumbing and heating equipment, including seconds or culls, which originate outside of and are imported into the Continental United States. Such initial sales and deliveries are governed by the Second Revised Maximum Export Price Regulation. All subsequent sales, however, are subject to this regulation.

### ARTICLE II—USED PLUMBING AND HEATING EQUIPMENT

SEC. 7. *Ceiling prices for used plumbing and heating equipment for sales at wholesale.*—(a) *Listed items.* On and after the 9th day of August 1944, the ceiling price for a sale at wholesale of any item listed in the Schedule set forth in section 24 is the price established in Column II of the Schedule for the State or area in which the seller's place of business is located.

(b) *Unlisted items.* The ceiling price for a sale at wholesale of any item of used plumbing and heating equipment covered by this regulation but not listed in the schedule, *regardless of the place of sale,* shall be determined by deducting 66⅔ percent from any manufacturer's list price in effect at the time of the sale for a new item of the same kind, shape, and style.

(c) *What the ceiling price for a sale at wholesale includes.* (1) The ceiling price for a sale at wholesale is a price f. o. b. the seller's store or yard. If the sale is made on a delivered basis, the charge for delivery must not exceed common truck carrier rates for the most similar type of haul and such charges must be stated separately on the invoice.

The ceiling price applies to all used plumbing and heating equipment, in usable condition, and includes the repair, refinishing, or addition of parts to the article. However, in the case of reconditioned boilers and boiler repair parts and reconditioned automatic domestic hot-water heaters, the maximum prices set forth in sections 10 (a), 10 (b), or 10 (c) may be charged.

(2) Whenever the description of an item listed in the schedule set forth in section 24 of this regulation or the manufacturer's list price includes certain parts, trimmings, appliances, or appurtenances which the seller is unable to furnish or supply, the invoice must show the ceiling price permitted by this regulation and also the amount allowed for such missing part, trimming, appliance, or appurtenance. The amount of this allowance shall not be less than one-tenth (10 percent) of the manufacturer's list price in effect at the time of the sale for a new part, trimming, appliance, or appurtenance of the same or similar kind, shape, or style. No allowance, however, need be made for the absence of firing tools in connection with the sale of a boiler.

(3) Any Federal, State, city or county sales tax, including the cost of seals if required by city ordinances, may be added to the ceiling price, if permitted by this regulation, but this sales tax must be stated separately on the invoice; otherwise, the seller is not permitted to

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[4] 9 F.R. 4748.

[5] 7 F.R. 7731, 7914, 8935; 8 F.R. 1621, 3520, 12014.

[6] 7 F.R. 8878; 8 F.R. 3628, 9334.

[7] 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1036.

charge for it. (See section 17 for full particulars).

SEC. 8. *Ceiling prices for used plumbing and heating equipment for sales at retail*—(a) *Listed items.* On and after the 9th day of August 1944, the ceiling price for sale at retail of any item listed in the schedule set forth in section 24 is the price established in Column III of the schedule for the State or area in which the seller's place of business is located.

(b) *Unlisted items.* The ceiling price for a sale at retail of any item of used plumbing and heating equipment covered by this regulation but not listed in the schedule, *regardless of the place of sale,* shall be determined by deducting 45 percent from any manufacturer's list price in effect at the time of the sale for a new item of the same kind, shape, and style.

(c) *What the ceiling price for a sale at retail includes.* (1) The ceiling price for a sale at retail for used plumbing and heating equipment, in the case of persons selling such equipment during March 1942, includes free delivery within the area recognized by the seller as a free delivery area during March 1942. If the seller delivers outside his recognized free delivery area, or if the seller did not render free delivery services during March 1942, the charge for delivery from the seller's store or yard must not exceed common carrier truck rates for the most similar type of haul and such charges must be stated separately on the invoice.

If the seller did not sell used plumbing and heating equipment during March 1942, he shall be governed by the delivery practices of his closest competitor located within the seller's trading area.

Section 21 sets forth the conditions under which the requirement for free delivery may be suspended.

The ceiling price applies to all used plumbing and heating equipment in usable condition, and includes the repair, refinishing, or addition of parts to the article. However, in the case of reconditioned boilers and boiler repair parts and reconditioned automatic domestic hot-water heaters, the maximum prices set forth in sections 10 (a), 10 (b), or 10 (c) may be charged.

(2) Whenever the description of an item listed in the schedule set forth in section 24 of this regulation or the manufacturer's list price includes certain parts, trimmings, appliances, or appurtanances which the seller is unable to furnish or supply, the invoice must show the ceiling price permitted by this regulation and also the amount allowed for such missing part, trimming, appurtenance, or appliance. The amount of this allowance shall be not less than one-fifth (20 percent) of the manufacturer's list price in effect at the time of the sale for a new part, trimming, appliance, or appurtenance of the same or similar kind, shape, or style. No allowance, however, need be made for the absence of firing tools in connection with the sale of a boiler.

(3) Any Federal, state, city or county sales tax, including the cost of seals if required by city ordinances, may be added to the ceiling price, if permitted by this regulation, but this sales tax must be stated separately on the invoice; otherwise, the seller is not permitted to charge for it. (See section 17 for full particulars.)

SEC. 9. *Posting provisions.* A copy of the schedule applicable for the State or area in which the seller's place of business is located must be posted in a conspicuous place in the store or place of business to which it is applicable and it must be clearly visible to all purchasers.

No part of the price schedule applicable to the seller's location which must be posted, as described above, may be blocked out, covered up, or otherwise obscured.

### ARTICLE III—RECONDITIONED BOILERS AND BOILER REPAIR PARTS AND RECONDITIONED AUTOMATIC DOMESTIC HOT WATER HEATERS

SEC. 10. *Ceiling prices for reconditioned boilers and boiler repair parts, and reconditioned automatic domestic hot water heaters*—(a) (1) *How to determine the ceiling price for Type A reconditioned and guaranteed boilers and boiler repair parts, and reconditioned automatic domestic hot water heaters, when sold at retail.* The ceiling price for a sale at retail for a Type A Reconditioned and Guaranteed Boiler or Boiler Repair Part (see section 4 (c) (2) for reconditioning steps and guarantee), or a reconditioned automatic domestic hot water heater (see section 4 (d) for reconditioning steps and guarantee), *regardless of the place of sale,* is to be determined by deducting 15 percent from any manufacturer's maximum list price in effect at the time of sale for a new boiler or boiler repair part, or a new automatic domestic hot water heater of the same kind, shape, and style.

When checking a manufacture's maximum list price, be sure the maximum list price being used conforms with Maximum Price Regulation No. 272 (Cast-Iron Boilers and Cast-Iron Radiation) [*] or any other maximum price regulation that may be issued hereafter by the Office of Price Administration which establishes maximum prices for new boilers, new boiler repair parts, or new automatic domestic hot water heaters.

(2) *How to determine the ceiling price for Type B reconditioned and guaranteed boilers and boiler repair parts.* The ceiling price for a sale at retail for a Type B reconditioned and guaranteed boiler or boiler repair part (see section 4 (c) (3) for reconditioning steps and guarantee), *regardless of the place of sale,* is to be determined by deducting 35 percent from any manufacturer's maximum list price in effect at the time of sale for a new boiler or boiler repair part, or a new automatic domestic hot water heater of the same kind, shape, and style.

When checking a manufacturer's maximum list price, be sure the maximum list price being used conforms with Maximum Price Regulation No. 272 (Cast-Iron Boilers and Cast-Iron Radiation) or any other maximum price regulation that may be issued hereafter by the Office of Price Administration which establishes maximum prices for new boilers, new boiler repair parts, or new automatic domestic hot water heaters.

(b) *What the ceiling price for a reconditioned boiler, boiler repair part, or an automatic domestic hot water heater includes when sold at retail.* (1) The ceiling price for a sale at retail for a reconditioned boiler, boiler repair part, or an automatic domestic hot water heater, in the case of persons selling such articles during March 1942, includes free delivery within the area recognized by the seller as a free delivery area during March 1942. If the seller delivers outside his recognized free delivery area, or if the seller did not render free delivery services during March 1942, the charge for delivery from the seller's store or yard must not exceed common carrier truck rates for the most similar type of haul and such charges must be stated separately on the invoice.

If the seller did not sell reconditioned boilers, boiler repair parts, or automatic domestic hot water heaters during March 1942, he shall be governed by the delivery practices of his closest competitor located within the seller's trading area.

(2) Whenever the manufacturer's maximum list price for a new boiler or a new boiler repair part or a new automatic domestic hot water heater includes certain parts, trimmings, appliances, or appurtenances, including firing tools, which the seller is unable to furnish or supply, the invoice must show the ceiling price permitted by this regulation and also the amount allowed for such missing part, trimming, appliance, appurtenance, or firing tool. The amount of this allowance shall be not less than one-half (50 percent) of the manufacturer's maximum list price for a new part, trimming, appliance, appurtenance, or firing tool of the same or similar kind, shape, or style.

(3) Any Federal, state, city or county sales tax, including the cost of seals if required by city ordinances, may be added to the ceiling price, if permitted by this regulation, but this sales tax must be stated separately on the invoice; otherwise, the seller is not permitted to charge for it. (See section 17 for full particulars.)

(c) *How to determine ceiling prices for reconditioned boilers and boiler repair parts, and reconditioned automatic domestic hot water heaters when sold at wholesale.* The ceiling prices established in paragraphs (a) (1) and (a) (2) of this section for sales at retail are the ceiling prices for sales at wholesale for reconditioned boilers and boiler repair parts, and reconditioned automatic domestic hot water heaters, *except* that the seller *must deduct* from the retail ceiling prices the net dollar differential, or discount differential, or cash differential, or other allowances which he had in effect during the month of March 1942 for all sales at wholesale.

### ARTICLE IV—SECONDS OR CULLS

SEC. 11. *Ceiling prices for seconds or culls.* The ceiling price for seconds or culls, *regardless of the place of sale* and whether the seller is a manufacturer, wholesaler, or retailer, must be deter-

[*] 7 F.R. 9486, 9972, 10618; 8 F.R. 6356, 13712; 9 F.R. 2301, 3709.

mined by deducting 15 percent from the ceiling price established by applicable maximum price regulation for new first grade plumbing fixtures of the same kind, shape, and style, to a purchaser of the same class.

The term "applicable regulation" in this instance refers to the General Maximum Price Regulation, Maximum Price Regulation No. 188, or any other applicable price regulation that has been or hereafter may be issued by the Office of Price Administration establishing ceiling prices for new first grade plumbing fixtures.

(a) *What the ceiling price for seconds or culls includes.* The ceiling price for seconds or culls includes at least the same rendition of services, at least the same extension of cash discounts, and at least the same absorption of freight charges as were or would have been rendered or extended on comparable sales of new first grade plumbing fixtures during the month of March 1942, or as are established by the applicable regulation for any new first grade plumbing fixtures.

ARTICLE V—MISCELLANEOUS PROVISIONS

SEC. 12. *Prohibited practices*—(a) *General.* Any practice which is a device to secure the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright overceiling price. This applies, but is not confined to, devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying agreements, trade understandings, invoicing, auction sales, and the like.

(b) *Special prohibited practices.* The following are among the specific practices prohibited by this regulation, but without limiting the general applicability of paragraph (a) above:

(1) Requiring a purchaser to buy a combination of used equipment, seconds or culls, or parts in excess of those parts which he wants as a condition of receiving used equipment, seconds or culls, or parts which he does want.

(2) Making terms or conditions of sales more onerous to the purchaser than those in effect or available to the purchaser during March 1942.

(3) Securing the effect of higher prices by changing credit practices or cash discounts from what they were during March 1942. This includes, but is not limited to, reducing the cash discount period, or decreasing the credit period.

SEC. 13. *Penalties.* (a) Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided by the Emergency Price Control Act of 1942, as amended.

(b) No War Procurement Agency, or any contracting or paying finance officer thereof, shall be subject to any liability, civil or criminal, imposed by this regulation or by the Emergency Price Control Act of 1942, as amended. "War Procurement Agency" as used in this paragraph includes the War Department, the Navy Department, United States Maritime Commission, and the Lend-Lease Section of the Procurement Division of the Treasury Department, or any agency of the foregoing.

SEC. 14. *Application for adjustment*—(a) *Government contracts.* Any person who has made or intends to make a government contract, or subcontract thereunder, who believes that a maximum price under this regulation impedes or threatens to impede the production, manufacture, or distribution of a commodity or the supply of a service which is essential to the war program and which is or will be the subject of the contract or subcontract may file an application for adjustment of that maximum price in accordance with Procedural Regulation No. 6,[9] issued by the Office of Price Administration.

(b) *Local shortage.* The Office of Price Administration, or any duly authorized representative thereof, may by order adjust any maximum price established under this regulation for any seller when it appears:

(1) That there exists or threatens to exist in a particular locality a shortage in the supply of any item of used plumbing and heating equipment, seconds or culls subject to this regulation, which aids directly in the war program or is essential to a standard of living consistent with the prosecution of the war; and

(2) That such local shortage will be substantially reduced or eliminated by adjusting the maximum prices of such seller and of like sellers for such commodity or service; and

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

Each regional administrator is authorized to make adjustments or act upon applications for adjustment under this paragraph (b).

Applications for adjustment shall be filed in accordance with Revised Procedural Regulation No. 1.[10]

SEC. 15. *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. A petition for amendment must propose a change of general applicability in the regulation for the industry as a whole or a substantial portion thereof, or a change affecting all sellers in a given area, as distinguished from an application which seeks an individual price adjustment.

SEC. 16. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery, but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum prices is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purpose of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

SEC. 17. *Federal and state taxes.* (a) There may be added to the maximum prices established by this regulation the amount of tax levied by any Federal excise tax statute or any state or municipal sales, gross receipts, gross proceeds, or compensating use tax statute or ordinance under which the tax is measured by gross proceeds or units of sales if, but only if:

(1) Such statute or ordinance requires the vendor to state the tax separately from the purchase price paid by the purchaser, consumer, or user, on the bill, sales check, or evidence of sale at the time of the transaction; or

(2) Such statute or ordinance requires such tax to be separately paid by the purchaser, consumer, or user with tokens or other media of state or municipal tax payments; or

(3) Such statute or ordinance permits the vendor to state such tax separately, and such tax is in fact stated separately by the vendor.

The amount of tax permitted to be added by this paragraph (a) shall in no event exceed the amount required to be paid by the purchaser, consumer, or user under the applicable statute or ordinance.

(b) There may be added to the maximum prices established by this regulation the cost of seals to be affixed under any city ordinance which requires the vendor to affix such a seal prior to the sale of the article.

The amount permitted to be added by this paragraph (b) shall in no event exceed the amount required to be paid by the vendor under the applicable statute or ordinance, and such amount must be stated separately on the invoice.

(c) Sales and deliveries of used and reconditioned plumbing and heating equipment, seconds or culls, the maximum prices for which are established by this regulation, are subject to Supplementary Order No. 31,[11] issued by the Office of Price Administration. For the purpose of determining the applicable maximum price of any used and reconditioned plumbing and heating equipment, the tax on the transportation of property imposed by the Revenue Act of 1942 shall be treated as though it were an increase in the amount charged by every person engaged in the business of transporting property for hire. To the extent that a seller must bear transportation charges, he shall also bear the tax thereon. To the extent that a buyer must bear transportation charges, he shall also bear the tax thereon. In no event shall the tax upon transportation of property, imposed by the Revenue

[9] 7 F.R. 5087, 5664; 8 F.R. 6173, 6174, 12024.
[10] 9 F.R. 5791.
[11] 7 F.R. 9894; 8 F.R. 1312, 3702, 9521.

Act of 1942, be considered as a tax within the meaning of the preceding paragraph (a) of this section.

SEC. 18. *Records.* Every person making sales or deliveries subject to this regulation must keep records containing a description of each sale and delivery, including the date of the sale, the name and address of the purchaser, the price charged, the quantity sold, and the type and classification of the product sold. Records of a kind the seller has customarily kept also must be retained. Purchasers, other than ultimate users, must keep similar records. All such records must be available for inspection by representatives of the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

Copies of sales slips or invoices may be used for the purpose of this paragraph if such sales slips or invoices contain the information required therein.

SEC. 19. *Reports.* Persons subject to this regulation shall submit such reports as the Office of Price Administration may from time to time require, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

SEC. 20. *Notification of purchaser of existence of regulation.* Every person selling used and reconditioned plumbing and heating equipment, seconds or culls, subject to this regulation, shall before making the first sale of used and reconditioned plumbing and heating equipment, seconds or culls, to any purchaser, notify the purchaser of the existence of this regulation and, upon request of the purchaser, make available a copy of this regulation at the seller's principal place of business and at every branch office for examination by the purchaser, together with a list of his approved maximum prices for the items appearing on the schedule (section 24) of this regulation.

SEC. 21. *Suspension of free delivery requirement.* Each Regional Administrator may, by order, grant a seller or group of sellers authority to suspend free service or the requirement for absorption of delivery charges for sales at retail of used plumbing and heating equipment in any case in which:

(a) The seller at retail certifies that he is located in a labor area classified by the War Manpower Commission as a No. 1 or No. 2 critical labor area; and

(b) The Regional Administrator finds that the granting of such authorization will not be inconsistent with the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328.

Each District Director of the Office of Price Administration to whom the Regional Administrator has delegated authority may issue orders under this section 21.

SEC. 22. *Licensing.* The provisions of Licensing Order No. 1 [12] 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 maximum price regulations. A person whose license is suspended may not, during the period of suspension, make any sales for which his license has been suspended.

SEC. 23. *Other definitions.* Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to any other terms not specifically defined herein.

SEC. 24. *Schedules of ceiling prices for certain items of used plumbing and heating equipment.* 25 schedules of ceiling prices for 65 items of used plumbing and heating equipment are part of this regulation. Each schedule sets forth the ceiling price for each item when sold at wholesale as well as at retail. Each schedule is applicable to the State or area shown at the head of the schedule. In those instances where a city, town, or community is located in two states, the lower of the two sets of ceiling prices must be used. For example, the ceiling prices for Bristol, Virginia-Tennessee are those set forth in the appropriate schedule for Virginia.

LIST OF STATES AND AREAS, TOGETHER WITH THE APPLICABLE SCHEDULE NUMBER

STATES

Alabama, Schedule No. 17.
Arizona, Schedule No. 12.
Arkansas, Schedule No. 18.
California, except the Metropolitan Area of San Francisco, Schedule No. 5.
Colorado, Schedule No. 20.
Connecticut, Schedule No. 2.
Delaware, Schedule No. 3.
District of Columbia, Schedule No. 4.
Florida, Schedule No. 24.
Georgia, Schedule No. 16.
Idaho, Schedule No. 18.
Illinois, Schedule No. 11.
Indiana, Schedule No. 10.
Iowa, Schedule No. 14.
Kansas, Schedule No. 18.
Kentucky, Schedule No. 11.
Louisiana, except the City of New Orleans, Schedule No. 19.
Maine, Schedule No. 8.
Maryland, Schedule No. 4.
Massachusetts, Schedule No. 4.
Michigan, except the Upper Peninsula of Michigan, Schedule No. 10.
Minnesota, Schedule No. 14.
Mississippi, Schedule No. 23.
Missouri, Schedule No. 15.
Montana, Schedule No. 23.
Nebraska, Schedule No. 18.
Nevada, Schedule No. 12.
New Hampshire, Schedule No. 7.
New Jersey, except five counties considered part of Metropolitan New York City, Schedule No. 2.
New Mexico, Schedule No. 21.
New York, except the Metropolitan Area of New York City, Schedule No. 4.
North Carolina, Schedule No. 10.
North Dakota, Schedule No. 18.
Ohio, Schedule No. 9.
Oklahoma, Schedule No. 19.
Oregon, Schedule No. 11.
Pennsylvania, Schedule No. 4.
Rhode Island, Schedule No. 3.
South Carolina, Schedule No. 12.
South Dakota, Schedule No. 18.
Tennessee, except the City of Memphis, Schedule No. 14.
Texas east of the 100th Meridian, Schedule No. 21.
Texas west of the 100th Meridian, Schedule No. 23.
Utah, Schedule No. 15.
Vermont, Schedule No. 7.
Virginia, Schedule No. 6.
Washington, Schedule No. 13.
West Virginia, Schedule No. 7.
Wisconsin, Schedule No. 12.
Wyoming, Schedule No. 20.

POINTS NOT COVERED ABOVE

City of Memphis, Schedule No. 22.
City of New Orleans, Schedule No. 25.
Metropolitan Area of New York City: Counties in New York—New York, Bronx, Kings, Queens, Richmond, Nassau, and part of Westchester. Counties in New Jersey—Bergen, Hudson, Essex, Union, and part of Passaic, Schedule No. 1.
Metropolitan Area of San Francisco: Counties in California—San Francisco, Marin, Sonoma, Napa, Yolo, Solano, Sacramento, San Joaquin, Contra Costa, Alameda, San Mateo, Santa Clara, Santa Cruz, Schedule No. 1.
Michigan: Upper Peninsula, Schedule 12.
New Jersey, counties of: Bergen, Hudson, Essex, Union, and part of Passaic, Schedule No. 1.

SCHEDULE 1

Applicable to the Metropolitan Area of San Francisco consisting of the following counties: San Francisco, Marin, Sonoma, Napa, Yolo, Solano, Sacramento, San Joaquin, Contra Costa, Alameda, San Mateo, Santa Clara, and Santa Cruz.

Metropolitan Area of New York City consisting of the following counties in New York State: New York, Bronx, Kings, Queens, Richmond, Nassau, and Westchester south of a line beginning at North Tarrytown and extending due east to the New York-Connecticut State line.

In New Jersey: Bergen, Hudson, Essex, Union, and that part of Passaic east of Pompton Lake and the Pompton River.

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Cast iron enameled plumbing fixtures (Less fittings unless specifically stated): | | |
| Bathtub, single shell, roll rim, recess or corner, on base or on legs, all sizes | $11.50 | $17.25 |
| Bathtub, with apron, double shell, recess or corner, all sizes | 16.50 | 24.75 |
| Lavatory, pedestal type, including pedestal, all sizes | 7.00 | 10.50 |
| Lavatory, leg type, including leg, rod, and brackets, all sizes | 3.50 | 5.25 |
| Lavatory, wall hung, with or without apron, including hanger, all sizes | 3.75 | 5.65 |
| Lavatory, wall hung, corner type, with or without apron, including hanger, all sizes | 2.50 | 3.75 |
| Pedestal only for pedestal lavatory | 1.25 | 1.90 |
| Leg with rod only for leg lavatory | .75 | 1.15 |
| Sink, wall hung, without apron, including hanger, size 24" and smaller | 2.75 | 4.15 |
| Sink, wall hung, without apron, including hanger, size 25" and larger | 3.75 | 5.65 |
| Sink, wall hung, with apron, including hanger, size 24" and smaller | 3.50 | 5.25 |
| Sink, wall hung, with apron, including hanger, size 25" and larger | 4.50 | 6.75 |
| Combination single drainboard sink (sink with integral drainboard), wall hung, with or without apron, including hangers, all sizes | 11.50 | 17.25 |
| Combination double drainboard sink (sink with integral drainboards), wall hung, with or without apron, including hangers, all sizes | 15.00 | 22.50 |

[12] 8 F.R. 13240.

SCHEDULE 1—Continued

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Cast iron enameled plumbing fixtures—Continued. | | |
| Corner drainboard sink (sink with integral drainboard(s) and corner back), wall hung, with or without apron, including hangers, single or double drainboard, all sizes | $9.00 | $13.50 |
| Sink and tray (one piece) combination, wall hung, with or without apron, including hangers and leg under tray, all sizes | 15.00 | 22.50 |
| Leg with rod (long) only, for sink, one piece or adjustable | 1.25 | 1.90 |
| Leg with rod (short) only, for tray, one piece or adjustable | 1.00 | 1.50 |
| Drainboard, all sizes | .75 | 1.15 |
| Slop sink, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 6.00 | 9.00 |
| Wash tray, single compartment, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 6.00 | 9.00 |
| Wash tray, double compartment, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 12.00 | 18.00 |
| Vitreous china plumbing fixtures (less fittings unless specifically stated): | | |
| Water closet bowl, all types, all shapes and kinds, including spud | 2.50 | 3.75 |
| Low tank, six or eight gallon capacity, all shapes and kinds, including and complete with fittings and cover, except supply pipe to floor or wall | 4.50 | 6.50 |
| Low tank, six or eight gallon capacity, all shapes and kinds, without fittings, but including cover | 2.25 | 3.40 |
| Cover only for six or eight gallon capacity low tank, all shapes and kinds | 1.00 | 1.50 |
| Porcelain (glazed earthenware) plumbing fixtures (less fittings unless specifically stated): | | |
| Single sink, tray, or washtub, with or without back, all sizes | 3.00 | 4.50 |
| Double sink, tray, or washtub, with or without back, all sizes | 6.00 | 9.00 |
| Plumbing fixture supply fittings (Irrespective of finish, material, shape, designs, or style). Complete with locknuts, coupling nuts, and tailpieces or union connections, unless provided with IPS male or female thread: | | |
| Lavatory faucet, single | .60 | .90 |
| Combination lavatory supply fitting | 1.50 | 2.25 |
| Combination lavatory supply fitting with pop-up waste | 2.00 | 3.00 |
| Combination bath faucet, including couplings | 1.25 | 1.90 |
| Combination bath faucet with shower diverter or transfer valve | 2.50 | 3.75 |
| Combination bath faucet with shower diverter or transfer valve, shower riser and shower head, with or without ball joint | 3.50 | 5.25 |
| Combination bath faucet with shower diverter or transfer valve, shower riser, and shower head, with or without ball joint and "D" or "O" type rod for curtain, but not including curtain and pins | 4.50 | 6.75 |
| Exposed two-valve shower fixture only | 1.75 | 2.65 |
| Exposed two-valve shower fixture, including riser and shower head, with or without ball joint | 2.25 | 3.40 |
| Shower attachment (portable) including faucet attacher, hose, riser, riser support, shower head, and "D" or "O" type rod for curtain but not including curtain and pins | 2.25 | 3.40 |
| Concealed two-valve supply fixture | 1.75 | 2.65 |
| Concealed two-valve over-rim tub filler supply fixture, including tub filler | 2.25 | 3.40 |

SCHEDULE 1—Continued

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Plumbing fixture supply fittings—Continued. | | |
| Concealed two-valve shower supply fixture, including shower head (with or without ball joint), arm to wall, and escutcheon | $2.50 | $3.75 |
| Concealed three-valve (transfer valve) supply fixture | 2.50 | 3.75 |
| Concealed three-valve (transfer valve) supply fixture, including over-rim tub filler, shower head (with or without ball joint), arm to wall, and escutcheon | 3.50 | 5.25 |
| Concealed four valve supply fixture | 2.75 | 4.15 |
| Concealed four-valve supply fixture, including overrim tub filler, shower head (with or without ball joint), arm to wall, and escutcheon | 3.75 | 5.65 |
| Sink faucet, single | .60 | .90 |
| Combination sink supply fitting (for installation through deck, sink top, sink back, or to wall), with or without soap dish, with rigid or swing spout, with or without spray | 2.00 | 3.00 |
| Plumbing fixtures waste fittings (irrespective of finish, material, shape, design, or style) complete with slip nuts and slip nut washers for slip joints: | | |
| P. O. plug for lavatory, including tailpiece 4" or longer | .25 | .40 |
| Pop-up or lift waste for lavatory, including tailpiece 2½" or longer | 1.20 | 1.80 |
| Connected waste and overflow for bathtub, concealed or exposed, including chain, chain stay, and tailpiece 1½" or longer, with or without stopper | 1.50 | 2.25 |
| Connected pop-up or lift waste and overflow for bathtub, concealed or exposed, including tail piece 1½" or longer | 1.75 | 2.65 |
| Sink strainer, flat type, including tailpiece | .30 | .45 |
| Sink strainer, cup type, including tailpiece | .50 | .75 |
| Two-part continuous waste, exclusive of trap | 1.20 | 1.80 |
| Three-part continuous waste, exclusive of trap | 1.80 | 2.70 |
| Trap, all types, except bag trap or anti-syphon trap: | | |
| Size 1¼" outlet | .75 | 1.15 |
| Size 1½" outlet | .75 | 1.15 |
| Size 2" outlet | .95 | 1.45 |
| Toilet seats. All types, with or without cover, painted, varnished, or sheet covered, including nuts and washers | .75 | 1.15 |
| Hot water tanks and heaters: | | |
| 30-gallon range boiler, all kinds of shapes and styles, irrespective of inside or outside finish | 2.25 | 3.00 |
| 40-gallon range boiler, all kinds of shapes and styles, irrespective of inside or outside finish | 2.75 | 3.50 |
| Flat top heater, up to 40-gallon per hour, 25° F. rise capacity, exclusive of firing tools | 3.00 | 4.25 |
| Dome top heater, up to 40-gallon per hour, 25° F. rise capacity, exclusive of firing tools | 3.75 | 5.25 |
| USED HEATING EQUIPMENT | | |
| Cast iron radiation (ceiling price is per square foot of heating surface for water-tested radiation and includes necessary plugs and bushings): | | |
| All radiation up to 26" high | .16 | .23 |
| All radiation 27" and higher | .14 | .20 |

Ceiling prices for items not listed in this schedule must be determined in accordance with the terms of section 7 (for wholesalers) or 8 (for retailers).

SCHEDULE 2

**Applicable to the State of: Connecticut.**

**State of: New Jersey, except the following counties: Bergen, Hudson, Essex, Union, and** that part of Passaic East of Pompton Lake and the Pompton River (see Schedule 1 for these counties).

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Cast iron enameled plumbing fixtures (Less fittings unless specifically stated): | | |
| Bathtub, single shell, roll rim, recess or corner, on base or on legs, all sizes | $12.55 | $18.30 |
| Bathtub, with apron, double shell, recess or corner, all sizes | 17.70 | 25.95 |
| Lavatory, leg type, including leg, rod, and brackets, all sizes | 3.80 | 5.55 |
| Lavatory, pedestal type, including pedestal, all sizes | 7.45 | 10.95 |
| Lavatory, wall hung, with or without apron, including hanger, all sizes | 4.00 | 5.90 |
| Lavatory, wall hung, corner type, with or without apron, including hanger, all sizes | 2.75 | 4.00 |
| Pedestal only for pedestal lavatory | 1.45 | 2.10 |
| Leg with rod only for leg lavatory | .85 | 1.25 |
| Sink, wall hung, without apron, including hanger, size 24" and smaller | 2.95 | 4.35 |
| Sink, wall hung, with apron, including hanger, size 25" and larger | 4.05 | 5.95 |
| Sink, wall hung, with apron, including hanger, size 24" and smaller | 3.75 | 5.50 |
| Sink, wall hung, with apron, including hanger, size 25" and larger | 4.80 | 7.05 |
| Combination single drainboard sink (sink with integral drainboard), wall hung, with or without apron, including hangers, all sizes | 12.25 | 18.00 |
| Combination double drainboard sink (sink with integral drainboards), wall hung, with or without apron, including hangers, all sizes | 15.90 | 23.40 |
| Corner drainboard sink (sink with integral drainboard(s) and corner back), wall hung, with or without apron, including hangers, single or double drainboard, all sizes | 9.90 | 14.40 |
| Sink and tray (one piece) combination, wall hung, with or without apron, including hangers and leg under tray, all sizes | 15.90 | 23.40 |
| Leg with rod (long), only, for sink, one piece or adjustable | 1.35 | 2.00 |
| Leg with rod (short) only, for tray, one piece, or adjustable | 1.05 | 1.55 |
| Drainboard, all sizes | .80 | 1.20 |
| Slop sink, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 6.40 | 9.40 |
| Wash tray, single compartment, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 6.60 | 9.60 |
| Wash tray, double compartment, with or without back (with iron leg support if without back), with or without apron, including hangar, all sizes | 13.20 | 19.20 |
| Vitreous china plumbing fixtures (less fittings unless specifically stated): | | |
| Water closet bowl, all types, all shapes and kinds, including spud | 2.65 | 3.90 |
| Low tank, six or eight gallon capacity, all shapes and kinds, including and complete with fittings and cover, except supply pipe to floor or wall | 4.70 | 6.70 |
| Low tank, six or eight gallon capacity, all shapes and kinds, without fittings, but including cover | 2.40 | 3.55 |
| Cover only for six or eight gallon capacity low tank, all shapes and kinds | 1.05 | 1.55 |
| Porcelain (glazed earthenware) plumbing fixtures (less fittings unless specifically stated): | | |
| Single sink, tray, or washtub, with or without back, all sizes | 3.30 | 4.80 |
| Double sink, tray, or washtub, with or without back, all sizes | 6.60 | 9.60 |

SCHEDULE 2—Continued

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Plumbing fixture supply fittings (irrespective of finish, material, shape, design, or style): | | |
| Complete with locknuts, coupling nuts, and tailpieces or union connections, unless provided with IPS male or female thread | $0.65 | $0.95 |
| Lavatory faucet, single | 1.55 | 2.30 |
| Combination lavatory supply fitting | 2.05 | 3.05 |
| Combination lavatory supply fitting with pop-up waste | 1.30 | 1.95 |
| Combination bath faucet, including couplings | 2.55 | 3.80 |
| Combination bath faucet with shower diverter or transfer valve | 3.55 | 5.30 |
| Combination bath faucet with shower diverter or transfer valve, shower riser and shower head, with or without ball joint | 4.55 | 6.80 |
| Combination bath faucet with shower diverter or transfer valve, shower riser, and shower head, with or without ball joint and "D" or "O" type rod for curtain, but not including curtain and pins | 1.80 | 2.70 |
| Exposed two-valve shower fixture only | 2.30 | 3.45 |
| Exposed two-valve shower fixture, including riser and shower head, with or without ball joint | 2.30 | 3.45 |
| Shower attachment (portable) including faucet attacher, hose, riser, riser support, shower head, and "D" or "O" type rod for curtain but not including curtain and pins | 1.80 | 2.70 |
| Concealed two-valve supply fixture | 2.30 | 3.45 |
| Concealed two-valve over-rim tub filler supply fixture, including tub filler | 2.55 | 3.80 |
| Concealed two-valve shower supply fixture, including shower head (with or without ball joint), arm to wall, and escutcheon | 2.55 | 3.80 |
| Concealed three-valve (transfer valve) supply fixture | 3.55 | 5.30 |
| Concealed three-valve (transfer valve) supply fixture, including over-rim tub filler, shower head (with or without ball joint), arm to wall, and escutcheon | 2.80 | 4.20 |
| Concealed four-valve supply fixture | 3.80 | 5.70 |
| Concealed four-valve supply fixture, including over-rim tub filler, shower head (with or without ball joint), arm to wall, and escutcheon | .65 | .95 |
| Sink faucet, single | 2.05 | 3.05 |
| Combination sink supply fitting (for installation through deck, sink top, sink back, or to wall), with or without soap dish, with rigid or swing spout, with or without spray | | |
| Plumbing fixture waste fittings (irrespective of finish, material, shape, design, or style): | | |
| Complete with slip nuts and slip nut washers for slip joints | .30 | .45 |
| P. O. plug for lavatory, including tailpiece 4" or longer | 1.25 | 1.85 |
| Pop-up or lift waste for lavatory, including tailpiece 2½" or longer | 1.55 | 2.30 |
| Connected waste and overflow for bathtub, concealed or exposed, including chain, chain stay, and tailpiece 1½" or longer, with or without stopper | 1.80 | 2.70 |
| Connected pop-up for lift waste and overflow for bathtub, concealed or exposed, including tailpiece 1½" or longer | .35 | .50 |
| Sink strainer, flat type, including tailpiece | .55 | .80 |
| Sink strainer, cup type, including tailpiece | 1.25 | 1.85 |
| Two-part continuous waste, exclusive of trap | 1.85 | 2.75 |
| Three-part continuous waste, exclusive of trap | .80 | 1.20 |
| Trap, all types except bag trap or anti-syphon trap: | .80 | 1.20 |
| Size 1¼" outlet | 1.00 | 1.50 |
| Size 1½" outlet | | |
| Size 2" outlet | | |
| Toilet seats, all types with or without cover, painted, varnished, or sheet covered including nuts and washers | .60 | 1.20 |

SCHEDULE 2—Continued

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Hot water tanks and heaters: | | |
| 30-gallon range boiler, all kinds of shapes and styles irrespective of inside or outside finish | $2.40 | $3.15 |
| 40-gallon range boiler, all kinds of shapes and styles, irrespective of inside or outside finish | 3.00 | 3.75 |
| Flat top heater, up to 40-gallon per hour, 25° F. rise capacity, exclusive of firing tools | 3.25 | 4.50 |
| Dome top heater, up to 40-gallon per hour, 25° F. rise capacity, exclusive of firing tools | 4.05 | 5.55 |
| USED HEATING EQUIPMENT | | |
| Cast iron radiation (ceiling price is per square foot of heating surface for water-tested radiation and includes necessary plugs and bushings): | | |
| All radiation up to 26" high | .18 | .25 |
| All radiation 27" and higher | .16 | .22 |

Ceiling prices for items not listed in this schedule must be determined in accordance with the terms of section 7 (for wholesalers) or 8 (for retailers).

SCHEDULE 3

Applicable to the State of: Delaware.
State of: Rhode Island.

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Cast iron enameled plumbing fixtures (less fittings, unless specifically stated): | | |
| Bathtub, single shell, roll rim, recess or corner, on base or on legs, all sizes | $12.75 | $18.50 |
| Bathtub, with apron, double shell, recess or corner, all sizes | 17.90 | 26.15 |
| Lavatory, pedestal type, including pedestal, all sizes | 7.55 | 11.05 |
| Lavatory, leg type, including leg, rod, and brackets, all sizes | 3.85 | 5.60 |
| Lavatory, wall hung, with or without apron, including hanger, all sizes | 4.00 | 5.90 |
| Lavatory, wall hung, corner type, with or without apron, including hanger, all sizes | 2.75 | 4.00 |
| Pedestal only for pedestal lavatory | 1.50 | 2.15 |
| Leg with rod only for leg lavatory | .85 | 1.25 |
| Sink, wall hung, without apron, including hanger, size 24" and smaller | 3.00 | 4.40 |
| Sink, wall hung, without apron, including hanger, size 25" and larger | 4.10 | 6.00 |
| Sink, wall hung, with apron, including hanger, size 24" and smaller | 3.75 | 5.50 |
| Sink, wall hung, with apron, including hanger, size 25" and larger | 4.85 | 7.10 |
| Combination single drainboard sink (sink with integral drainboard), wall hung, with or without apron, including hangers, all sizes | 12.40 | 18.15 |
| Combination double drainboard sink (sink with integral drainboards), wall hung, with or without apron, including hangers, all sizes | 16.05 | 23.55 |
| Corner drainboard sink (sink with integral drainboard(s) and corner back), wall hung, with or without apron, including hangers, single or double drainboard, all sizes | 10.05 | 14.55 |
| Sink and tray (one piece) combination, wall hung, with or without apron, including hangers and leg under tray, all sizes | 16.05 | 23.55 |

SCHEDULE 3—Continued

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Cast iron enameled plumbing fixtures (less fittings), etc.—Continued. | | |
| Leg with rod (long) only, for sink, one piece or adjustable | $1.35 | $2.00 |
| Leg with rod (short) only, for tray, one piece or adjustable | 1.05 | 1.55 |
| Drainboard, all sizes | .80 | 1.20 |
| Slop sink, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 6.45 | 9.45 |
| Wash tray, single compartment, with or without back (with iron leg support if without back), with with or without apron, including hanger, all sizes | 6.70 | 9.70 |
| Wash tray, double compartment, or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 13.40 | 19.40 |
| Vitreous china plumbing fixtures (less fittings unless specifically stated): | | |
| Water closet bowl, all types, all shapes and kinds, including spud | 2.70 | 3.95 |
| Low tank, six or eight gallon capacity, all shapes and kinds, including and complete with fittings and cover, except supply pipe to floor or wall | 4.70 | 6.70 |
| Low tank, six or eight gallon capacity, all shapes and kinds, without fittings, but including cover | 2.45 | 3.60 |
| Cover only for six or eight gallon capacity low tank, all shapes and kinds | 1.05 | 1.55 |
| Porcelain (glazed earthenware) plumbing fixtures (less fittings unless specifically stated): | | |
| Single sink, tray, or washtub, with or without back, all sizes | 3.35 | 4.85 |
| Double sink, tray, or washtub, with or without back, all sizes | 6.70 | 9.70 |
| Plumbing fixture supply fittings (irrespective of finish, material, shape, design, or style), complete with locknuts, coupling nuts, and tailpieces or union connections, unless provided with IPS male or female thread: | | |
| Lavatory faucet, single | .65 | .95 |
| Combination lavatory supply fitting | 1.55 | 2.30 |
| Combination lavatory supply fitting with pop-up waste | 2.05 | 3.05 |
| Combination bath faucet, including couplings | 1.30 | 1.95 |
| Combination bath faucet with shower diverter or transfer valve | 2.55 | 3.80 |
| Combination bath faucet with shower diverter or transfer valve, shower riser and shower head, with or without ball joint | 3.55 | 5.30 |
| Combination bath faucet with shower diverter or transfer valve, shower riser, and shower head, with or without ball joint and "D" or "O" type rod for curtain, but not including curtain and pins | 4.55 | 6.80 |
| Exposed two-valve shower fixture only | 1.80 | 2.70 |
| Exposed two-valve shower fixture, including riser and shower head, with or without ball joint | 2.30 | 3.45 |
| Shower attachment (portable) including faucet attacher, hose, riser, riser support, shower head, and "D" or "O" type rod for curtain but not including curtain and pins | 2.30 | 3.45 |
| Concealed two-valve supply fixture | 1.80 | 2.70 |
| Concealed two-valve over-rim tub filler supply fixture, including tub filler | 2.30 | 3.45 |
| Concealed two-valve shower supply fixture, including shower head head (with or without ball joint), arm to wall, and escutcheon | 2.55 | 3.80 |
| Concealed three-valve (transfer valve) supply fixture | 2.55 | 3.80 |
| Concealed three-valve (transfer valve) supply fixture, including over-rim tub filler, shower head (with or without ball joint), arm to wall, and escutcheon | 3.55 | 5.30 |
| Concealed four-valve supply fixture | 2.80 | 4.20 |

SCHEDULE 3—Continued

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Plumbing fixture supply fittings—Continued. | | |
| Concealed four-valve supply fixture, including over-rim tub filler, shower head (with or without ball joint), arm to wall, and escutcheon | $3.80 | $5.70 |
| Sink faucet, single | .65 | .95 |
| Combination sink supply fitting (for installation through deck, sink top, sink back, or to wall), with or without soap dish, with rigid or swing spout, with or without spray | 2.05 | 3.05 |
| Plumbing fixture waste fittings (irrespective of finish, material, shape, design or style), complete with slip nuts and slip nut washers for slip joints: | | |
| P. O. plug for lavatory, including tailpiece 4" or longer | .30 | .45 |
| Pop-up or lift waste for lavatory, including tailpiece 2½" or longer | 1.25 | 1.85 |
| Connected waste and overflow for bathtub, concealed or exposed, including chain, chain stay, and tailpiece 1½" or longer, with or without stopper | 1.55 | 2.30 |
| Connected pop-up or lift waste and overflow for bathtub, concealed or exposed, including tailpiece 1½" or longer | 1.80 | 2.70 |
| Sink strainer, flat type, including tailpiece | .35 | .45 |
| Sink strainer, cup type, including tailpiece | .55 | .80 |
| Two-part continuous waste, exclusive of trap | 1.25 | 1.85 |
| Three-part continuous waste, exclusive of trap | 1.85 | 2.75 |
| Trap, all types, except bag trap or anti-syphon trap: | | |
| Size 1¼" outlet | .80 | 1.20 |
| Size 1½" outlet | .80 | 1.20 |
| Size 2" outlet | 1.00 | 1.50 |
| Toilet seats, All types, with or without cover, painted, varnished, or sheet covered, including nuts and washers | .80 | 1.20 |
| Hot water tanks and heaters: | | |
| 30-gallon range boiler, all kinds of shapes and styles, irrespective of inside or outside finish | 2.45 | 3.20 |
| 40-gallon range boiler, all kinds of shapes and styles, irrespective of inside or outside finish | 3.00 | 3.75 |
| Flat top heater, up to 40-gallon per hour, 25° F. rise capacity, exclusive of firing tools | 3.25 | 4.50 |
| Dome top heater, up to 40-gallon per hour, 25° F. rise capacity, exclusive of firing tools | 4.10 | 5.60 |
| USED HEATING EQUIPMENT | | |
| Cast iron radiation (ceiling price is per square foot of heating surface for water-tested radiation and includes necessary plugs and bushings): | | |
| All radiation up to 26" high | .18 | .25 |
| All radiation 27" and higher | .16 | .22 |

Ceiling prices for items not listed in this schedule must be determined in accordance with the terms of section 7 (for wholesalers) or 8 (for retailers).

SCHEDULE 4

Applicable to the District of Columbia.

State of: Maryland.

State of: Massachusetts.

State of: Pennsylvania.

State of: New York except the following counties: New York, Bronx, Kings, Queens, Richmond, Nausau, and Westchester south of a line beginning at north Tarrytown and extending due east to the New York-Connecticut state line (see Schedule 1 for these counties).

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Cast iron enameled plumbing fixtures (less fittings unless specifically stated): | | |
| Bathtub, single shell, roll rim, recess or corner, on base or on legs, all sizes | $12.90 | $18.65 |
| Bathtub, with apron, double shell, recess or corner, all sizes | 18.10 | 26.35 |
| Lavatory, pedestal type, including pedestal, all sizes | 7.60 | 11.10 |
| Lavatory, leg type, including leg, rod, and brackets, all sizes | 3.90 | 5.65 |
| Lavatory, wall hung, with or without apron, including hanger, all sizes | 4.05 | 5.95 |
| Lavatory, wall hung, corner type, with or without apron, including hanger, all sizes | 2.80 | 4.05 |
| Pedestal only for pedestal lavatory | 1.50 | 2.15 |
| Leg with rod only for leg lavatory | .85 | 1.25 |
| Sink, wall hung, without apron, including hanger, size 24" and smaller | 3.00 | 4.40 |
| Sink, wall hung, without apron, including hanger, size 25" and larger | 4.15 | 6.05 |
| Sink, wall hung, with apron, including hanger, size 24" and smaller | 3.80 | 5.55 |
| Sink, wall hung, with apron, including hanger, size 25" and larger | 4.90 | 7.15 |
| Combination single drainboard sink (sink with integral drainboard), wall hung, with or without apron, including hangers, all sizes | 12.50 | 18.25 |
| Combination double drainboard sink (sink with integral drainboards), wall hung, with or without apron, including hangers, all sizes | 16.20 | 23.70 |
| Corner drainboard sink (sink with integral drainboard(s) and corner back), wall hung, with or without apron, including hangers, single or double drainboard, all sizes | 10.20 | 14.70 |
| Sink and tray (one piece) combination, wall hung, with or without apron, including hangers and leg under tray, all sizes | 16.20 | 23.70 |
| Leg with rod (long) only, for sink, one piece or adjustable | 1.35 | 2.00 |
| Leg with rod (short) only, for tray, one piece or adjustable | 1.10 | 1.60 |
| Drainboard, all sizes | .80 | 1.20 |
| Slop sink, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 6.50 | 9.50 |
| Wash tray, single compartment, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 6.80 | 9.80 |
| Wash tray, double compartment, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 13.60 | 19.60 |
| Vitreous china plumbing fixtures (less fittings unless specifically stated): | | |
| Water closet bowl, all types, all shapes and kinds, including spud | 2.70 | 3.95 |
| Low tank, six or eight gallon capacity, all shapes and kinds, including and complete with fittings and cover, except supply pipe to floor or wall | 4.75 | 6.75 |
| Low tank, six or eight gallon capacity, all shapes and kinds, without fittings, but including cover | 2.45 | 3.60 |
| Cover only for six or eight gallon capacity low tank, all shapes and kinds | 1.05 | 1.55 |
| Porcelain (glazed earthenware) plumbing fixtures (less fittings unless specifically stated): | | |
| Single sink, tray, or washtub, with or without back, all sizes | 3.40 | 4.90 |
| Double sink, tray, or washtub, with or without back, all sizes | 6.80 | 9.80 |

SCHEDULE 4—Continued

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Plumbing fixture supply fittings (irrespective of finish, material, shape, design, or style) complete with locknuts, coupling nuts, and tailpieces or union connections, unless provided with IPS male or female thread: | | |
| Lavatory faucet, single | $0.65 | $0.95 |
| Combination lavatory supply fitting | 1.55 | 2.30 |
| Combination lavatory supply fitting with pop-up waste | 2.05 | 3.05 |
| Combination bath faucet, including couplings | 1.30 | 1.95 |
| Combination bath faucet with shower diverter or transfer valve | 2.55 | 3.80 |
| Combination bath faucet with shower diverter or transfer valve, shower riser and shower head, with or without ball joint | 3.55 | 5.30 |
| Combination bath faucet with shower diverter or transfer valve, shower riser, and shower head, with or without ball joint and "D" or "O" type rod for curtain, but not including curtain and pins | 4.55 | 6.80 |
| Exposed two-valve shower fixture only | 1.80 | 2.70 |
| Exposed two-valve shower fixture, including riser and shower head, with or without ball joint | 2.30 | 3.45 |
| Shower attachment (portable) including faucet attacher, hose, riser, riser support, shower head, and "D" or "O" type rod for curtain but not including curtain and pins | 2.30 | 3.45 |
| Concealed two-valve supply fixture | 1.80 | 2.70 |
| Concealed two-valve over-rim tub filler supply fixture, including tub filler | 2.30 | 3.45 |
| Concealed two-valve shower supply fixture, including shower head (with or without ball joint), arm to wall, and escutcheon | 2.55 | 3.80 |
| Concealed three-valve (transfer valve) supply fixture | 2.55 | 3.80 |
| Concealed three-valve (transfer valve) Supply Fixture, including over-rim tub filler, shower head (with or without ball joint), arm to wall, and escutcheone | 3.55 | 5.30 |
| Concealed four-valve supply fixture | 2.80 | 4.20 |
| Concealed four-valve supply fixture, including over-rim tub filler, shower head (with or without ball joint), arm to wall, and escutcheon | 3.85 | 5.75 |
| Sink faucet, single | .65 | .95 |
| Combination sink supply fitting (for installation through deck, sink top, sink back, or to wall), with or without soap dish, with rigid or swing spout, with or without spray | 2.05 | 3.05 |
| Plumbing fixture waste fittings (irrespective of finish, material, shape, design, or style), complete with slip nuts and slip nut washers for slip joints: | | |
| P. O. plug for lavatory, including tailpiece 4" or longer | .30 | .45 |
| Pop-up or lift waste for lavatory, including tailpiece 2½" or longer | 1.25 | 1.85 |
| Connected waste and overflow for bathtub, concealed or exposed, including chain, chain stay, and tailpiece 1½" or longer, with or without stopper | 1.55 | 2.30 |
| Connected pop-up or lift waste and overflow for bathtub, concealed or exposed, including tailpiece 1½" or longer | 1.80 | 2.70 |
| Sink strainer, flat type, including tailpiece | .35 | .50 |
| Sink strainer, cup type, including tailpiece | .55 | .80 |
| Two-part continuous waste, exclusive of trap | 1.25 | 1.85 |
| Three-part continuous waste, exclusive of trap | 1.85 | 2.75 |

SCHEDULE 4—Continued

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Plumbing fixture waste fittings—Continued. | | |
| Trap, all types, except bag trap or anti-syphon trap: | | |
| Size 1¼" outlet | $0.80 | $1.20 |
| Size 1½" outlet | .80 | 1.20 |
| Size 2" outlet | 1.00 | 1.50 |
| Toilet seats, all types, with or without cover, painted, varnished, or sheet covered, including nuts and washers | .80 | 1.20 |
| Hot water tanks and heaters: | | |
| 30-gallon range boiler, all kinds of shapes and styles, irrespective of inside or outside finish | 2.45 | 3.20 |
| 40-gallon range boiler, all kinds of shapes and styles, irrespective of inside or outside finish | 3.05 | 3.80 |
| Flat top heater, up to 40-gallon per hour, 25° F. rise capacity, exclusive of firing tools | 3.30 | 4.55 |
| Dome top heater, up to 40-gallon per hour, 25° F. rise capacity, exclusive of firing tools | 4.15 | 5.65 |
| USED HEATING EQUIPMENT | | |
| Cast iron radiation (ceiling price is per square foot of heating surface for water-tested radiation and includes necessary plugs and bushings): | | |
| All radiation up to 26" high | .18 | .25 |
| All radiation 27" and higher | .16 | .22 |

Ceiling prices for items not listed in this schedule must be determined in accordance with the terms of section 7 (for wholesalers) or 8 (for retailers).

SCHEDULE 5

**Applicable to the State of: California, except the following counties: San Francisco, Marin, Sonoma, Napa, Yolo, Solano, Sacramento, San Joaquin, Contra Costa, Alameda, San Mateo, Santa Clara, and Santa Cruz (see Schedule 1 for these counties).**

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Cast iron enameled plumbing fixtures (Less fittings unless specifically stated): | | |
| Bathtub, single shell, roll rim, recess or corner, on base or on legs, all sizes | $13.10 | $18.85 |
| Bathtub, with apron, double shell, recess or corner, all sizes | 18.30 | 26.55 |
| Lavatory, pedestal type, including pedestal, all sizes | 7.70 | 11.20 |
| Lavatory, leg type, including leg, rod, and brackets, all sizes | 3.95 | 5.70 |
| Lavatory, wall hung, with or without apron, including hanger, all sizes | 4.10 | 6.00 |
| Lavatory, wall hung, corner type, with or without apron, including hanger, all sizes | 2.85 | 4.10 |
| Pedestal only for pedestal lavatory | 1.55 | 2.20 |
| Leg with rod only for leg lavatory | .85 | 1.25 |
| Sink, wall hung, without apron, including hanger, size 24" and smaller | 3.05 | 4.45 |
| Sink, wall hung, without apron, including hanger, size 25" and larger | 4.20 | 6.10 |
| Sink, wall hung, with apron, including hanger, size 24" and smaller | 3.85 | 5.60 |
| Sink, wall hung, with apron, including hanger, size 25" and larger | 4.95 | 7.20 |

SCHEDULE 5—Continued

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Cast iron enameled plumbing fixtures—Continued. | | |
| Combination single drainboard sink (sink with integral drainboard), wall hung, with or without apron, including hangers, all sizes | $12.65 | $18.40 |
| Combination double drainboard sink (sink with integral drainboards), wall hung, with or without apron, including hangers, all sizes | 16.35 | 23.85 |
| Corner drainboard sink (sink with integral drainboard(s) and corner back), wall hung, with or without apron, including hangers, single or double drainboard, all sizes | 10.35 | 14.85 |
| Sink and tray (one piece) combination, wall hung, with or without apron, including hangers and leg under tray, all sizes | 16.35 | 23.85 |
| Leg with rod (long) only, for sink, one piece or adjustable | 1.35 | 2.00 |
| Leg with rod (short) only, for tray, one piece or adjustable | 1.10 | 1.60 |
| Drainboard, all sizes | .80 | 1.20 |
| Slop sink, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 6.55 | 9.55 |
| Wash tray, single compartment, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 6.90 | 9.90 |
| Wash tray, double compartment, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 13.80 | 19.80 |
| Vitreous china plumbing fixtures. (Less fittings unless specifically stated): | | |
| Water closet bowl, all types, all shapes and kinds, including spud | 2.75 | 4.00 |
| Low tank, six or eight gallon capacity, all shapes and kinds, including and complete with fittings and cover, except supply pipe to floor or wall | 4.75 | 6.75 |
| Low tank, six or eight gallon capacity, all shapes and kinds, without fittings, but including cover | 2.50 | 3.65 |
| Cover only for six or eight gallon capacity low tank, all shapes and kinds | 1.05 | 1.55 |
| Porcelain (glazed earthenware) plumbing fixtures (Less fittings unless specifically stated): | | |
| Single sink, tray, or washtub, with or without back, all sizes | 3.45 | 4.95 |
| Double sink, tray, or washtub, with or without back, all sizes | 6.90 | 9.90 |
| Plumbing fixture supply fittings (irrespective of finish, material, shape, design, or style): | | |
| Complete with locknuts, coupling nuts, and tailpieces or union connections, unless provided with IPS male or female thread | | |
| Lavatory faucet, single | .65 | .95 |
| Combination lavatory supply fitting | 1.55 | 2.30 |
| Combination lavatory supply fitting with pop-up waste | 2.05 | 3.05 |
| Combination bath faucet, including couplings | 1.30 | 1.95 |
| Combination bath faucet with shower diverter or transfer valve | 2.55 | 3.80 |
| Combination bath faucet with shower diverter or transfer valve, shower riser and shower head, with or without ball joint | 3.55 | 5.30 |
| Combination bath faucet with shower diverter or transfer valve, shower riser, and shower head, with or without ball joint and "D" or "O" type rod for curtain, but not including curtain and pins | 4.55 | 6.80 |
| Exposed two-valve shower fixture only | 1.80 | 2.70 |
| Exposed two-valve shower fixture, including riser and shower head, with or without ball joint | 2.30 | 3.45 |

SCHEDULE 5—Continued

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Plumbing fixture supply fittings—Continued. | | |
| Shower attachment (portable) including faucet attacher, hose, riser, riser support, shower head, and "D" or "O" type rod for curtain but not including curtain and pins | $2.30 | $3.45 |
| Concealed two-valve supply fixture | 1.80 | 2.70 |
| Concealed two-valve over-rim tub filler supply fixture, including tub filler | 2.30 | 3.45 |
| Concealed two-valve shower supply fixture, including shower head (with or without ball joint), arm to wall, and escutcheon | 2.55 | 3.80 |
| Concealed three-valve (transfer valve) supply fixture | 2.55 | 3.80 |
| Concealed three-valve (transfer valve) supply fixture, including over-rim tub filler, shower head (with or without ball joint), arm to wall, and escutcheon | 3.55 | 5.30 |
| Concealed four-valve supply fixture | 2.80 | 4.20 |
| Concealed four-valve supply fixture, including over-rim tub filler, shower head (with or without ball joint), arm to wall, and escutcheon | 3.85 | 5.75 |
| Sink faucet, single | .65 | .95 |
| Combination sink supply fitting (for installation through deck, sink top, sink back, or to wall), with or without soap dish, with rigid or swing spout, with or without spray | 2.05 | 3.05 |
| Plumbing fixture waste fittings (irrespective of finish, material, shape, design, or style) complete with slip nuts and slip nut washers for slip joints: | | |
| P. O. plug for lavatory, including tailpiece 4" or longer | .30 | .45 |
| Pop-up or lift waste for lavatory, including tailpiece 2½" or longer | 1.25 | 1.85 |
| Connected waste and overflow for bathtub, concealed or exposed, including chain, chain stay, and tailpiece 1½" or longer, with or without stopper | 1.55 | 2.30 |
| Connected pop-up or lift waste and overflow for bathtub, concealed or exposed, including tailpiece 1½" or longer | 1.80 | 2.70 |
| Sink strainer, flat type, including tailpiece | .35 | .50 |
| Sink strainer, cup type, including tailpiece | .55 | .80 |
| Two-part continuous waste, exclusive of trap | 1.25 | 1.85 |
| Three-part continuous waste, exclusive of trap | 1.85 | 2.75 |
| Trap, all types, except bag trap or anti-syphon trap: | | |
| Size 1¼" outlet | .80 | 1.20 |
| Size 1½" outlet | .80 | 1.20 |
| Size 2" outlet | 1.00 | 1.50 |
| Toilet seats, all types, with or without cover, painted, varnished, or sheet covered, including nuts and washers | .80 | 1.20 |
| Hot water tanks and heaters: | | |
| 30-gallon range boiler, all kinds of shapes and styles, irrespective of inside or outside finish | 2.50 | 3.25 |
| 40-gallon range boiler, all kinds of shapes and styles, irrespective of inside or outside finish | 3.10 | 3.85 |
| Flat top heater, up to 40-gallon per hour, 25° F. rise capacity, exclusive of firing tools | 3.35 | 4.60 |
| Dome top heater, up to 40-gallon per hour, 25° F. rise capacity, exclusive of firing tools | 4.20 | 5.70 |
| USED HEATING EQUIPMENT | | |
| Cast iron radiation (ceiling price is per square foot of heating surface for water-tested radiation and includes necessary plugs and bushings): | | |
| All radiation up to 26" high | .19 | .26 |
| All radiation 27" and higher | .17 | .23 |

Ceiling prices for items not listed in this schedule must be determined in accordance with the terms of section 7 (for wholesalers) or 8 (for retailers).

SCHEDULE 6

Applicable to the State of: Virginia.

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Cast iron enameled plumbing fixtures (less fittings unless specifically stated): | | |
| Bathtub, single shell, roll rim, recess or corner, on base or on legs, all sizes | $13.25 | $19.00 |
| Bathtub, with apron, double shell, recess or corner, all sizes | 18.50 | 26.75 |
| Lavatory, pedestal type, including pedestal, all sizes | 7.75 | 11.25 |
| Lavatory, leg type, including leg, rod, and brackets, all sizes | 4.00 | 5.75 |
| Lavatory, wall hung, with or without apron, including hanger, all sizes | 4.15 | 6.05 |
| Lavatory, wall hung, corner type, with or without apron, including hanger, all sizes | 2.90 | 4.15 |
| Pedestal only for pedestal lavatory | 1.60 | 2.25 |
| Leg with rod only for leg lavatory | .90 | 1.30 |
| Sink, wall hung, without apron, including hanger, size 24" and smaller | 3.10 | 4.50 |
| Sink, wall hung, without apron, including hanger, size 25" and larger | 4.25 | 6.15 |
| Sink, wall hung, with apron, including hanger, size 24" and smaller | 3.90 | 5.65 |
| Sink, wall hung, with apron, including hanger, size 25" and larger | 5.00 | 7.25 |
| Combination single drainboard sink (sink with integral drainboard), wall hung, with or without apron, including hangers, all sizes | 12.75 | 18.50 |
| Combination double drainboard sink (sink with integral drainboards), wall hung with or without apron, including hangers, all sizes | 16.50 | 24.00 |
| Corner drainboard sink (sink with integral drainboard(s) and corner back), wall hung, with or without apron, including hangers, single or double drainboard, all sizes | 10.50 | 15.00 |
| Sink and tray (one piece) combination, wall hung, with or without apron, including hangers and leg under tray, all sizes | 16.50 | 24.00 |
| Leg with rod (long) only, for sink, one piece or adjustable | 1.40 | 2.05 |
| Leg with rod (short) only, for tray, one piece or adjustable | 1.10 | 1.60 |
| Drainboard, all sizes | .80 | 1.20 |
| Slop sink, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 6.65 | 9.65 |
| Wash tray, single compartment, with or without back (with iron leg support if without back, with or without apron, including hanger, all sizes | 7.00 | 10.00 |
| Wash tray, double compartment, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 14.00 | 20.00 |
| Vitreous china plumbing fixtures (less fittings, unless specifically stated): | | |
| Water closet bowl, all types, all shapes and kinds, including spud | 2.75 | 4.00 |
| Low tank, six or eight gallon capacity, all shapes and kinds, including and complete with fittings and cover, except supply pipe to floor or wall | 4.80 | 6.80 |
| Low tank, six or eight gallon capacity, all shapes and kinds, without fittings, but including cover | 2.50 | 3.65 |
| Cover only for six or eight gallon capacity low tank, all shapes and kinds | 1.10 | 1.60 |
| Porcelain (glazed earthenware) plumbing fixtures (less fittings unless specifically stated): | | |
| Single sink, tray, or washtub, with or without back, all sizes | 3.50 | 5.00 |
| Double sink, tray, or washtub, with or without back, all sizes | 7.00 | 10.00 |
| Plumbing fixture supply fittings (irrespective of finish, material, shape, design, or style) complete with locknuts, coupling nuts, and tailpieces or union connections, unless provided with IPS male or female thread: | | |
| Lavatory faucet, single | .65 | .95 |
| Combination lavatory supply fitting | $1.55 | $2.30 |
| Combination lavatory supply fitting with pop-up waste | 2.05 | 3.05 |
| Combination bath faucet, including couplings | 1.30 | 1.95 |
| Combination bath faucet with shower diverter or transfer valve | 2.55 | 3.80 |
| Combination bath faucet with shower diverter or transfer valve, shower riser and shower head, with or without ball joint | 3.55 | 5.30 |
| Combination bath faucet with shower diverter or transfer valve, shower riser, and shower head, with or without ball joint and "D" or "O" type rod for curtain, but not including curtain and pins | 4.55 | |
| Exposed two-valve shower fixture only | 1.80 | 2.70 |
| Exposed two-valve shower fixture, including riser and shower head, with or without ball joint | 2.30 | 3.45 |
| Shower attachment (portable) including faucet attacher, hose, riser, riser support, shower head, and "D" or "O" type rod for curtain but not including curtain and pins | 2.30 | 3.45 |
| Concealed two-valve supply fixture | 1.80 | 2.70 |
| Concealed two-valve over-rim tub filler supply fixture, including tub filler | 2.30 | 3.45 |
| Concealed two-valve shower supply fixture, including shower head with or without ball joint), arm to wall, and escutcheon | 2.55 | 3.80 |
| Concealed three-valve (transfer valve) supply fixture | 2.55 | 3.80 |
| Concealed three-valve (transfer valve) supply fixture, including over-rim tub filler, shower head (with or without ball joint), arm to wall, and escutcheon | 3.60 | 5.35 |
| Concealed four-valve supply fixture | 2.85 | 4.25 |
| Concealed four-valve supply fixture, including over-rim tub filler, shower head (with or without ball joint), arm to wall, and escutcheon | 3.85 | 5.75 |
| Sink faucet, single | .65 | .95 |
| Combination sink supply fitting (for installation through deck, sink top, sink back, or to wall), with or without soap dish, with rigid or swing spout, with or without spray | 2.05 | 3.05 |
| Plumbing fixture waste fittings (irrespective of finish, material, shape, design, or style) complete, with slip nuts and slip nut washers for slip joints: | | |
| P. O. plug for lavatory, including tailpiece 4" or longer | .30 | .45 |
| Pop-up or lift waste for lavatory, including tailpiece 2½" or longer | 1.25 | 1.85 |
| Connected waste and overflow for bathtub, concealed or exposed, including chain, chain stay, and tailpiece 1½" or longer, with or without stopper | 1.55 | 2.30 |
| Connected pop-up or lift waste and overflow for bathtub, concealed or exposed, including tailpiece 1½" or longer | 1.80 | 2.70 |
| Sink strainer, flat type, including tailpiece | .35 | .50 |
| Sink strainer, cup type, including tailpiece | .55 | .80 |
| Two-part continuous waste, exclusive of trap | 1.25 | 1.85 |
| Three-part continuous waste, exclusive of trap | 1.85 | 2.75 |
| Trap, all types, except bag trap or anti-syphon trap: | | |
| Size 1¼" outlet | .80 | 1.20 |
| Size 1½" outlet | .80 | 1.20 |
| Size 2" outlet | 1.00 | 1.50 |
| Toilet seats, All types, with or without cover, painted, varnished, or sheet covered, including nuts and washers | .80 | 1.20 |
| Hot water tanks and heaters: | | |
| 30-gallon range boiler, all kinds of shapes and styles, irrespective of inside or outside finish | 2.50 | 3.25 |
| 40-gallon range boiler, all kinds of shapes and styles, irrespective of inside or outside finish | 3.15 | 3.90 |
| Hot water tanks and heaters—Con. | | |
| Flat top heater, up to 40-gallon per hour, 25° F. rise capacity, exclusive of firing tools | $3.40 | $4.65 |
| Dome top heater, up to 40-gallon per hour, 25° F. rise capacity, exclusive of firing tools | 4.25 | 5.75 |
| USED HEATING EQUIPMENT | | |
| Cast iron radiation (ceiling price is per square foot of heating surface for water-tested radiation and includes necessary plugs and bushings): | | |
| All radiation up to 26" high | .19 | .26 |
| All radiation 27" and higher | .17 | .23 |

Ceiling prices for items not listed in this schedule must be determined in accordance with the terms of section 7 (for wholesalers) or 8 (for retailers).

SCHEDULE 7

Applicable to the State of: New Hampshire.
State of: Vermont.
State of: West Virginia.

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Cast iron enameled plumbing fixtures (less fittings unless specifically stated): | | |
| Bathtub, single shell, roll rim, recess or corner, on base or on legs, all sizes | $13.45 | $19.20 |
| Bathtub, with apron, double shell, recess or corner, all sizes | 18.70 | 26.95 |
| Lavatory, pedestal type, including pedestal, all sizes | 7.85 | 11.35 |
| Lavatory, leg type, including leg, rod, and brackets, all sizes | 4.05 | 5.80 |
| Lavatory, wall hung, with or without apron, including hanger, all sizes | 4.15 | 6.05 |
| Lavatory, wall hung, corner type, with or without apron, including hanger, all sizes | 2.90 | 4.15 |
| Pedestal only for pedestal lavatory | 1.60 | 2.25 |
| Leg with rod only for leg lavatory | .90 | 1.30 |
| Sink, wall hung, without apron, including hanger, size 24" and smaller | 3.10 | 4.50 |
| Sink, wall hung, without apron, including hanger, size 25" and larger | 4.30 | 6.20 |
| Sink, wall hung, with apron, including hanger, size 24" and smaller | 3.90 | 5.65 |
| Sink, wall hung, with apron, including hanger, size 25" and larger | 5.05 | 7.30 |
| Combination single drainboard sink (sink with integral drainboard), wall hung, with or without apron, including hangers, all sizes | 12.90 | 18.65 |
| Combination double drainboard sink (sink with integral drainboards), wall hung, with or without apron, including hangers, all sizes | 16.65 | 24.15 |
| Corner drainboard sink (sink with integral drainboard(s) and corner back), wall hung, with or without apron, including hangers, single or double drainboard, all sizes | 10.65 | 15.15 |
| Sink and tray (one piece) combination, wall hung, with or without apron, including hangers and leg under tray, all sizes | 16.65 | 24.15 |
| Leg with rod (long) only, for sink, one piece or adjustable | 1.40 | 2.05 |
| Leg with rod (short) only, for tray, one piece or adjustable | 1.10 | 1.60 |
| Drainboard, all sizes | .80 | 1.2 |

SCHEDULE 7—Continued

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Cast iron enameled plumbing fixtures —Continued. | | |
| Slop sink, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | $6.70 | $9.70 |
| Wash tray, single compartment, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 7.10 | 10.10 |
| Wash tray, double compartment, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 14.20 | 20.20 |
| Vitreous china plumbing fixtures (less fittings unless specifically stated): | | |
| Water closet bowl, all types, all shapes and kinds, including spud | 2.80 | 4.05 |
| Low tank, six or eight gallon capacity, all shapes and kinds, including and complete with fittings and cover, except supply pipe to floor or wall | 4.85 | 6.85 |
| Low tank, six or eight gallon capacity, all shapes and kinds, without fittings, but including cover | 2.55 | 3.70 |
| Cover only for six or eight gallon capacity low tank, all shapes and kinds | 1.10 | 1.60 |
| Porcelain (glazed earthenware) plumbing fixtures (less fittings unless specifically stated): | | |
| Single sink, tray, or washtub, with or without back, all sizes | 3.55 | 5.05 |
| Double sink, tray, or washtub, with or without back, all sizes | 7.10 | 10.10 |
| Plumbing fixture supply fittings (irrespective of finish, material, shape, design, or style), complete with locknuts, coupling nuts, and tailpieces or union connections, unless provided with IPS male or female thread: | | |
| Lavatory faucet, single | .65 | .95 |
| Combination lavatory supply fitting | 1.55 | 2.30 |
| Combination lavatory supply fitting with pop-up waste | 2.05 | 3.05 |
| Combination bath faucet, including couplings | 1.30 | 1.95 |
| Combination bath faucet with shower diverter or transfer valve | 2.55 | 3.80 |
| Combination bath faucet with shower diverter or transfer valve, shower riser and shower head, with or without ball joint | 3.55 | 5.30 |
| Combination bath faucet with shower diverter or transfer valve, shower riser, and shower head, with or without ball joint and "D" or "O" type rod for curtain, but not including curtain and pins | 4.55 | 6.80 |
| Exposed two-valve shower fixture only | 1.80 | 2.70 |
| Exposed two-valve shower fixture, including riser and shower head, with or without ball joint | 2.30 | 3.45 |
| Shower attachment (portable) including faucet attacher, hose, riser, riser support, shower head, and "D" or "O" type rod for curtain but not including curtain and pins | 2.30 | 3.45 |
| Concealed two-valve supply fixture | 1.80 | 2.70 |
| Concealed two-valve over-rim tub filler supply fixture, including tub filler | 2.30 | 3.45 |
| Concealed two-valve shower supply fixture, including shower head (with or without ball joint), arm to wall, and escutcheon | 2.55 | 3.80 |
| Concealed three-valve (transfer valve) supply fixture | 2.55 | 3.80 |
| Concealed three-valve (transfer valve) supply fixture, including over-rim tub filler, shower head (with or without ball joint), arm to wall, and escutcheon | 3.60 | 5.35 |
| Concealed four-valve supply fixture | 2.85 | 4.25 |
| Concealed four-valve supply fixture, including over-rim tub filler, shower head (with or without ball joint), arm to wall, and escutcheon | 3.85 | 5.75 |
| Sink faucet, single | .65 | .95 |
| Combination sink supply fitting (for installation through deck, sink top, sink back, or to wall), with or without soap dish, with rigid or swing spout, with or without spray | 2.05 | 3.05 |

SCHEDULE 7—Continued

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Plumbing fixture waste fittings (irrespective of finish, material, shape, design, or style), complete with slip nuts and slip nut washers for slip joints: | | |
| P. O. plug for lavatory, including tailpiece 4" or longer | $0.30 | $0.45 |
| Pop-up or lift waste for lavatory, including tailpiece 2½" or longer | 1.25 | 1.85 |
| Connected waste and overflow for bathtub, concealed or exposed, including chain, chain stay, and tailpiece 1½" or longer, with or without stopper | 1.55 | 2.30 |
| Connected pop-up or lift waste and over flow for bathtub, concealed or exposed, including tailpiece 1½" or longer | 1.80 | 2.70 |
| Sink strainer, flat type, including tailpiece | .35 | .50 |
| Sink strainer, cup type, including tailpiece | .55 | .80 |
| Two-part continuous waste, exclusive of trap | 1.25 | 1.85 |
| Three-part continuous waste, exclusive of trap | 1.85 | 2.75 |
| Trap, all types, except bag trap or anti-syphon trap: | | |
| Size 1½" outlet | .80 | 1.20 |
| Size 1½" outlet | .80 | 1.20 |
| Size 2" outlet | 1.00 | 1.50 |
| Toilet seats, all types, with or without cover, painted, varnished, or sheet covered, including nuts and washers | .80 | 1.20 |
| Hot water tanks and heaters: | | |
| 30-gallon range boiler, all kinds of shapes and styles, irrespective of inside or outside finish | 2.55 | 3.30 |
| 40-gallon range boiler, all kinds of shapes and styles, irrespective of inside or outside finish | 3.15 | 3.90 |
| Flat top heater, up to 40-gallon per hour, 25° F. rise capacity, exclusive of firing tools | 3.40 | 4.65 |
| Dome top heater, up to 40-gallon per hour, 25° F. rise capacity, exclusive of firing tools | 4.30 | 5.80 |
| USED HEATING EQUIPMENT | | |
| Cast iron radiation (ceiling price is per square foot of heating surface for water-tested radiation and includes necessary plugs and bushings): | | |
| All radiation up to 26" high | .19 | .26 |
| All radiation 27" and higher | .17 | .23 |

Ceiling prices for items not listed in this schedule must be determined in accordance with the terms of section 7 (for wholesalers) or 8 (for retailers).

## SCHEDULE 8

Applicable to the State of: Maine.

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Cast iron enameled plumbing fixtures (Less fittings unless specifically stated): | | |
| Bathtub, single shell, roll rim, recess or corner, on base or on legs, all sizes | $13.95 | $19.70 |
| Bathtub, with apron, double shell, recess or corner, all sizes | 19.30 | 27.55 |
| Lavatory, pedestal type, including pedestal, all sizes | 8.05 | 11.55 |
| Lavatory, leg type, including leg, rod, and brackets, all sizes | 4.20 | 5.95 |
| Lavatory, wall hung, with or without apron, including hanger, all sizes | 4.30 | 6.20 |
| Lavatory, wall hung, corner type, with or without apron, including hanger, all sizes | 3.05 | 4.30 |
| Pedestal only for pedestal lavatory | 1.70 | 2.35 |
| Leg with rod only for leg lavatory | .95 | 1.35 |

SCHEDULE 8—Continued

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Cast iron enameled plumbing fixtures —Continued. | | |
| Sink, wall hung, without apron, including hanger, size 24" and smaller | $3.20 | $4.60 |
| Sink, wall hung, without apron, including hanger, size 25" and larger | 4.45 | 6.35 |
| Sink, wall hung, with apron, including hanger, size 24" and smaller | 4.05 | 5.80 |
| Sink, wall hung, with apron, including hanger, size 25" and larger | 5.20 | 7.45 |
| Combination single drainboard sink (sink with integral drainboard), wall hung, with or without apron, including hangers, all sizes | 13.25 | 19.00 |
| Combination double drainboard sink (sink with integral drainboards), wall hung, with or without apron, including hangers, all sizes | 17.10 | 24.60 |
| Corner drainboard sink (sink with integral drainboard(s) and corner back), wall hung, with or without apron, including hangers, single or double drainboard, all sizes | 11.10 | 15.60 |
| Sink and tray (one piece) combination, wall hung, with or without apron, including hangers and leg under tray, all sizes | 17.10 | 24.60 |
| Leg with rod (long) only, for sink, one piece or adjustable | 1.45 | 2.10 |
| Leg with rod (short) only, for tray, one piece or adjustable | 1.15 | 1.65 |
| Drainboard, all sizes | .80 | 1.20 |
| Slop sink, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 6.90 | 9.90 |
| Wash tray, single compartment, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 7.40 | 10.40 |
| Wash tray, double compartment, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 14.80 | 20.80 |
| Vitreous china plumbing fixtures (less fittings unless specifically stated): | | |
| Water closet bowl, all types, all shapes and kinds, including spud | 2.85 | 4.10 |
| Low tank, six or eight gallon capacity, all shapes and kinds, including and complete with fittings and cover, except supply pipe to floor or wall | 4.90 | 6.90 |
| Low tank, six or eight gallon capacity, all shapes and kinds, without fittings, but including cover | 2.60 | 3.75 |
| Cover only for six or eight gallon capacity low tank, all shapes and kinds | 1.10 | 1.60 |
| Porcelain (glazed earthenware) plumbing fixtures (less fittings unless specifically stated): | | |
| Single sink, tray, or washtub, with or without back, all sizes | 3.70 | 5.20 |
| Double sink, tray, or washtub, with or without back, all sizes | 7.40 | 10.40 |
| Plumbing fixture supply fittings (irrespective of finish, material, shape, design, or style) (complete with locknuts, coupling nuts, and tailpieces or union connections, unless provided with IPS male or female thread): | | |
| Lavatory faucet, single | .65 | .95 |
| Combination lavatory supply fitting | 1.55 | 2.30 |
| Combination lavatory supply fitting with pop-up waste | 2.05 | 3.05 |
| Combination bath faucet, including couplings | 1.30 | 1.95 |
| Combination bath faucet with shower diverter or transfer valve | 2.55 | 3.80 |
| Combination bath faucet with shower diverter or transfer valve, shower riser and shower head, with or without ball joint | 3.55 | 5.30 |
| Combination bath faucet with shower diverter or transfer valve, shower riser, and shower head, with or without ball joint and "D" or "O" type rod for curtain, but not including curtain and pins | 4.60 | 6.85 |
| Exposed two-valve shower fixture only | 1.80 | 2.70 |

SCHEDULE 8—Continued

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Plumbing fixture supply fittings—Con. | | |
| Exposed two-valve shower fixture, including riser and shower head, with or without ball joint | $2.30 | $3.45 |
| Shower attachment (portable) including faucet attacher, hose, riser, riser support, shower head, and "D" or "O" type rod for curtain but not including curtain and pins | 2.30 | 3.45 |
| Concealed two-valve supply fixture | 1.80 | 2.70 |
| Concealed two-valve over-rim tub filler supply fixture, including tub filler | 2.30 | 3.45 |
| Concealed two-valve shower supply fixture, including shower head (with or without ball joint), arm to wall, and escutcheon | 2.60 | 3.85 |
| Concealed three-valve (transfer valve) supply fixture | 2.55 | 3.80 |
| Concealed three-valve (transfer valve) supply fixture, including over-rim tub filler, shower head, (with or without ball joint), arm to wall, and escutcheon | 3.60 | 5.35 |
| Concealed four-valve supply fixture | 2.85 | 4.25 |
| Concealed four-valve supply fixture, including over-rim tub filler, shower head (with or without ball joint), arm to wall, and escutcheon | 3.90 | 5.80 |
| Sink faucet, single | .65 | .95 |
| Combination sink supply fitting (for installation through deck, sink top, sink back, or to wall), with or without soap dish, with rigid or swing spout, with or without spray | 2.05 | 3.05 |
| Plumbing Fixture Waste Fittings (Irrespective of finish, material, shape, design, or style): (Complete with slip nuts and slip nut washers for slip joints): | | |
| P. O. Plug for lavatory, including tailpiece 4" or longer | .30 | .45 |
| Pop-up or lift waste for lavatory, including tailpiece 2½" or longer | 1.25 | 1.85 |
| Connected waste and overflow for bathtub, concealed or exposed, including chain, chain stay, and tailpiece 1½" or longer, with or without stopper | 1.55 | 2.30 |
| Connected pop-up or lift waste and and overflow for bathtub, concealed or exposed, including tailpiece 1½" or longer | 1.80 | 2.70 |
| Sink strainer, flat type, including tailpiece | .35 | .50 |
| Sink strainer, cup type, including tailpiece | .55 | .80 |
| Two-part continuous waste, exclusive of trap | 1.25 | 1.85 |
| Three-part continuous waste, exclusive of trap | 1.85 | 2.75 |
| Trap, all types, except bag trap or anti-syphon trap: | | |
| size 1¼" outlet | .80 | 1.20 |
| size 1½" outlet | .80 | 1.20 |
| size 2" outlet | 1.00 | 1.50 |
| Toilet seats, all types, with or without cover, painted, varnished, or sheet covered, including nuts and washers | .80 | 1.20 |
| Hot water tanks and heaters: | | |
| 30-gallon range boiler, all kinds of shapes and styles, irrespective of inside or outside finish | 2.60 | 3.35 |
| 40-gallon range boiler, all kinds of shapes and styles, irrespective of inside or outside finish | 3.30 | 4.05 |
| Flat top heater, up to 40-gallon per hour, 25° F. rise capacity, exclusive of firing tools | 3.55 | 4.80 |
| Dome top heater, up to 40-gallon per hour, 25° F. rise capacity, exclusive of firing tools | 4.45 | 5.95 |
| USED HEATING EQUIPMENT | | |
| Cast iron radiation (ceiling price is per square foot of heating surface for water-tested radiation and includes necessary plugs and bushings): | | |
| All radiation up to 26" high | .20 | .27 |
| All radiation 27" and higher | .18 | .24 |

Ceiling prices for item not listed in this schedule must be determined in accordance with the terms of section 7 (for wholesalers) or 8 (for retailers).

SCHEDULE 9

Applicable to the State of: Ohio.

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Cast iron enameled plumbing fixtures (less fittings unless specifically stated): | | |
| Bathtub, single shell, roll rim, recess or corner, on base or on legs, all sizes | $14.15 | $19.90 |
| Bathtub, with apron, double shell, recess or corner, all sizes | 19.50 | 27.75 |
| Lavatory, pedestal type, including pedestal, all sizes | 8.15 | 11.65 |
| Lavatory, leg type, including leg, rod, and brackets, all sizes | 4.25 | 6.00 |
| Lavatory, wall hung, with or without apron, including hanger, all sizes | 4.30 | 6.20 |
| Lavatory, wall hung, corner type, with or without apron, including hanger, all sizes | 3.05 | 4.30 |
| Pedestal only for pedestal lavatory | 1.75 | 2.40 |
| Leg with rod only for leg lavatory | .95 | 1.35 |
| Sink, wall hung, without apron, including hanger, size 24" and smaller | 3.25 | 4.65 |
| Sink, wall hung, without apron, including hanger, size 25" and larger | 4.50 | 6.40 |
| Sink, wall hung, with apron, including hanger, size 24" and smaller | 4.05 | 5.80 |
| Sink, wall hung, with apron, including hanger, size 25" and larger | 5.25 | 7.50 |
| Combination single drainboard sink (sink with integral drainboard), wall hung, with or without apron, including hangers, all sizes | 13.40 | 19.15 |
| Combination double drainboard sink (sink with integral drainboards), wall hung, with or without apron, including hangers, all sizes | 17.25 | 24.75 |
| Corner drainboard sink (sink with integral drainboard(s) and corner back), wall hung, with or without apron, including hangers, single or double drainboard, all sizes | $11.25 | $15.75 |
| Sink and tray (one piece) combination, wall hung, with or without apron, including hangers and leg under tray, all sizes | 17.25 | 24.75 |
| Leg with rod (long) only, for sink, one piece or adjustable | 1.45 | 2.10 |
| Leg with rod (short) only, for tray, one piece or adjustable | 1.15 | 1.65 |
| Drainboard, all sizes | .85 | 1.25 |
| Slop sink, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 6.95 | 9.95 |
| Wash tray, single compartment, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 7.50 | 10.50 |
| Wash tray, double compartment, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 15.00 | 21.00 |
| Vitreous china plumbing fixtures (less fittings unless specifically stated): | | |
| Water closet bowl, all types, all shapes and kinds, including spud | 2.90 | 4.15 |
| Low tank, six or eight gallon capacity, all shapes and kinds, including and complete with fittings and cover, except supply pipe to floor or wall | 4.95 | 6.95 |
| Low tank, six or eight gallon capacity, all shapes and kinds, without fittings, but including cover | 2.65 | 3.80 |
| Cover only for six or eight gallon capacity low tank, all shapes and kinds | 1.10 | 1.60 |
| Porcelain (glazed earthenware) plumbing fixtures (less fittings unless specifically stated:) | | |
| Single sink, tray, or washtub, with or without back, all sizes | 3.75 | 5.25 |
| Double sink, tray, or washtub, with or without back, all sizes | 7.50 | 10.50 |
| Plumbing fixtures supply fittings (irrespective of finish, material, shape, design, or style) complete with locknuts, coupling nuts, and tailpieces or union connections, unless provided with IPS male or female thread: | | |
| Lavatory faucet, single | .65 | .95 |
| Combination lavatory supply fitting | 1.55 | 2.30 |

SCHEDULE 9—Continued

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Plumbing fixture supply fittings—Con. | | |
| Combination lavatory supply fitting with pop-up waste | $2.10 | $3.10 |
| Combination bath faucet, including couplings | 1.30 | 1.95 |
| Combination bath faucet with shower diverter or transfer valve | 2.55 | 3.80 |
| Combination bath faucet with shower diverter or transfer valve, shower riser and shower head, with or without ball joint | 3.55 | 5.30 |
| Combination bath faucet with shower diverter or transfer valve, shower riser, and shower head, with or without ball joint and "D" or "O" type rod for curtain, but not including curtain and pins | 4.60 | 6.85 |
| Exposed two-valve shower fixture only | 1.80 | 2.70 |
| Exposed two-valve shower fixture, including riser and shower head, with or without ball joint | 2.35 | 3.50 |
| Shower attachment (portable) including faucet attacher, hose, riser, riser support, shower head, and "D" or "O" type rod for curtain but not including curtain and pins | 2.30 | 3.45 |
| Concealed two-valve supply fixture | 1.80 | 2.70 |
| Concealed two-valve over-rim tub filler supply fixture, including tub filler | 2.35 | 3.50 |
| Concealed two-valve shower supply Fixture, including shower head (with or without ball joint), arm to wall, and escutcheon | 2.60 | 3.85 |
| Concealed three-valve (transfer valve) supply fixture | 2.60 | 3.85 |
| Concealed three-valve (transfer valve) supply fixture, including over-rim tub filler, shower head (with or without ball joint), arm to wall, and escutcheon | 3.60 | 5.35 |
| Concealed four-valve supply fixture | 2.85 | 4.25 |
| Concealed four-valve supply fixture, including over-rim tub filler, shower head (with or without ball joint), arm to wall, and escutcheon | 3.90 | 5.80 |
| Sink faucet, single | .65 | .95 |
| Combination sink supply fitting (for installation through deck, sink back, or to wall), with or without soap dish, with rigid or swing spout, with or without spray | 2.05 | 3.05 |
| Plumbing fixture waste fittings (Irrespective of finish, material, shape, design, or style) Complete with slip nuts and slip nut washers for slip joints: | | |
| P. O. plug for lavatory, including tailpiece 4" or longer | .30 | .45 |
| Pop-up or lift waste for lavatory, including tailpiece 2½" or longer | 1.25 | 1.85 |
| Connected waste and overflow for bathtub, concealed or exposed, including chain, chain stay, and tailpiece 1½" or longer, with or without stopper | 1.55 | 2.30 |
| Connected pop-up or lift waste and overflow for bathtub, concealed or exposed, including tailpiece 1½" or longer | 1.85 | 2.75 |
| Sink strainer, flat type, including tailpiece | .35 | .50 |
| Sink strainer, cup type, including tailpiece | .55 | .80 |
| Two-part continuous waste, exclusive of trap | 1.25 | 1.85 |
| Three-part continuous waste, exclusive of trap | 1.85 | 2.75 |
| Trap, all types, except bag trap or anti-syphon trap: | | |
| Size 1¼" outlet | .80 | 1.20 |
| Size 1½" outlet | .80 | 1.20 |
| Size 2" outlet | 1.00 | 1.50 |
| Toilet seats, all types, with or without cover, painted, varnished, or sheet covered, including nuts and washers | .85 | 1.25 |
| Hot water tanks and heaters: | | |
| 30-gallon range boiler, all kinds of shapes and styles, irrespective of inside or outside finish | 2.65 | 3.40 |
| 40-gallon range boiler, all kinds of shapes and styles, irrespective of inside or outside finish | 3.30 | 4.05 |
| Flat top heater, up to 40-gallon per hour, 25° F. rise capacity, exclusive of firing tools | 3.55 | 4.80 |
| Dome top heater, up to 40-gallon per hour, 25° F. rise capacity, exclusive of firing tools | 4.50 | 6.00 |

SCHEDULE 9—Continued

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED HEATING EQUIPMENT | | |
| Cast iron radiation (Ceiling price is per square foot of heating surface for water-tested radiation and includes necessary plugs and bushings): | | |
| All radiation up to 26" high | $0.21 | $0.28 |
| All radiation 27" and higher | .19 | .25 |

Ceiling prices for items not listed in this schedule must be determined in accordance with the terms of section 7 (for wholesalers) or 8 (for retailers).

SCHEDULE 10

Applicable to the State of: Indiana.
State of: Michigan, except the Upper Peninsula (see Schedule 12, for Upper Peninsula.
State of: North Carolina.

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Cast iron enameled plumbing fixtures (Less fittings unless specifically stated): | | |
| Bathtub, single shell, roll rim, recess or corner, on base or on legs, all sizes | $14.50 | $20.25 |
| Bathtub, with apron, double shell, recess or corner, all sizes | 19.90 | 28.15 |
| Lavatory, pedestal type, including pedestal, all sizes | 8.30 | 11.80 |
| Lavatory, leg type, including leg, rod, and brackets, all sizes | 4.35 | 6.10 |
| Lavatory, wall hung, with or without apron, including hanger, all sizes | 4.40 | 6.30 |
| Lavatory, wall hung, corner type, with or without apron, including hanger, all sizes | 3.15 | 4.40 |
| Pedestal only for pedestal lavatory | 1.80 | 2.45 |
| Leg with rod only for leg lavatory | .95 | 1.35 |
| Sink, wall hung, without apron, including hanger, size 24" and smaller | 3.30 | 4.70 |
| Sink, wall hung, with apron, including hanger, size 25" and larger | 4.60 | 6.50 |
| Sink, wall hung, with apron, including hanger, size 24" and smaller | 4.15 | 5.90 |
| Sink, wall hung, with apron, including hanger, size 25" and larger | 5.35 | 7.60 |
| Combination single drainboard sink (sink with integral drainboard), wall hung, with or without apron, including hangers, all sizes | 13.65 | 19.40 |
| Combination double drainboard sink (sink with integral drain boards), wall hung, with or without apron, including hangers, all sizes | 17.55 | 25.05 |
| Corner drainboard sink (sink with integral drainboard(s) and corner back), wall hung, with or without apron, including hangers, single or double drainboard all sizes | 11.55 | 16.05 |
| Sink and tray (one piece) combination, wall hung, with or without apron, including hangers and leg under tray, all sizes | 17.55 | 25.05 |
| Leg with rod (long) only, for sink, one piece or adjustable | 1.45 | 2.10 |
| Leg with rod (short) only, for tray, one piece or adjustable | 1.15 | 1.65 |
| Drainboard, all sizes | .85 | 1.25 |
| Slop sink, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 7.05 | 10.05 |
| Wash tray, single compartment, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 7.70 | 10.70 |
| Wash tray, double compartment, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 15.40 | 21.40 |

SCHEDULE 10—Continued

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Vitreous china plumbing fixtures (less fittings unless specifically stated): | | |
| Water closet bowl, all types, all shapes and kinds, including spud | $2.95 | $4.20 |
| Low tank, six or eight gallon capacity, all shapes and kinds, including and complete with fittings and cover, except supply pipe to floor or wall | 5.00 | 7.00 |
| Low tank, six or eight gallon capacity, all shapes and kinds, without fittings, but including cover | 2.70 | 3.85 |
| Cover only for six or eight gallon capacity low tank, all shapes and kinds | 1.15 | 1.65 |
| Porcelain (glazed earthenware) plumbing fixtures (Less fittings unless specifically stated): | | |
| Single sink, tray, or washtub, with or without back, all sizes | 3.85 | 5.35 |
| Double sink, tray, or washtub, with or without back, all sizes | 7.70 | 10.70 |
| Plumbing fixture supply fittings (irrespective of finish, material, shape, design, or style) complete with locknuts, coupling nuts, and tailpieces or union connections, unless provided with IPS male or female thread: | | |
| Lavatory faucet, single | .65 | .95 |
| Combination lavatory supply fitting | 1.55 | 2.30 |
| Combination lavatory supply fitting with pop-up waste | 2.10 | 3.10 |
| Combination bath faucet, including couplings | 1.30 | 1.95 |
| Combination bath faucet with shower diverter or transfer valve | 2.55 | 3.80 |
| Combination bath faucet with shower diverter or transfer valve, shower riser and shower head, with or without ball joint | 3.55 | 5.30 |
| Combination bath faucet with shower diverter or transfer valve, shower riser, and shower head, with or without ball joint and "D" and "O" type rod for curtain, but not including curtain and pins | 4.60 | 6.85 |
| Exposed two-valve shower fixture only | 1.80 | 2.70 |
| Exposed two-valve shower fixture, including riser and shower head, with or without ball joint | 2.35 | 3.50 |
| Shower attachment (portable) including faucet attacher, hose, riser, riser support, shower head, and "D" or "O" type rod for curtain but not including curtain and pins | 2.30 | 3.45 |
| Concealed two-valve supply fixture | 1.80 | 2.70 |
| Concealed two-valve over-rim tub filler supply fixture, including tub filler | 2.35 | 3.50 |
| Concealed two-valve shower supply fixture, including shower head (with or without ball joint), arm to wall, and escutcheon | 2.60 | 3.85 |
| Concealed three-valve (transfer valve) supply fixture | 2.60 | 3.85 |
| Concealed three-valve (transfer valve) supply fixture, including over-rim tub filler, shower head (with or without ball joint), arm to wall, and escutcheon | 3.65 | 5.40 |
| Concealed four valve supply fixture | 2.90 | 4.30 |
| Concealed four-valve supply fixture, including over-rim tub filler, shower head (with or without ball joint), arm to wall, and escutcheon | 3.90 | 5.80 |
| Sink faucet, single | .65 | .95 |
| Combination sink supply fitting (for installation through deck, sink top, sink back, or to wall), with or without soap dish, with rigid or swing spout, with or without spray | 2.05 | 3.05 |
| Plumbing fixture waste fittings (Irrespective of finish, material, shape, design, or style) complete with slip nuts and slip nut washers for slip joints: | | |
| P. O. plug for lavatory, including tailpiece 4" or longer | .30 | .45 |
| Pop-up or lift waste for lavatory, including tailpiece 2½" or longer | 1.25 | 1.85 |
| Connected waste and overflow for bathtub, concealed or exposed, including chain, chain stay, and tailpiece 1½" or longer, with or without stopper | 1.55 | 2.30 |
| Connected pop-up or lift waste and overflow for bathtub, concealed or exposed, including tailpiece 1½" or longer | 1.85 | 2.75 |

SCHEDULE 10—Continued

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Plumbing fixture waste fittings—Con. | | |
| Sink strainer, flat type, including tailpiece | $0.35 | $0.50 |
| Sink strainer, cup type, including tailpiece | .55 | .80 |
| Two-part continuous waste, exclusive of trap | 1.25 | 1.85 |
| Three-part continuous waste, exclusive of trap | 1.85 | 2.75 |
| Trap, all types, except bag trap or anti-syphon trap: | | |
| Size 1¼" outlet | .80 | 1.20 |
| Size 1½" outlet | .80 | 1.20 |
| Size 2" outlet | 1.00 | 1.50 |
| Toilet seats, all types, with or without cover, painted, varnished, or sheet covered, including nuts and washers | .85 | 1.25 |
| Hot water tanks and heaters: | | |
| 30-gallon range boiler, all kinds of shapes and styles, irrespective of inside or outside finish | 2.70 | 3.45 |
| 40-gallon range boiler, all kinds of shapes and styles, irrespective of inside or outside finish | 3.40 | 4.15 |
| Flat top heater, up to 40-gallon per hour, 25° F. rise capacity, exclusive of firing tools | 3.65 | 4.90 |
| Dome top heater, up to 40-gallon per hour, 25° F. rise capacity, exclusive of firing tools | 4.60 | 6.10 |
| USED HEATING EQUIPMENT | | |
| Cast iron radiation (ceiling price is per square foot of heating surface for water-tested radiation and includes necessary plugs and bushings): | | |
| All radiation up to 26" high | .21 | .28 |
| All radiation 27" and higher | .19 | .25 |

Ceiling prices for items not listed in this schedule must be determined in accordance with the terms of section 7 (for wholesalers) or 8 (for retailers).

SCHEDULE 11

Applicable to the State of: Illinois.
State of: Kentucky.
State of: Oregon.

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Cast iron enameled plumbing fixtures (less fittings unless specifically stated): | | |
| Bathtub, single shell, roll rim, recess or corner, on base or on legs, all sizes | $14.85 | $20.60 |
| Bathtub, with apron, double shell, recess or corner, all sizes | 20.30 | 28.55 |
| Lavatory, pedestal type, including pedestal, all sizes | 8.45 | 11.95 |
| Lavatory, leg type, including leg, rod, and brackets, all sizes | 4.45 | 6.20 |
| Lavatory, wall hung, with or without apron, including hanger, all sizes | 4.45 | 6.35 |
| Lavatory, wall hung, corner type, with or without apron, including hanger, all sizes | 3.20 | 4.45 |
| Pedestal only for pedestal lavatory | 1.85 | 2.50 |
| Leg with rod only for leg lavatory | 1.00 | 1.40 |
| Sink, wall hung, without apron, including hanger, size 24" and smaller | 3.35 | 4.75 |
| Sink, wall hung, without apron, including hanger, size 25" and larger | 4.70 | 6.60 |
| Sink, wall hung, with apron, including hanger, size 24" and smaller | 4.20 | 5.95 |
| Sink, wall hung, with apron, including hanger, size 25" and larger | 5.45 | 7.70 |
| Combination single drainboard sink (sink with integral drainboard), wall hung, with or without apron, including hangers, all sizes | 13.90 | 19.65 |

SCHEDULE 11—Continued

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Cast iron enameled plumbing fixtures—Continued. | | |
| Combination double drainboard sink (sink with integral drainboards), wall hung, with or without apron, including hangers, all sizes | $17.85 | $25.35 |
| Corner drainboard sink (sink with integral drainboard(s) and corner back), wall hung, with or without apron, including hangers, single or double drainboard, all sizes | 11.85 | 16.35 |
| Sink and tray (one piece) combination, wall hung, with or without apron, including hangers and leg under tray, all sizes | 17.85 | 25.35 |
| Leg with rod (long) only, for sink, one piece or adjustable | 1.50 | 2.15 |
| Leg with rod (short) only, for tray, one piece or adjustable | 1.20 | 1.70 |
| Drainboards, all sizes | .85 | 1.25 |
| Slop sink, with or without back (with iron leg support if without back) with or without apron, including hanger, all sizes | 7.20 | 10.20 |
| Wash tray, single compartment, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 7.90 | 10.90 |
| Wash tray, double compartment, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 15.80 | 21.80 |
| Vitreous china plumbing fixtures (less fittings unless specifically stated:) | | |
| Water closet bowl, all types, all shapes and kinds, including spud | 3.00 | 4.25 |
| Low tank, six or eight gallon capacity, all shapes and kinds, including and complete with fittings and cover, except supply pipe to floor or wall | 5.05 | 7.05 |
| Low tank, six or eight gallon capacity, all shapes and kinds, without fittings, but including cover | 2.75 | 3.90 |
| Cover only for six or eight gallon capacity low tank, all shapes and kinds | 1.15 | 1.65 |
| Porcelain (glazed earthenware) plumbing fixtures (less fittings unless specifically stated): | | |
| Single sink, tray, or washtub, with or without back, all sizes | 3.95 | 5.45 |
| Double sink, tray, or washtub, with or without back, all sizes | 7.90 | 10.90 |
| Plumbing fixture supply fittings (irrespective of finish, material, shape, design, or style) complete with locknuts, coupling nuts, and tailpieces or union connections, unless provided with IPS male or female thread: | | |
| Lavatory faucet, single | .65 | .95 |
| Combination lavatory supply fitting | 1.55 | 2.30 |
| Combination lavatory supply fitting with pop-up waste | 2.10 | 3.10 |
| Combination bath faucet, including couplings | 1.30 | 1.95 |
| Combination bath faucet with shower diverter or transfer valve | 2.55 | 3.80 |
| Combination bath faucet with shower diverter or transfer valve, shower riser and shower head, with or without ball joint | 3.55 | 5.30 |
| Combination bath faucet with shower diverter or transfer valve, shower riser, and shower head, with or without ball joint and "D" or "O" type rod for curtain, but not including curtain and pins | 4.60 | 6.85 |
| Exposed two-valve shower fixture only | 1.80 | 2.70 |
| Exposed two-valve shower fixture, including riser and shower head, with or without ball joint | 2.35 | 3.50 |
| Shower attachment (portable) including faucet attacher, hose, riser, riser support, shower head, and "D" or "O" type rod for curtain but not including curtain and pins | 2.30 | 3.45 |
| Concealed two-valve supply fixture | 1.80 | 2.70 |
| Concealed two-valve over-rim tub filler supply fixture, including tub filler | 2.35 | 3.50 |

SCHEDULE 11—Continued

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Plumbing fixture supply fittings—Continued. | | |
| Concealed two-valve shower supply fixture, including shower head (with or without ball joint), arm to wall, and escutcheon | $2.60 | $3.85 |
| Concealed three-valve (transfer valve) supply fixture | 2.60 | 3.85 |
| Concealed three-valve (transfer valve) supply fixture, including over-rim tub filler, shower head (with or without ball joint), arm to wall, and escutcheon | 3.65 | 5.40 |
| Concealed four-valve supply fixture | 2.90 | 4.30 |
| Concealed four-valve supply fixture, including over-rim tub filler, shower head (with or without ball joint), arm to wall, and escutcheon | 3.95 | 5.85 |
| Sink faucet, single | .65 | .95 |
| Combination sink supply fitting (for installation through deck, sink top, sink back, or to wall), with or without soap dish, with rigid or swing spout, with or without spray | 2.05 | 3.05 |
| Plumbing fixture waste fittings (irrespective of finish, material, shape, design, or style): | | |
| Complete with slip nuts and slip nut washers for slip joints | | |
| P. O. plug for lavatory, including tailpiece 4" or longer | .30 | .45 |
| Pop-up or lift waste for lavatory, including tailpiece 2½" or longer | 1.25 | 1.85 |
| Connected waste and overflow for bathtub, concealed or exposed, including chain, chain stay, and tailpiece 1½" or longer, with or without stopper | 1.55 | 2.30 |
| Connected pop-up or lift waste and overflow for bathtub, concealed or exposed, including tailpiece 1½" or longer | 1.85 | 2.75 |
| Sink strainer, flat type, including tailpiece | .35 | .50 |
| Sink strainer, cup type, including tailpiece | .55 | .80 |
| Two-part continuous waste, exclusive of trap | 1.25 | 1.85 |
| Three-part continuous waste, exclusive of trap | 1.85 | 2.75 |
| Trap, all types, except bag trap or anti-syphon trap: | | |
| Size 1¼" outlet | .80 | 1.20 |
| Size 1½" outlet | .80 | 1.20 |
| Size 2" outlet | 1.00 | 1.50 |
| Toilet seats, All types, with or without cover, painted, varnished, or sheet covered, including nuts and washers | .85 | 1.25 |
| Hot water tanks and heaters: | | |
| 30-gallon range boiler, all kinds of shapes and styles, irrespective of inside or outside finish | 2.75 | 3.50 |
| 40-gallon range boiler, all kinds of shapes and styles, irrespective of inside or outside finish | 3.45 | 4.20 |
| Flat top heater, up to 40-gallon per hour, 25° F. rise capacity, exclusive of firing tools | 3.70 | 4.95 |
| Dome top heater, up to 40-gallon per hour, 25° F. rise capacity, exclusive of firing tools | 4.70 | 6.20 |
| USED HEATING EQUIPMENT | | |
| Cast iron radiation (ceiling price is per square foot of heating surface for water-tested radiation and includes necessary plugs and bushings): | | |
| All radiation up to 26" high | .21 | .28 |
| All radiation 27" and higher | .19 | .25 |

Ceilings prices for items not listed in this schedule must be determined in accordance with the terms of section 7 (for wholesalers) or 8 (for retailers).

SCHEDULE 12

**Applicable to the Upper Peninsula of Michigan (see Schedule 10 for the State of Michigan).**

**State of: Arizona.**

**State of: Nevada.**

**State of: South Carolina.**

**State of: Wisconsin.**

SCHEDULE 12—Continued

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Cast iron enameled plumbing fixtures (less fittings unless specifically stated): | | |
| Bathtub, single shell, roll rim, recess or corner, on base or on legs, all sizes | $15.00 | $20.75 |
| Bathtub, with apron, double shell, recess or corner, all sizes | 20.50 | 28.75 |
| Lavatory, pedestal type, including pedestal, all sizes | 8.50 | 12.00 |
| Lavatory, leg type, including leg, rod, and brackets, all sizes | 4.50 | 6.25 |
| Lavatory, wall hung, with or without apron, including hanger, all sizes | 4.50 | 6.40 |
| Lavatory, wall hung, corner type, with or without apron, including hanger, all sizes | 3.25 | 4.50 |
| Pedestal only for pedestal lavatory | 1.90 | 2.55 |
| Leg with rod only for leg lavatory | 1.00 | 1.40 |
| Sink, wall hung, without apron, including hanger, sizer 24" and smaller | 3.40 | 4.80 |
| Sink, wall hung, without apron, including hanger, size 25" and larger | 4.75 | 6.65 |
| Sink, wall hung, with apron, including hanger, size 24" and smaller | 4.25 | 6.00 |
| Sink, wall hung, with apron, including hanger, size 25" and larger | 5.50 | 7.75 |
| Combination single drainboard sink (sink with integral drainboard), wall hung, with or without apron, including hangers, all sizes | 14.00 | 19.75 |
| Combination double drainboard sink (sink with integral drainboards), wall hung, with or without apron, including hangers, all sizes | 18.00 | 25.50 |
| Corner drainboard sink (sink with integral drainboard(s) and corner back), wall hung, with or without apron, including hangers, single or double drainboard, all sizes | 12.00 | 16.50 |
| Sink and tray (one piece) combination, wall hung, with or without apron, including hangers and leg under tray, all sizes | 18.00 | 25.50 |
| Leg with rod (long) only, for sink, one piece or adjustable | 1.50 | 2.15 |
| Leg with rod (short) only, for tray, one piece or adjustable | 1.20 | 1.70 |
| Drainboard, all sizes | .85 | 1.25 |
| Slop sink, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 7.25 | 10.25 |
| Wash tray, single compartment, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 8.00 | 11.00 |
| Wash tray, double compartment, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 16.00 | 22.00 |
| Vitreous china plumbing fixtures (less fittings unless specifically stated): | | |
| Water closet bowl, all types, all shapes and kinds, including spud | 3.00 | 4.25 |
| Low tank, six or eight gallon capacity, all shapes and kinds, including and complete with fittings and cover, except supply pipe to floor or wall | 5.10 | 7.10 |
| Low tank, six or eight gallon capacity, all shapes and kinds, without fittings, but including cover | 2.75 | 3.90 |
| Cover only for six or eight gallon capacity low tank, all shapes and kinds | 1.15 | 1.65 |
| Porcelain (glazed earthenware) plumbing fixtures (less fittings unless specifically stated): | | |
| Single sink, tray, or washtub, with or without back, all sizes | 4.00 | 5.50 |
| Double sink, tray, or washtub, with or without back, all sizes | 8.00 | 11.00 |

SCHEDULE 12—Continued

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Plumbing fixture supply fittings (irrespective of finish, material, shape, design, or style), complete with locknuts, coupling nuts, and tailpieces or union connections, unless provided with IPS male or female thread: | | |
| Lavatory faucet, single | $0.65 | $0.95 |
| Combination lavatory supply fitting | 1.55 | 2.30 |
| Combination lavatory supply fitting with pop-up waste | 2.10 | 3.10 |
| Combination bath faucet, including couplings | 1.30 | 1.95 |
| Combination bath faucet with shower diverter or transfer valve | 2.55 | 3.80 |
| Combination bath faucet with shower diverter or transfer valve, shower riser and shower head, with or without ball joint | 3.60 | 5.35 |
| Combination bath faucet with shower diverter of transfer valve, shower riser, and shower head, with or without ball joint and "D" or "O" type rod for curtain, but not including curtain and pins | 4.65 | 6.90 |
| Exposed two-valve shower fixture only | 1.85 | 2.75 |
| Exposed two-valve shower fixture, including riser and shower head, with or without ball joint | 2.35 | 3.50 |
| Shower attachment (portable) including faucet attacher, hose, riser, riser support, shower head, and "D" or "O" type rod for curtain but not including curtain and pins | 2.35 | 3.50 |
| Concealed two-valve supply fixture | 1.85 | 2.75 |
| Concealed two-valve over-rim tub filler supply fixture, including tub filler | 2.35 | 3.50 |
| Concealed two-valve shower supply fixture, including shower head (with or without ball joint), arm to wall, and escutcheon | 2.65 | 3.90 |
| Concealed three-valve (transfer valve) supply fixture | 2.60 | 3.85 |
| Concealed three-valve (transfer valve) supply fixture, including over-rim tub filler, shower head (with or without ball joint), arm to wall, and escutcheon | 3.65 | 5.40 |
| Concealed four-valve supply fixture | 2.90 | 4.30 |
| Concealed four-valve supply fixture, including over-rim tub filler, shower head (with or without ball joint), arm to wall, and escutcheon | 3.95 | 5.85 |
| Sink faucet, single | .65 | .95 |
| Combination sink supply fitting (for installation through deck, sink top, sink back, or to wall), with or without soap dish, with rigid or swing spout, with or without spray | 2.10 | 3.10 |
| Plumbing fixture waste fittings (irrespective of finish, material, shape, design, or style), complete with slip nuts and slip nut washers for slip joints: | | |
| P. O. plug for lavatory, including tailpiece 4" or longer | .30 | .45 |
| Pop-up or lift waste for lavatory, including tailpiece 2½" or longer | 1.25 | 1.85 |
| Connected waste and overflow for bathtub, concealed or exposed, including chain, chain stay, and tailpiece 1½" or longer, with or without stopper | 1.60 | 2.35 |
| Connected pop-up or lift waste and overflow for bathtub, concealed or exposed, including tailpiece 1½" or longer | 1.85 | 2.75 |
| Sink strainer, flat type, including tailpiece | .35 | .50 |
| Sink strainer, cup type, including tailpiece | .55 | .80 |
| Two-part continuous waste, exclusive of trap | 1.25 | 1.85 |
| Three-part continuous waste, exclusive of trap | 1.90 | 2.80 |
| Trap, all types, except bag trap or anti-syphon trap: | | |
| Size 1¼" outlet | .80 | 1.20 |
| Size 1½" outlet | .80 | 1.20 |
| Size 2" outlet | 1.00 | 1.50 |
| Toilet seats, all types, with or without cover, painted, varnished, or sheet covered, including nuts and washers | .85 | 1.25 |
| Hot water tanks and heaters: | | |
| 30-gallon range boiler, all kinds of shapes and styles, irrespective of inside or outside finish | 2.75 | 3.50 |

SCHEDULE 12—Continued

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Hot water tanks and heaters—Con. | | |
| 40-gallon range boiler, all kinds of shapes and styles, irrespective of inside or outside finish | $3.50 | $4.25 |
| Flat top heater, up to 40-gallon per hour, 25° F. rise capacity, exclusive of firing tools | 3.75 | 5.00 |
| Dome top heater, up to 40-gallon per hour, 25° F. rise capacity, exclusive of firing tools | 4.75 | 6.25 |
| USED HEATING EQUIPMENT | | |
| Cast iron radiation (ceiling price is per square foot of heating surface for water-tested radiation and includes necessary plugs and bushings): | | |
| All radiation up to 26" high | .22 | .29 |
| All radiation 27" and higher | .20 | .26 |

Ceiling prices for items not listed in this schedule must be determined in accordance with the terms of section 7 (for wholesalers) or 8 (for retailers).

SCHEDULE 13

Applicable to the State of: Washington.

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Cast iron enameled plumbing fixtures (less fittings unless specifically stated): | | |
| Bathtub, single shell, roll rim, recess or corner, on base or on legs, all sizes | $15.35 | $21.10 |
| Bathtub, with apron, double shell, recess or corner, all sizes | 20.90 | 29.15 |
| Lavatory, pedestal type, including pedestal, all sizes | 8.65 | 12.15 |
| Lavatory, leg type, including leg, rod, and brackets, all sizes | 4.60 | 6.35 |
| Lavatory, wall hung, with or without apron, including hanger, all sizes | 4.60 | 6.50 |
| Lavatory, wall hung, corner type, with or without apron, including hanger, all sizes | 3.35 | 4.60 |
| Pedestal only for pedestal lavatory | 1.95 | 2.60 |
| Leg with rod only for leg lavatory | 1.05 | 1.45 |
| Sink, wall hung, without apron, including hanger, size 24" and smaller | 3.45 | 4.85 |
| Sink, wall hung, without apron, including hanger size 25" and larger | 4.85 | 6.75 |
| Sink, wall hung, with apron, including hanger, size 24" and smaller | 4.35 | 6.10 |
| Sink, wall hung, with apron, including hanger, size 25" and larger | 5.60 | 7.85 |
| Combination single drainboard sink (sink with integral drainboard), wall hung, with or without apron, including hangers, all sizes | 14.25 | 20.00 |
| Combination double drainboard sink (sink with integral drainboards), wall hung, with or without apron, including hangers, all sizes | 18.30 | 25.80 |
| Corner drainboard sink (sink with integral drainboard(s) and corner back), wall hung, with or without apron, including hangers, single or double drainboard, all sizes | 12.30 | 16.80 |
| Sink and tray (one piece) combination, wall hung, with or without apron, including hangers and leg under tray, all sizes | 18.30 | 25.80 |
| Leg with rod (long) only, for sink, one piece or adjustable | 1.55 | 2.20 |
| Leg with rod (short) only, for tray, one piece or adjustable | 1.20 | 1.70 |
| Drainboard, all sizes | .85 | 1.25 |
| Slop sink, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 7.40 | 10.40 |
| Wash tray, single compartment, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 8.20 | 11.20 |

SCHEDULE 13—Continued

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Castiron enameled plumbing fix.—Con. | | |
| Wash tray, double compartment, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | $16.40 | $22.40 |
| Vitreous china plumbing fixtures (less fittings unless specifically stated): | | |
| Water closet bowl, all types, all shapes and kinds, including spud | 3.05 | 4.30 |
| Low tank, six or eight gallon capacity, all shapes and kinds, including and complete with fittings and cover, except supply pipe to floor or wall | 5.15 | 7.15 |
| Low tank, six or eight gallon capacity, all shapes and kinds, without fittings, but including cover | 2.80 | 3.95 |
| Cover only for six or eight gallon capacity low tank, all shapes and kinds | 1.15 | 1.65 |
| Porcelain (glazed earthenware) plumbing fixtures (Less fittings unless specifically stated): | | |
| Single sink, tray, or washtub, with or without back, all sizes | 4.10 | 5.60 |
| Double sink, tray, or washtub, with or without back, all sizes | 8.20 | 11.20 |
| Plumbing fixture supply fittings (Irrespective of finish, material, shape, design or style): | | |
| Complete with locknuts, coupling nuts, and tailpieces or union connections, unless provided with IPS male or female thread: | | |
| Lavatory faucet, single | .65 | .95 |
| Combination lavatory supply fitting | 1.55 | 2.30 |
| Combination lavatory supply fitting with pop-up waste | 2.10 | 3.10 |
| Combination bath faucet, including couplings | 1.30 | 1.95 |
| Combination bath faucet with shower diverter or transfer valve | 2.55 | 3.80 |
| Combination bath faucet with shower diverter or transfer valve, shower riser and shower head, with or without ball joint | 3.60 | 5.35 |
| Combination bath faucet with shower diverter or transfer valve, shower riser, and shower head, with or without ball joint and "D" or "O" type rod for curtain, but not including curtain and pins | 4.65 | 6.90 |
| Exposed two-valve shower fixture only | 1.85 | 2.75 |
| Exposed two-valve shower fixture, including riser and shower head, with or without ball joint | 2.35 | 3.50 |
| Shower attachment (portable) including faucet attacher, hose, riser, riser support, shower head, and "D" or "O" type rod for curtain but not including curtain and pins | 2.35 | 3.50 |
| Concealed two-valve supply fixture | 1.85 | 2.75 |
| Concealed two-valve over-rim tub filler supply fixture, including tub filler | 2.35 | 3.50 |
| Concealed two-valve shower supply fixture, including shower head (with or without ball joint), arm to wall, and escutcheon | 2.65 | 3.90 |
| Concealed three-valve (transfer valve) supply fixture | 2.60 | 3.85 |
| Concealed three-valve (transfer valve) supply fixture, including over-rim tub filler, shower head (with or without ball joint), arm to wall, and escutcheon | 3.65 | 5.40 |
| Concealed four-valve supply fixture | 2.90 | 4.30 |
| Concealed four-valve supply fixture, including over-rim tub filler, shower head (with or without ball joint), arm to wall, and escutcheon | 3.95 | 5.85 |
| Sink faucet, single | .65 | .95 |
| Combination sink supply fitting (for installation through deck, sink top, sink back, or to wall), with or without soap dish, with rigid or swing spout, with or without spray | 2.10 | 3.10 |
| Plumbing fixture waste fittings (irrespective of finish, material, shape, design, or style): | | |
| Complete with slip nuts and slip nut washers for slip joints: | | |
| P. O. Plug for lavatory, including tailpiece 4" or longer | .30 | .45 |
| Pop-up or lift waste for lavatory, including tail piece 2½" or longer | 1.25 | 1.85 |

SCHEDULE 13—Continued

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Plumbing fixtures—Continued. | | |
| Connected waste and overflow for bathtub, concealed or exposed, including chain, chain stay, and tailpiece 1½" or longer, with or without stopper | $1.60 | $2.35 |
| Connected pop-up or lift waste and overflow for bathtub concealed or exposed, including tailpiece 1½" or longer | 1.85 | 2.75 |
| Sink strainer, flat type, including tailpiece | .35 | .50 |
| Sink strainer, cup type, including tailpiece | .55 | .80 |
| Two-part continuous waste, exclusive of trap | 1.25 | 1.85 |
| Three-part continuous waste, exclusive of trap | 1.90 | 2.80 |
| Trap, all types, except bag trap or anti-syphon trap: | | |
| Size 1¼" outlet | .80 | 1.20 |
| Size 1½" outlet | .80 | 1.20 |
| Size 2" outlet | 1.00 | 1.50 |
| Toilet seats, all types, with or without cover, painted, varnished, or sheet covered, including nuts and washers | .85 | 1.25 |
| Hot water tanks and heaters: | | |
| 30-gallon range boiler, all kinds of shapes and styles, irrespective of inside or outside finish | 2.80 | 3.55 |
| 40-gallon range boiler, all kinds of shapes and styles irrespective of inside or outside finish | 3.60 | 4.35 |
| Flat top heater, up to 40-gallon per hour, 25° F. rise capacity, exclusive of firing tools | 3.85 | 5.10 |
| Dome top heater, up to 40-gallon per hour, 25° F. rise capacity exclusive of firing tools | 4.85 | 6.35 |
| USED HEATING EQUIPMENT | | |
| Cast iron radiation: (Ceiling price is per square foot of heating surface for water tested radiation and includes necessary plugs and bushings): | | |
| All radiation up to 26" high | .23 | .30 |
| All radiation 27" and higher | .21 | .27 |

Ceiling prices for items not listed in this schedule must be determined in accordance with the terms of section 7 (for wholesalers) or 8 (for retailers).

SCHEDULE 14

Applicable to the State of: Iowa.
State of: Minnesota.
State of: Tennessee, except the City of Memphis (see Schedule No. 22 for the City of Memphis).

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Cast iron enameled plumbing fixtures (less fittings unless specifically stated): | | |
| Bathtub, single shell, roll rim, recess or corner, on base or on legs, all sizes | $15.70 | $21.45 |
| Bathtub, with apron, double shell, recess or corner, all sizes | 21.30 | 29.55 |
| Lavatory, pedestal type, including pedestal, all sizes | 8.80 | 12.30 |
| Lavatory, leg type, including leg, rod, and brackets, all sizes | 4.70 | 6.45 |
| Lavatory, wall hung, with or without apron, including hanger, all sizes | 4.65 | 6.55 |
| Lavatory, wall hung, corner type, with or without apron, including hanger, all sizes | 3.40 | 4.65 |
| Pedestal only for pedestal lavatory | 2.05 | 2.70 |
| Leg with rod only for leg lavatory | 1.05 | 1.45 |
| Sink, wall hung, without apron, including hanger, size 24" and smaller | 3.55 | 4.95 |

SCHEDULE 14—Continued

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Cast iron enameled plumbing fixtures, etc.—Continued. | | |
| Sink, wall hung, without apron, including hanger, size 25" and larger | $4.95 | $6.85 |
| Sink, wall hung, with apron, including hanger, size 24" and smaller | 4.40 | 6.15 |
| Sink, wall hung, with apron, including hanger, size 25" and larger | 5.70 | 7.95 |
| Combination single drainboard sink (sink with integral drainboard), wall hung, with or without apron, including hangers, all sizes | 14.50 | 20.25 |
| Combination double drainboard sink (sink with integral drainboards), wall hung, with or without apron, including hangers, all sizes | 18.60 | 26.10 |
| Corner drainboard sink (sink with integral drainboard(s) and corner back), wall hung, with or without apron, including hangers, single or double drainboard, all sizes | 12.60 | 17.10 |
| Sink and tray (one piece) combination, wall hung, with or without apron, including hangers and leg under tray, all sizes | 18.60 | 26.10 |
| Leg with rod (long) only, for sink, one piece or adjustable | 1.55 | 2.20 |
| Leg with rod (short) only, for tray, one piece or adjustable | 1.25 | 1.75 |
| Drainboard, all sizes | .85 | 1.25 |
| Slop sink, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 7.50 | 10.50 |
| Wash tray, single compartment, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 8.40 | 11.40 |
| Wash tray, double compartment, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 16.80 | 22.80 |
| Vitreous china plumbing fixtures (less fittings unless specifically stated): | | |
| Water closet bowl, all types, all shapes and kinds, including spud | 3.10 | 4.35 |
| Low tank, six or eight gallon capacity, all shapes and kinds, including and complete with fittings and cover, except supply pipe to floor or wall | 5.20 | 7.20 |
| Low tank, six or eight gallon capacity, all shapes and kinds, without fittings, but including cover | 2.85 | 4.00 |
| Cover only for six or eight gallon capacity low tank, all shapes and kinds | 1.20 | 1.70 |
| Porcelain (glazed earthenware) plumbing fixtures (less fittings unless specifically stated): | | |
| Single sink, tray, or washtub, with or without back, all sizes | 4.20 | 5.70 |
| Double sink, tray, or washtub, with or without back, all sizes | 8.40 | 11.40 |
| Plumbing fixture supply fittings (irrespective of finish, material, shape, design, or style) complete with locknuts, coupling nuts, and tailpieces or union connections, unless provided with IPS male or female thread: | | |
| Lavatory faucet, single | .65 | .95 |
| Combination lavatory supply fitting | 1.55 | 2.30 |
| Combination lavatory supply fitting with pop-up waste | 2.10 | 3.10 |
| Combination bath faucet, including couplings | 1.30 | 1.95 |
| Combination bath faucet with shower diverter or transfer valve | 2.55 | 3.80 |
| Combination bath faucet with shower diverter or transfer valve, shower riser and shower head, with or without ball joint | 3.60 | 5.35 |
| Combination bath faucet with shower diverter or transfer valve, shower riser, and shower head, with or without ball joint and "D" or "O" type rod for curtain, but not including curtain and pins | 4.65 | 6.90 |
| Exposed two-valve shower fixture only | 1.85 | 2.75 |
| Exposed two-valve shower fixture, including riser and shower head, with or without ball joint | 2.35 | 3.50 |

SCHEDULE 14—Continued

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Plumbing fixture supply fittings—Continued. | | |
| Shower attachment (portable) including faucet attacher, hose, riser, riser support, shower head, and "D" or "O" type rod for curtain but not including curtain and pins | $2.35 | $3.50 |
| Concealed two-valve supply fixture | 1.85 | 2.75 |
| Concealed two-valve over-rim tub filler supply fixture, including tub filler | 2.35 | 3.50 |
| fixture, including shower head (with or without ball joint), arm to wall, and escutcheon | 2.65 | 3.90 |
| Concealed three-valve (transfer valve) supply fixture | 2.60 | 3.85 |
| Concealed three-valve (transfer valve) supply fixture, including over-rim tub filler, shower head (with or without ball joint), arm to wall, and escutcheon | 3.70 | 5.45 |
| Concealed four-valve supply fixture | 2.95 | 4.35 |
| Concealed four-valve supply fixture, including over-rim tub filler, shower head (with or without ball joint), arm to wall, and escutcheon | 4.00 | 5.90 |
| Sink faucet, single | .65 | .95 |
| Combination sink supply fitting (for installation through deck, sink top, sink back, or to wall), with or without soap dish, with rigid or swing spout, with or without spray | 2.10 | 3.10 |
| Plumbing fixture waste fittings (irrespective of finish, material, shape, design, or style) complete with slip nuts and slip nut washers for slip joints: | | |
| P. O. plug for lavatory, including tailpiece 4" or longer | .30 | .45 |
| Pop-up or lift waste for lavatory, including tailpiece 2½" or longer | 1.25 | 1.85 |
| Connected waste and overflow for bathtub, concealed or exposed, including chain, chain stay, and tailpiece 1½" or longer, with or without stopper | 1.60 | 2.35 |
| Connected pop-up or lift waste and overflow for bathtub, concealed or exposed, including tailpiece 1½" or longer | 1.85 | 2.75 |
| Sink strainer, flat type, including tailpiece | .35 | .50 |
| Sink strainer, cup type, including tailpiece | .55 | .80 |
| Two-part continuous waste, exclusive of trap | 1.25 | 1.85 |
| Three-part continuous waste, exclusive of trap | 1.90 | 2.80 |
| Trap, all types, except bag trap or anti-syphon trap: | | |
| Size 1¼" outlet | .80 | 1.20 |
| Size 1½" outlet | .80 | 1.20 |
| Size 2" outlet | 1.00 | 1.50 |
| Toilet seats, all types, with or without cover, painted, varnished, or sheet covered, including nuts and washers | .85 | 1.25 |
| Hot water tanks and heaters: | | |
| 30-gallon range boiler, all kinds of shapes and styles, irrespective of inside or outside finish | 2.85 | 3.60 |
| 40-gallon range boiler, all kinds of shapes and styles, irrespective of inside or outside finish | 3.65 | 4.40 |
| Flat top heater, up to 40-gallon per hour, 25° F. rise capacity, exclusive of firing tools | 3.90 | 5.15 |
| Dome top heater, up to 40-gallon per hour, 25° F. rise capacity, exclusive of firing tools | 4.95 | 6.45 |
| USED HEATING EQUIPMENT | | |
| Cast iron radiation (Ceiling price is per square foot of heating surface for water-tested radiation and includes necessary plugs and bushings): | | |
| All radiation up to 26" high | .23 | .30 |
| All radiation 27" and higher | .21 | .27 |

Ceiling prices for items not listed in this schedule must be determined in accordance with the terms of section 7 (for wholesalers) or 8 (for retailers).

SCHEDULE 15

Applicable to the State of: Missouri.
State of: Utah.

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Cast iron enameled plumbing fixtures (less fittings unless specifically stated): | | |
| Bathtub, single shell, roll rim, recess or corner, on base or on legs, all sizes | $15.90 | $21.65 |
| Bathtub, with apron, double shell, recess or corner, all sizes | 21.50 | 29.75 |
| Lavatory, pedestal type, including pedestal, all sizes | 8.90 | 12.40 |
| Lavatory, leg type, including leg, rod, and brackets, all sizes | 4.75 | 6.50 |
| Lavatory, wall hung, with or without apron, including hanger, all sizes | 4.70 | 6.60 |
| Lavatory, wall hung, corner type, with or without apron, including hanger, all sizes | 3.45 | 4.70 |
| Pedestal only for pedestal lavatory | 2.05 | 2.70 |
| Leg with rod only for leg lavatory | 1.05 | 1.45 |
| Sink, wall hung, without apron, including hanger, size 24" and smaller | 3.55 | 4.95 |
| Sink, wall hung, without apron, including hanger, size 25" and larger | 5.00 | 6.90 |
| Sink, wall hung, with apron, including hanger, size 24" and smaller | 4.45 | 6.20 |
| Sink, wall hung, with apron, including hanger, size 25" and larger | 5.75 | 8.00 |
| Combination single drainboard sink (sink with integral drainboard), wall hung, with or without apron, including hangers, all sizes | 14.65 | 20.40 |
| Combination double drainboard sink (sink with integral drainboards), wall hung, with or without apron, including hangers, all sizes | 18.75 | 26.25 |
| Corner drainboard sink (sink with integral drainboard(s) and corner back), wall hung, with or without apron, including hangers, single or double drainboard, all sizes | 12.75 | 17.25 |
| Sink and tray (one piece) combination, wall hung, with or without apron, including hangers and leg under tray, all sizes | 18.75 | 26.25 |
| Leg with rod (long) only, for sink, one piece or adjustable | 1.55 | 2.20 |
| Leg with rod (short) only, for tray, one piece or adjustable | 1.25 | 1.75 |
| Drainboard, all sizes | .90 | 1.30 |
| Slop Sink, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 7.55 | 10.55 |
| Wash Tray, single compartment, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 8.50 | 11.50 |
| Wash Tray, double compartment, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 17.00 | 23.00 |
| Vitreous china plumbing fixtures (less fittings unless specifically stated): | | |
| Water closet bowl, all types, all shapes and kinds, including spud | 3.15 | 4.40 |
| Low Tank, six or eight gallon capacity, all shapes and kinds, including and complete with fittings and cover, except supply pipe to floor or wall | 5.25 | 7.25 |
| Low tank, six or eight gallon capacity, all shapes and kinds, without fittings, but including cover | 2.90 | 4.05 |
| Cover only for six or eight gallon capacity low tank, all shapes and kinds | 1.20 | 1.70 |
| Porcelain (glazed earthenware) plumbing fixtures (less fittings unless specifically stated): | | |
| Single sink, tray, or washtub, with or without back, all sizes | 4.25 | 5.75 |
| Double sink, tray, or washtub, with or without back, all sizes | 8.50 | 11.50 |
| Plumbing fixture supply fittings (irrespective of finish, material, shape, design, or style) complete with locknuts, coupling nuts, and tailpieces or union connections, unless provided with IPS male or female thread: | | |
| Lavatory faucet, single | .65 | .95 |

SCHEDULE 15—Continued

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Plumbing fixture supply fittings—Continued. | | |
| Combination lavatory supply fitting | $1.55 | $2.30 |
| Combination lavatory supply fitting with pop-up waste | 2.15 | 3.15 |
| Combination bath faucet, including couplings | 1.30 | 1.95 |
| Combination bath faucet with shower diverter or transfer valve | 2.55 | 3.80 |
| Combination bath faucet with shower diverter or transfer valve, shower riser and shower head, with or without ball joint | 3.60 | 5.35 |
| Combination bath faucet with shower diverter or transfer valve, shower riser, and shower head, with or without ball joint and "D" or "O" type rod for curtain, but not including curtain and pins | 4.65 | 6.90 |
| Exposed two-valve shower fixture only | 1.85 | 2.75 |
| Exposed two-valve shower fixture, including riser and shower head, with or without ball joint | 2.40 | 3.55 |
| Shower attachment (portable) including faucet attacher, hose, riser, riser support, shower head, and "D" or "O" type rod for curtain but not including curtain and pins | 2.35 | 3.50 |
| Concealed two-valve supply fixture | 1.85 | 2.75 |
| Concealed two-valve over-rim tub filler supply fixture, including tub filler | 2.40 | 3.55 |
| Concealed two-valve shower supply fixture, including shower head (with or without ball joint), arm to wall, and escutcheon | 2.65 | 3.90 |
| Concealed three-valve (transfer valve) supply fixture | 2.65 | 3.90 |
| Concealed three-valve (transfer valve) supply fixture, including over-rim tub filler, shower head (with or without ball joint) arm to wall, and escutcheon | 3.70 | 5.45 |
| Concealed four-valve supply fixture | 2.95 | 4.35 |
| Concealed four-valve supply fixture, including over-rim tub filler, shower head (with or without ball joint), arm to wall, and escutcheon | 4.00 | 5.90 |
| Sink faucet, single | .65 | .95 |
| Combination sink supply fitting (for installation through deck, sink top, sink back, or to wall), with or without soap dish, with rigid or swing spout, with or without spray | 2.10 | 3.10 |
| Plumbing fixture waste fittings (irrespective of finish, material, shape, design, or style), complete with slip nuts and slip nut washers for slip joints: | | |
| P. O. plug for lavatory, including tail piece 4" or longer | .30 | .45 |
| Pop-up or lift waste for lavatory, including tailpiece 2½" or longer | 1.25 | 1.85 |
| Connected waste and overflow for bathtub, concealed or exposed, including chain, chain stay, and tailpiece 1½" or longer, with or without stopper | 1.60 | 2.35 |
| Connected pop-up or lift waste and overflow for bathtub, concealed or exposed, including tailpiece 1½" or longer | 1.90 | 2.80 |
| Sink strainer, flat type, including tailpiece | .35 | .50 |
| Sink strainer, cup type, including tailpiece | .55 | .80 |
| Two-part continuous waste, exclusive of trap | 1.25 | 1.85 |
| Three-part continuous waste, exclusive of trap | 1.90 | 2.80 |
| Trap, all types, except bag trap or anti-syphon trap: | | |
| Size 1¼" outlet | .80 | 1.20 |
| Size 1½" outlet | .80 | 1.20 |
| Size 2" outlet | 1.00 | 1.50 |
| Toilet seats, All types, with or without cover, painted, varnished, or sheet covered, including nuts and washers | .90 | 1.30 |
| Hot water tanks and heaters: | | |
| 30-gallon range boiler, all kinds of shapes and styles, irrespective of inside or outside finish | 2.90 | 3.65 |
| 40-gallon range boiler, all kinds of shapes and styles, irrespective of inside or outside finish | 3.70 | 4.45 |

SCHEDULE 15—Continued

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Hot water tanks and heaters—Con. | | |
| Flat top heater, up to 40-gallon per hour, 25° F. rise capacity, exclusive of firing tools | $3.95 | $5.20 |
| Dome top heater, up to 40-gallon per hour, 25° F. rise capacity, exclusive of firing tools | 5.00 | 6.50 |
| USED HEATING EQUIPMENT | | |
| Cast iron radiation (ceiling price is per square foot of heating surface for water-tested radiation and includes necessary plugs and bushings): | | |
| All radiation up to 26" high | .24 | .30 |
| All radiation 27" and higher | .22 | .28 |

Ceiling prices for items not listed in this schedule must be determined in accordance with the terms of section 7 (for wholesalers) or 8 (for retailers).

SCHEDULE 16

Applicable to the State of: Georgia.

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Cast iron enameled plumbing fixtures (less fittings unless specifically stated): | | |
| Bathtub, single shell, roll rim, recess or corner, on base or on legs, all sizes | $19.50 | $24.50 |
| Bathtub, with apron, double shell, recess or corner, all sizes | 26.20 | 33.70 |
| Lavatory, pedestal type, including pedestal, all sizes | 10.75 | 14.00 |
| Lavatory, leg type, including leg, rod, and brackets, all sizes | 5.75 | 7.35 |
| Lavatory, wall hung, with or without apron, including hanger, all sizes | 5.70 | 7.50 |
| Lavatory, wall hung, corner type, with or without apron, including hanger, all sizes | 4.20 | 5.35 |
| Pedestal only for pedestal lavatory | 2.50 | 3.10 |
| Leg with rod only for leg lavatory | 1.30 | 1.70 |
| Sink, wall hung, without apron, including hanger, size 24" and smaller | 4.30 | 5.65 |
| Sink, wall hung, without apron, including hanger, size 25" and larger | 6.05 | 7.80 |
| Sink, wall hung, with apron, including hanger, size 24" and smaller | 5.40 | 7.05 |
| Sink, wall hung, with apron, including hanger, size 25" and larger | 6.95 | 9.05 |
| Combination single drainboard sink (sink with integral drainboard), wall hung, with or without apron, including hangers, all sizes | 17.70 | 23.05 |
| Combination double drainboard sink (sink with integral drainboards), wall hung, with or without apron, including hangers, all sizes | 22.70 | 29.70 |
| Corner drainboard sink (sink with integral drainboard(s) and corner back), wall hung, with or without apron, including hangers, single or double drainboard, all sizes | 15.50 | 19.60 |
| Sink and tray (one piece) combination, wall hung, with or without apron, including hangers and leg under tray, all sizes | 22.90 | 28.50 |
| Leg with rod (long) only, for sink, one piece or adjustable | 1.90 | 2.55 |
| Leg with rod (short) only, for tray, one piece or adjustable | 1.50 | 1.95 |
| Drainboard, all sizes | 1.10 | 1.45 |
| Slop sink, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 9.20 | 12.00 |

SCHEDULE 16—Continued

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Cast iron enameled plumbing fixtures—Continued. | | |
| Wash tray, single compartment, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | $10.30 | $13.00 |
| Wash tray, double compartment, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 20.60 | 26.00 |
| Vitreous china plumbing fixtures (less fittings unless specifically stated): | | |
| Water closet bowl, all types, all shapes and kinds, including spud | 3.80 | 4.95 |
| Low tank, six or eight gallon capacity, all shapes and kinds, including and complete with fittings and cover, except supply pipe to floor or wall | 6.35 | 8.20 |
| Low tank, six or eight gallon capacity, all shapes and kinds, without fittings, but including cover | 3.50 | 4.55 |
| Cover only for six or eight gallon capacity low tank, all shapes and kinds | 1.45 | 1.90 |
| Porcelain (glazed earthenware) plumbing fixtures (less fittings unless specifically stated): | | |
| Single sink, tray, or washtub, with or without back, all sizes | 5.15 | 6.55 |
| Double sink, tray, or washtub, with or without back, all sizes | 10.30 | 13.10 |
| Plumbing fixture supply fittings (irrespective of finish material, shape, design, or style), complete with locknuts, coupling nuts, and tailpieces or union connections, unless provided with IPS male or female thread: | | |
| Lavatory faucet, single | .80 | 1.05 |
| Combination lavatory supply fitting | 1.85 | 2.60 |
| Combination lavatory supply fitting with pop-up waste | 2.60 | 3.55 |
| Combination bath faucet, including couplings | 1.55 | 2.20 |
| Combination bath faucet with shower diverter or transfer valve | 3.05 | 4.30 |
| Combination bath faucet with shower diverter or transfer valve, shower riser and shower head, with or without ball joint | 4.30 | 6.00 |
| Combination bath faucet with shower diverter or transfer valve, shower riser, and shower head, with or without ball joint and "D" or "O" type rod for curtain, but not including curtain and pins | 5.60 | 7.75 |
| Exposed two-valve shower fixture only | 2.20 | 3.10 |
| Exposed two-valve shower fixture, including riser and shower head, with or without ball joint | 2.90 | 4.00 |
| Shower attachment (portable) including faucet attacher, hose, riser, riser support, shower head, and "D" or "O" type rod for curtain but not including curtain and pins | 2.80 | 3.95 |
| Concealed two-valve supply fixture | 2.20 | 3.10 |
| Concealed two-valve over-rim tub filler supply fixture, including tub filler | 2.90 | 4.00 |
| Concealed two-valve shower supply fixture, including shower head (with or without ball joint), arm to wall, and escutcheon | 3.20 | 4.40 |
| Concealed three-valve (transfer valve) supply fixture | 3.20 | 4.40 |
| Concealed three-valve (transfer valve) supply fixture, including over-rim tub filler, shower head with or without ball joint), arm to wall, and escutcheon | 4.45 | 6.15 |
| Concealed four-valve supply fixture | 3.55 | 4.90 |
| Concealed four-valve supply fixture, including over-rim tub filler, shower head (with or without ball joint) arm to wall, and escutcheon | 4.80 | 6.65 |
| Sink faucet, single | .80 | 1.05 |
| Combination sink supply fitting (for installation through deck, sink top, sink back, or to wall), with or without soap dish, with rigid or swing spout, with or without spray | 2.50 | 3.50 |

SCHEDULE 16—Continued

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Plumbing fixture waste fittings (irrespective of finish, material, shape, design, or style), complete with slip nuts and slip nut washers for slip joints: | | |
| P. O. plug for lavatory, including tailpiece 4" or longer | $0.35 | $0.50 |
| Pop-up or lift waste for lavatory, including tailpiece 2½" or longer | 1.50 | 2.10 |
| Connected waste and overflow for bathtub, concealed or exposed, including chain, chain stay, and tailpiece 1½" or longer, with or without stopper | 1.90 | 2.65 |
| Connected pop-up or lift waste and overflow for bathtub, concealed or exposed, including tailpiece 1½" or longer | 2.30 | 3.15 |
| Sink strainer, flat type, including tailpiece | .40 | .55 |
| Sink strainer, cup type, including tailpiece | .65 | .90 |
| Two-part continuous waste, exclusive of trap | 1.50 | 2.10 |
| Three-part continuous waste, exclusive of trap | 2.30 | 3.15 |
| Trap, all types, except bag trap or anti-syphon trap: | | |
| Size 1¼" outlet | .95 | 1.35 |
| Size 1½" outlet | .95 | 1.35 |
| Size 2" outlet | 1.20 | 1.70 |
| Toilet seats, all types, with or without cover, painted, varnished, or sheet covered, including nuts and washers | 1.10 | 1.45 |
| Hot water tanks and heaters: | | |
| 30-gallon range boiler, all kinds of shapes and styles, irrespective of inside or outside finish | 3.50 | 4.10 |
| 40-gallon range boiler, all kinds of shapes and styles, irrespective of inside or outside finish | 4.50 | 5.05 |
| Flat top heater, up to 40-gallon per hour, 25° F. rise capacity, exclusive of firing tools | 4.80 | 5.90 |
| Dome top heater, up to 40-gallon per hour, 25° F. rise capacity, exclusive of firing tools | 6.05 | 7.35 |
| USED HEATING EQUIPMENT | | |
| Cast iron radiation (ceiling price is per square foot of heating surface for water-tested radiation and includes necessary plugs and bushings): | | |
| All radiation up to 26" high | .24 | .30 |
| All radiation 27" and higher | .22 | .28 |

Ceiling prices for items not listed in this schedule must be determined in accordance with the terms of section 7 (for wholesalers) or 8 (for retailers).

## SCHEDULE 17

### Applicable to the State of: Alabama.

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Cast iron enameled plumbing fixtures (Less fittings unless specifically stated): | | |
| Bathtub, single shell, roll rim, recess or corner, on base or on legs, all sizes | $19.75 | $24.75 |
| Bathtub, with apron, double shell, recess or corner, all sizes | 26.40 | 33.90 |
| Lavatory, pedestal type, including pedestal, all sizes | 10.85 | 14.10 |
| Lavatory, leg type, including leg, rod, and brackets, all sizes | 5.80 | 7.45 |
| Lavatory, wall hung, with or without apron, including hanger, all sizes | 5.70 | 7.50 |
| Lavatory, wall hung, corner type, with or without apron, including hanger, all sizes | 4.20 | 5.35 |

SCHEDULE 17—Continued

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Cast iron enameled plumbing fixtures—continued. | | |
| Pedestal only for pedestal lavatory | $2.60 | $3.15 |
| Leg with rod only for leg lavatory | 1.30 | 1.70 |
| Sink, wall hung, without apron, including hanger, size 24" and smaller | 4.40 | 5.70 |
| Sink, wall hung, without apron, including hanger, size 25" and larger | 6.10 | 7.90 |
| Sink, wall hung, with apron, including hanger, size 24" and smaller | 5.40 | 7.05 |
| Sink, wall hung, with apron, including hanger, size 25" and larger | 7.00 | 9.10 |
| Combination single drainboard sink (sink with integral drainboard), wall hung, with or without apron, including hangers, all sizes | 17.90 | 23.25 |
| Combination double drainboard sink (sink with integral drainboards), wall hung, with or without apron, including hangers, all sizes | 22.85 | 29.85 |
| Corner drainboard sink (sink with integral drainboard(s) and corner back), wall hung, with or without apron, including hangers, single or double drainboard, all sizes | 15.65 | 19.75 |
| Sink and tray (one piece) combination, wall hung, with or without apron, including hangers and leg under tray, all sizes | 23.00 | 28.50 |
| Leg with rod (long) only, for sink, one piece or adjustable | 1.90 | 2.55 |
| Leg with rod (short) only, for tray, one piece or adjustable | 1.50 | 1.95 |
| Drainboard, all sizes | 1.10 | 1.45 |
| Slop sink, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 9.25 | 12.05 |
| Wash tray, single compartment, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 10.45 | 13.15 |
| Wash tray, double compartment, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 20.90 | 26.30 |
| Vitreous china plumbing fixtures (less fittings unless specifically stated): | | |
| Water closet bowl, all types, all shapes and kinds, including spud | 3.85 | 5.00 |
| Low tank, six or eight gallon capacity, all shapes and kinds, including and complete with fittings and cover, except supply pipe to floor or wall | 6.35 | 8.20 |
| Low tank, six or eight gallon capacity, all shapes and kinds, without fittings, but including cover | 3.55 | 4.60 |
| Cover only for six or eight gallon capacity low tank, all shapes and kinds | 1.45 | 1.90 |
| Porcelain (glazed earthenware) plumbing fixtures (less fittings unless specifically stated): | | |
| Single sink, tray, or washtub, with or without back, all sizes | 5.20 | 6.60 |
| Double sink, tray, or washtub, with or without back, all sizes | 10.40 | 13.20 |
| Plumbing fixture supply fittings (irrespective of finish, material, shape, design, or style), complete with locknuts, coupling nuts, and tailpieces or union connections, unless provided with IPS male or female thread: | | |
| Lavatory faucet, single | .80 | 1.05 |
| Combination lavatory supply fitting | 1.85 | 2.60 |
| Combination lavatory supply fitting with pop-up waste | 2.60 | 3.55 |
| Combination bath faucet, including couplings | 1.55 | 2.20 |
| Combination bath faucet with shower diverter or transfer valve | 3.05 | 4.30 |
| Combination bath faucet with shower diverter or transfer valve, shower riser and shower head, with or without ball joint | 4.30 | 6.00 |
| Combination bath faucet with shower diverter or transfer valve, shower riser, and shower head, with or withour ball joint and "D" or "O" type rod for curtain, but not including curtain and pins | 5.60 | 7.75 |

SCHEDULE 17—Continued

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Plumbing fixture supply fittings, etc.—Continued. | | |
| Exposed two-valve shower fixture only | $2.20 | $3.10 |
| Exposed two-valve shower fixture, including riser and shower head, with or without ball joint | 2.90 | 4.00 |
| Shower attachment (portable) including faucet, attacher, hose, riser, riser support, shower head, and "D" or "O" type rod for curtain but not including curtain and pins | 2.80 | 3.95 |
| Concealed valve supply fixture | 2.20 | 3.10 |
| Concealed two-valve over-rim tub filler supply fixture, including tub filler | 2.90 | 4.00 |
| Concealed two-valve shower supply fixture, including shower head (with or without ball joint), arm to wall, and escutcheon | 3.20 | 4.40 |
| Concealed three-valve (transfer valve) supply fixture | 3.20 | 4.40 |
| Concealed three-valve (transfer valve) supply fixture, including over-rim tub filler, shower head (with or without ball joint), arm to wall, and escutcheon | 4.45 | 6.15 |
| Concealed four-valve supply fixture | 3.55 | 4.90 |
| Concealed four-valve supply fixture, including over-rim tub filler, shower head (with or without ball joint), arm to wall, and escutcheon | 4.80 | 6.65 |
| Sink faucet, single | .80 | 1.05 |
| Combination sink supply fitting (for installation through deck, sink top, sink back, or to wall), with or without soap dish, with rigid or swing spout, with or without spray | 2.50 | 3.50 |
| Plumbing fixture waste fittings (Irrespective of finish, material, shape, design, or style) Complete with slip nuts and slip nut washers for slip joints: | | |
| P. O. plug for lavatory, including tailpiece 4" or longer | .35 | .50 |
| Pop-up or lift waste for lavatory, including tailpiece 2½" or longer | 1.50 | 2.10 |
| Connected waste and overflow for bathtub, concealed or exposed, including chain, chain stay, and tailpiece 1½" or longer, with or without stopper | 1.90 | 2.65 |
| Connected pop-up or lift waste and overflow for bathtub, concealed or exposed, including tailpiece 1½" or longer | 2.30 | 3.15 |
| Sink strainer, flat type, including tailpiece | .40 | .55 |
| Sink strainer, cup type, including tailpiece | .65 | .90 |
| Two-part continuous waste, exclusive of trap | 1.50 | 2.10 |
| Three-part continuous waste, exclusive of trap | 2.30 | 3.15 |
| Trap, all types, except bag trap or anti-syphon trap: | | |
| size 1¼" outlet | 1.00 | 1.35 |
| size 1½" outlet | 1.00 | 1.35 |
| size 2" outlet | 1.20 | 1.70 |
| Toilet seats, all types, with or without cover, painted, varnished, or sheet covered, including nuts and washers | 1.10 | 1.45 |
| Hot water tanks and heaters: | | |
| 30-gallon range roller, all kinds of shapes and styles, irrespective of inside or outside finish | 3.55 | 4.15 |
| 40-gallon range boiler, all kinds of shapes and styles, irrespective of inside or outside finish | 4.50 | 5.05 |
| Flat top heater, up to 40-gallon per hour, 25° F. rise capacity, exclusive of firing tools | 4.80 | 5.90 |
| Dome top heater, up to 40-gallon per hour, 25° F. rise capacity, exclusive of firing tools | 6.10 | 7.45 |
| USED HEATING EQUIPMENT | | |
| Cast iron radiation (ceiling price is per square foot of heating surface for water-tested radiation and includes necessary plugs and bushings): | | |
| All radiation up to 26" high | .24 | .30 |
| All radiation 27" and higher | .22 | .28 |

Ceiling prices for items not listed in this schedule must be determined in accordance with the terms of section 7 (for wholesalers) or 8 (for retailers).

SCHEDULE 18

Applicable to the State of: Arkansas.
State of: Idaho.
State of: Kansas.
State of: Nebraska.
State of: North Dakota.
State of: South Dakota.

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Cast iron enameled plumbing fixtures (less fittings unless specifically stated): | | |
| Bathtub, single shell, roll rim, recess or corner, on base or on legs, all sizes | $16.75 | $22.50 |
| Bathtub, with apron, double shell, recess or corner, all sizes | 22.50 | 30.75 |
| Lavatory, pedestal type, including pedestal, all sizes | 9.25 | 12.75 |
| Lavatory, leg type, including leg, rod, and brackets, all sizes | 5.00 | 6.75 |
| Lavatory, wall hung, with or without apron, including hanger, all sizes | 4.90 | 6.80 |
| Lavatory, wall hung, corner type, with or without apron, including hanger, all sizes | 3.65 | 4.90 |
| Pedestal only for pedestal lavatory | 2.25 | 2.90 |
| Leg with rod only for leg lavatory | 1.15 | 1.55 |
| Sink, wall hung, without apron, including hanger, size 24" and smaller | 3.75 | 5.15 |
| Sink, wall hung, without apron, including hanger, size 25" and larger | 5.25 | 7.15 |
| Sink, wall hung, with apron, including hanger, size 24" and smaller | 4.65 | 6.40 |
| Sink, wall hung, with apron, including hanger, size 25" and larger | 6.00 | 8.25 |
| Combination single drainboard sink (sink with integral drainboard), wall hung, with or without apron, including hangers, all sizes | 15.25 | 21.00 |
| Combination double drainboard sink (sink with integral drainboards), wall hung, with or without apron, including hangers, all sizes | 19.50 | 27.00 |
| Corner drainboard sink (sink with integral drainboard(s) and corner back), wall hung, with or without apron, including hangers, single or double drainboard, all sizes | 13.50 | 18.00 |
| Sink and tray (one piece) combination, wall hung, with or without apron, including hangers and leg under tray, all sizes | 19.50 | 27.00 |
| Leg with rod (long) only, for sink, one piece or adjustable | 1.65 | 2.30 |
| Leg with rod (short) only, for tray, one piece or adjustable | 1.30 | 1.80 |
| Drainboard, all sizes | .90 | 1.30 |
| Slop sink, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 7.90 | 10.90 |
| Wash tray, single compartment, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 9.00 | 12.00 |
| Wash tray, double compartment, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 18.00 | 24.00 |
| Vitreous china plumbing fixtures (Less fittings unless specifically stated): | | |
| Water closet bowl, all types, all shapes and kinds, including spud | 3.25 | 4.50 |
| Low tank, six or eight gallon capacity, all shapes and kinds, including and complete with fittings and cover, except supply pipe to floor or wall | 5.40 | 7.40 |
| Low tank, six or eight gallon capacity, all shapes and kinds, without fittings, but including cover | 3.00 | 4.15 |
| Cover only for six or eight gallon capacity low tank, all shapes and kinds | 1.25 | 1.75 |
| Porcelain (glazed earthenware) plumbing fixtures (less fittings unless specifically stated): | | |
| Single sink, tray, or washtub, with or without back, all sizes | 4.50 | 6.00 |
| Double sink, tray, or washtub, with or without back, all sizes | 9.00 | 12.00 |
| Plumbing fixture supply fittings (irrespective of finish, material, shape, design, or style). Complete with locknuts, coupling nuts, and tailpieces or union connections, unless provided with IPS male or female thread: | | |

SCHEDULE 18—Continued

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Plumbing fixture supply fittings, etc.—Continued. | | |
| Lavatory faucet, single | $0.65 | $0.95 |
| Combination lavatory supply fitting | 1.60 | 2.35 |
| Combination lavatory supply fitting; with pop-up waste | 2.15 | 3.15 |
| Combination bath faucet, including couplings | 1.30 | 1.95 |
| Combination bath faucet with shower diverter or transfer valve | 2.60 | 3.85 |
| Combination bath faucet with shower diverter or transfer valve, shower riser and shower head, with or without ball joint | 3.60 | 5.35 |
| Combination bath faucet with shower diverter or transfer valve, shower riser, and shower head, with or without ball joint and "D" or "O" type rod for curtain, but not including curtain and pins | 4.70 | 6.95 |
| Exposed two-valve shower fixture only | 1.85 | 2.75 |
| Exposed two-valve shower fixture, including riser and shower head, with or without ball joint | 2.40 | 3.55 |
| Shower attachment (portable) including faucet attacher, hose, riser, support, shower head, and "D" or "O" type rod for curtain but not including curtain and pins | 2.35 | 3.50 |
| Concealed two-valve supply fixture | 1.85 | 2.75 |
| Concealed two-valve over-rim tub filler supply fixture, including tub filler | 2.40 | 3.55 |
| Concealed two-valve shower supply fixture, including shower head (with or without ball joint), arm to wall, and escutcheon | 2.70 | 3.95 |
| Concealed three-valve (transfer valve) supply fixture | 2.65 | 3.90 |
| Concealed three-valve (transfer valve) supply fixture, including over-rim tub filler, shower head (with or without ball joint), arm to wall, and escutcheon | 3.75 | 5.50 |
| Concealed four-valve supply fixture | 3.00 | 4.40 |
| Concealed four-valve supply fixture, including over-rim tub filler, shower head (with or without ball joint), arm to wall, and escutcheon | 4.05 | 5.95 |
| Sink faucet, single | .65 | .95 |
| Combination sink supply fitting (for installation through deck, sink top, sink back, or to wall), with or without soap dish, with rigid or swing spout, with or without spray | 2.10 | 3.10 |
| Plumbing fixture waste fittings (irrespective of finish, material, shape, design, or style) complete with slip nuts and slip nut washers for slip joints: | | |
| P. O. plug for lavatory, including tailpiece 4" or longer | .30 | .45 |
| Pop-up or lift waste for lavatory, including tailpiece 2½" or longer | 1.30 | 1.90 |
| Connected waste and overflow for bathtub, concealed or exposed, including chain, chain stay, and tailpiece 1½" or longer, with or without stopper | 1.60 | 2.35 |
| Connected pop-up or lift waste and overflow for bathtub, concealed or exposed, including tailpiece 1½" or longer | 1.90 | 2.80 |
| Sink strainer, flat type, including tailpiece | .35 | .50 |
| Sink strainer, cup type, including tailpiece | .55 | .80 |
| Two-part continuous waste, exclusive of trap | 1.30 | 1.90 |
| Three-part continuous waste, exclusive of trap | 1.90 | 2.80 |
| Trap, all types, except bag trap or anti-syphon trap: | | |
| Size 1¼" outlet | .80 | 1.20 |
| Size 1½" outlet | .80 | 1.20 |
| Size 2" outlet | 1.00 | 1.50 |
| Toilet seats, all types, with or without cover, painted, varnished, or sheet covered, including nuts and washers | .90 | 1.30 |
| Hot water tanks and heaters: | | |
| 30-gallon range boiler, all kinds of shapes and styles, irrespective of inside or outside finish | 3.00 | 3.75 |
| 40-gallon range boiler, all kinds of shapes and styles, irrespective of inside or outside finish | 3.90 | 4.50 |
| Flat top heater, up to 40-gallon per hour, 25° F. rise capacity, exclusive of firing tools | 4.15 | 5.25 |

SCHEDULE 18—Continued

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Hot water tanks and heaters—Con. | | |
| Dome top heater, up to 40-gallon per hour, 25° F. rise capacity, exclusive of firing tools | $5.25 | $6.75 |
| USED HEATING EQUIPMENT | | |
| Cast iron radiation (Ceiling price is per square foot of heating surface for water-tested radiation and includes necessary plugs and bushings): | | |
| All radiation up to 26" high | .25 | .30 |
| All radiation 27" and higher | .23 | .28 |

Ceiling prices for items not listed in this schedule must be determined in accordance with the terms of section 7 (for wholesalers) or 8 (for retailers).

SCHEDULE 19

Applicable to the State of: Louisiana except the City of New Orleans (see Schedule No. 25 for the City of New Orleans).
State of: Oklahoma.

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Cast iron enameled plumbing fixtures (less fittings unless specifically stated): | | |
| Bathtub, single shell, roll rim, recess or corner, on base or on legs, all sizes | $17.45 | $23.20 |
| Bathtub, with apron, double shell, recess or corner, all sizes | 23.30 | 31.55 |
| Lavatory, pedestal type, including pedestal, all sizes | 9.55 | 13.05 |
| Lavatory, leg type, including leg, rod, and brackets, all sizes | 5.20 | 6.95 |
| Lavatory, wall hung, with or without apron, including hanger, all sizes | 5.05 | 6.95 |
| Lavatory, wall hung, corner type, with or without apron, including hanger, all sizes | 3.80 | 5.05 |
| Pedestal only for pedestal lavatory | 2.35 | 3.00 |
| Leg with rod only for leg lavatory | 1.20 | 1.60 |
| Sink, wall hung, without apron, including hanger, size 24" and smaller | 3.85 | 5.25 |
| Sink, wall hung, without apron, including hanger, size 25" and larger | 5.45 | 7.35 |
| Sink, wall hung, with apron, including hanger, size 24" and smaller | 4.80 | 6.55 |
| Sink, wall hung, with apron, including hanger, size 25" and larger | 6.20 | 8.45 |
| Combination single drainboard sink (sink with integral drainboard), wall hung, with or without apron, including hangers, all sizes | 15.75 | 21.50 |
| Combination double drainboard sink (sink with integral drainboards), wall hung, with or without apron, including hangers, all sizes | 20.10 | 27.60 |
| Corner drainboard sink (sink with integral drainboard(s) and corner back), wall hung, with or without apron, including hangers, single or double drainboard, all sizes | 14.10 | 18.60 |
| Sink and tray (one piece) combination, wall hung, with or without apron, including hangers and leg under tray, all sizes | 20.10 | 27.60 |
| Leg with rod (long) only, for sink, one piece or adjustable | 1.70 | 2.35 |
| Leg with rod (short) only, for tray, one piece or adjustable | 1.35 | 1.85 |
| Drainboard, all sizes | .90 | 1.30 |
| Slop sink, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 8.15 | 11.15 |

SCHEDULE 19—Continued

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Cast iron enameled plumbing fixtures—Continued. | | |
| Wash tray, single compartment, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | $9.40 | $12.40 |
| Wash tray, double compartment, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 18.80 | 24.80 |
| Vitreous china plumbing fixtures (less fittings unless specifically stated): | | |
| Water closet bowl, all types, all shapes and kinds, including spud | 3.35 | 4.60 |
| Low tank, six or eight gallon capacity, all shapes and kinds, including and complete with fittings and cover, except supply pipe to floor or wall | 5.50 | 7.50 |
| Low tank, six or eight gallon capacity, all shapes and kinds, without fittings, but including cover | 3.10 | 4.25 |
| Cover only for six or eight gallon capacity low tank, all shapes and kinds | 1.25 | 1.75 |
| Porcelain (glazed earthenware) plumbing fixtures (less fittings unless specifically stated): | | |
| Single sink, tray, or washtub, with or without back, all sizes | 4.70 | 6.20 |
| Double sink, tray, or washtub, with or without back, all sizes | 9.40 | 12.40 |
| Plumbing fixture supply fittings (irrespective of finish, material, shape, design, or style), complete with locknuts, coupling nuts, and tailpieces or union connections, unless provided with IPS male or female thread: | | |
| Lavatory faucet, single | .65 | .95 |
| Combination lavatory supply fitting | 1.60 | 2.35 |
| Combination lavatory supply fitting with pop-up waste | 2.15 | 3.15 |
| combination bath faucet, including couplings | 1.30 | 1.95 |
| Combination bath faucet with shower diverter or transfer valve | 2.60 | 3.85 |
| Combination bath faucet with shower diverter or transfer valve, shower riser and shower head, with or without ball joint | 3.65 | 5.40 |
| Combination bath faucet with shower diverter or transfer valve, shower riser, and shower head, with or without ball joint and "D" or "O" type rod for curtain, but not including curtain and pins | 4.70 | 6.95 |
| Exposed two-valve shower fixture only | 1.90 | 2.80 |
| Exposed two-valve shower fixture, including riser and shower head, with or without ball joint | 2.40 | 3.55 |
| Shower attachment (portable) including faucet attacher hose, riser, riser support, shower head, and "D" or "O" type rod for curtain but not including curtain and pins | 2.40 | 3.55 |
| Concealed two-valve supply fixture | 1.90 | 2.80 |
| Concealed two-valve over-rim tub filler supply fixture, including tub filler | 2.40 | 3.55 |
| Concealed two-valve shower supply fixture, including shower head (with or without ball joint), arm to wall, and escutcheon | 2.70 | 3.95 |
| Concealed three-valve (transfer valve) supply fixture | 2.65 | 3.90 |
| Concealed three-valve (transfer valve) supply fixture, including over-rim tub filler, shower head (with or without ball joint), arm to wall, and escutcheon | 3.75 | 5.50 |
| Concealed four-valve supply fixture | 3.00 | 4.40 |
| Concealed four-valve supply fixture, including over-rim tub filler, shower head (with or without ball joint), arm to wall, and escutcheon | 4.10 | 6.00 |
| Sink faucet, single | .65 | .95 |
| Combination sink supply fitting (for installation through deck, sink top, sink back, or to wall), with or without soap dish, with rigid or swing spout, with or without spray | 2.15 | 3.15 |

SCHEDULE 19—Continued

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Plumbing fixture waste fittings (irrespective of finish, material, shape, design, or style), complete with slip nuts and slip nut washers for slip joints: | | |
| P. O. plug for lavatory, including tailpiece 4" or longer | $0.30 | $0.45 |
| Pop-up or lift waste for lavatory, including tailpiece 2½" or longer | 1.30 | 1.90 |
| Connected waste and overflow for bathtub, concealed or exposed, including chain, chain stay, and tailpiece 1½" or longer, with or without stopper | 1.65 | 2.40 |
| Connected pop-up or lift waste and overflow for bathtub, concealed or exposed, including tailpiece 1½" or longer | 1.90 | 2.80 |
| Sink strainer, flat type, including tailpiece | .35 | .50 |
| Sink strainer, cup type, including tailpiece | .55 | .80 |
| Two-part continuous waste, exclusive of trap | 1.30 | 1.90 |
| Three part continuous waste, exclusive of trap | 1.95 | 2.85 |
| Trap, all types except bag trap or anti-syphon trap: | | |
| Size 1¼" outlet | .80 | 1.20 |
| Size 1½" outlet | .80 | 1.20 |
| Size 2" outlet | 1.00 | 1.50 |
| Toilet seats, all types, with or without cover, painted, varnished, or sheet covered, including nuts and washers | .90 | 1.30 |
| Hot water tanks and heaters: | | |
| 30-gallon range boiler, all kinds of shapes and styles, irrespective of inside or outside finish | 3.10 | 3.75 |
| 40-gallon range boiler, all kinds of shapes and styles, irrespective of inside or outside finish | 4.00 | 4.50 |
| Flat top heater, up to 40-gallon per hour, 25° F. rise capacity, exclusive of firing tools | 4.30 | 5.25 |
| Dome top heater, up to 40-gallon per hour, 25° F. rise capacity, exclusive of firing tools | 5.45 | 6.75 |
| USED HEATING EQUIPMENT | | |
| Cast iron radiation, ceiling price is per square foot of heating surface for water-tested radiation and includes necessary plugs and bushings: | | |
| All radiation up to 26" high | .26 | .30 |
| All radiation 27" and higher | .24 | .28 |

Ceiling prices for items not listed in this schedule must be determined in accordance with the terms of section 7 (for wholesalers) or 8 (for retailers).

SCHEDULE 20

Applicable to the State of: Colorado.
State of: Wyoming.

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Cast iron enameled plumbing fixtures (less fittings unless specifically stated): | | |
| Bathtub, single shell, roll rim, recess or corner, on base or on legs, all sizes | $17.65 | $23.40 |
| Bathtub, with apron, double shell, recess or corner, all sizes | 23.50 | 31.75 |
| Lavatory, pedestal type, including pedestal, all sizes | 9.65 | 13.15 |
| Lavatory, leg type, including leg, rod, and bracket, all sizes | 5.25 | 7.00 |
| Lavatory, wall hung, with or without apron, including hanger, all sizes | 5.05 | 6.95 |
| Lavatory, wall hung, corner type, with or without apron, including hanger, all sizes | 3.80 | 5.05 |

SCHEDULE 20—Continued

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Cast iron enameled plumbing fixtures—Continued. | | |
| Pedestal only for pedestal lavatory | $2.40 | $3.05 |
| Leg with rod only for leg lavatory | 1.20 | 1.60 |
| Sink, wall hung, without apron, including hanger, size 24" and smaller | 3.90 | 5.30 |
| Sink, wall hung, without apron, including hanger, size 25" and larger | 5.50 | 7.40 |
| Sink, wall hung, with apron, including hanger, size 24" and smaller | 4.80 | 6.55 |
| Sink wall hung, with apron, including hanger, size 25" and larger | 6.25 | 8.50 |
| Combination single drainboard sink (sink with integral drainboard), wall hung, with or without apron, including hangers, all sizes | 15.90 | 21.65 |
| Combination double drainboard (sink with integral drainboards), wall hung with or without apron, including hangers, all sizes | 20.25 | 27.75 |
| Corner drainboard sink (sink with integral drainboard(s) and corner back), wall hung, with or without apron, including hangers, single or double drainboard, all sizes | 14.25 | 18.75 |
| Sink and tray (one piece) combination, wall hung, with or without apron, including hangers and leg under tray, all sizes | 20.25 | 27.75 |
| Leg with rod (long) only, for sink, one piece or adjustable | 1.70 | 2.35 |
| Leg with rod (short) only, for tray, one piece or adjustable | 1.35 | 1.85 |
| Drainboard, all sizes | .95 | 1.35 |
| Slop sink, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 8.20 | 11.20 |
| Wash tray, single compartment, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 9.50 | 12.50 |
| Wash tray, double compartment, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 19.00 | 25.00 |
| Vitreous china plumbing fixtures (less fittings unless specifically stated): | | |
| Water closet bowl, all types, all shapes and kinds, including spud | 3.40 | 4.65 |
| Low tank, six or eight gallon capacity, all shapes and kinds, including and complete with fittings and cover, except supply pipe to floor or wall | 5.55 | 7.55 |
| Low tank, six or eight gallon capacity, all shapes and kinds, without fittings, but including cover | 3.15 | 4.30 |
| Cover only for six or eight gallon capacity low tank, all shapes and kinds | 1.25 | 1.75 |
| Porcelain (glazed earthenware) plumbing fixtures (Less fittings unless specifically stated): | | |
| Single sink, tray, or washtub, with or without back, all sizes | 4.75 | 6.25 |
| Double sink, tray, or washtub, with or without back, all sizes | 9.50 | 12.50 |
| Plumbing fixture supply fittings (Irrespective of finish, material, shape, design or style): | | |
| Complete with lockouts, coupling nuts, and tailpieces or union connections, unless provided with IPS male or female thread: | | |
| Lavatory faucet, single | .65 | .95 |
| Combination lavatory supply fitting | 1.60 | 2.35 |
| Combination lavatory supply fitting with pop-up waste | 2.20 | 3.20 |
| Combination bath faucet, including couplings | 1.30 | 1.95 |
| Combination bath faucet with shower diverter or transfer valve | 2.60 | 3.85 |
| Combination bath faucet with shower diverter or transfer valve, shower riser and shower head, with or without ball joint | 3.65 | 5.40 |
| Combination bath faucet with shower diverter or transfer valve, shower riser, and shower head, with or without ball joint and "D" or "O" type rod for curtain, but not including curtain and pins | 4.70 | 6.95 |
| Exposed two-valve shower fixture only | 1.90 | 2.80 |

SCHEDULE 20—Continued

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Plumbing fixture supply fittings—Con. | | |
| Exposed two-valve shower fixture, including riser and shower head, with or without ball joint | $2.45 | $3.60 |
| Shower attachment (portable) including faucet attacher, hose, riser, riser support, shower head, and "D" or "O" type rod for curtain but not including curtain and pins | 2.40 | 3.55 |
| Concealed two-valve supply fixture | 1.90 | 2.80 |
| Concealed two-valve over-rim tub filler supply fixture, including tub filler | 2.45 | 3.60 |
| Concealed two-valve shower supply fixture, including shower head (with or without ball joint), arm to wall and escutcheon | 2.70 | 3.95 |
| Concealed three-valve (transfer valve) supply fixture | 2.70 | 3.95 |
| Concealed three-valve (transfer valve) supply fixture, including over-rim tub filler, shower head (with or without ball joint), arm to wall, and escutcheon | 3.75 | 5.50 |
| Concealed four-valve supply fixture | 3.00 | 4.40 |
| Concealed four-valve supply fixture, including over-rim tub filler, shower head (with or without ball joint), arm to wall, and escutcheon | 4.10 | 6.00 |
| Sink faucet, single | .65 | .95 |
| Combination sink supply fitting (for installation through deck, sink top, sink back, or to wall), with or without soap dish, with rigid or swing spout, with or without spray | 2.15 | 3.15 |
| Plumbing fixture waste fittings (irrespective of finish, material, shape, design, or style): | | |
| Complete with slip nuts and slip nut washers for slip joints. | | |
| P. O. plug for lavatory, including tailpiece 4" or longer | .30 | .45 |
| Pop-up or lift waste for lavatory, including tailpiece 2½" or longer | 1.30 | 1.90 |
| Connected waste and overflow for bathtub, concealed or exposed, including chain, chain stay, and tailpiece 1½" or longer, with or without stopper | 1.65 | 2.40 |
| Connected pop-up or lift waste and overflow for bathtub, concealed or exposed, including tailpiece 1½" or longer | 1.95 | 2.85 |
| Sink strainer, flat type, including tailpiece | .35 | .50 |
| Sink strainer, cup type, including tailpiece | .55 | .80 |
| Two-part continuous waste, exclusive of trap | 1.30 | 1.90 |
| Three-part continuous waste, exclusive of trap | 1.95 | 2.85 |
| Trap, all types, except bag trap or anti-syphon trap size 1¼" outlet | .80 | 1.20 |
| size 1½" outlet | .80 | 1.20 |
| size 2" outlet | 1.00 | 1.50 |
| Toilet seats. All types, with or without cover, painted, varnished, or sheet covered, including nuts and washers | .95 | 1.35 |
| Hot water tanks and heaters: | | |
| 30-gallon range boiler, all kinds of shapes and styles, irrespective of inside or outside finish | 3.15 | 3.75 |
| 40-gallon range boiler, all kinds of shapes and styles, irrespective of inside or outside finish | 4.00 | 4.50 |
| Flat top heater, up to 40-gallon per hour, 25° F. rise capacity, exclusive of firing tools | 4.30 | 5.25 |
| Dome top heater, up to 40-gallon per hour, 25° F. rise capacity, exclusive of firing tools | 5.50 | 6.75 |
| USED HEATING EQUIPMENT | | |
| Cast iron radiation: Ceiling price is per square foot of heating surface for water-tested radiation and includes necessary plugs and bushings: | | |
| All radiation up to 26" high | .27 | .30 |
| All radiation 27" and higher | .25 | .28 |

Ceiling prices for items not listed in this schedule must be determined in accordance with the terms of section 7 (for wholesalers) or 8 (for retailers).

SCHEDULE 21

Applicable to the State of: Texas, east of the 100th meridian (see Schedule No. 23 for the State of Texas west of the 100th meridian).

State of: New Mexico.

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Cast iron enameled plumbing fixtures (less fittings unless specifically stated): | | |
| Bathtub, single shell, roll rim, recess or corner, on base or on legs, all sizes | $18.35 | $24.10 |
| Bathtub, with apron, double shell, recess or corner, all sizes | 24.30 | 32.55 |
| Lavatory, pedestal type, including pedestal, all sizes | 9.95 | 13.45 |
| Lavatory, leg type, including leg, rod, and brackets, all sizes | 5.45 | 7.20 |
| Lavatory, wall hung, with or without apron, including hanger, all sizes | 5.20 | 7.10 |
| Lavatory, wall hung, corner type, with or without apron, including hanger, all sizes | 3.95 | 5.20 |
| Pedestal only for pedestal lavatory | 2.50 | 3.15 |
| Leg with rod only for leg lavatory | 1.25 | 1.65 |
| Sink, wall hung, without apron, including hanger, size 24" and smaller | 4.00 | 5.40 |
| Sink, wall hung, without apron, including hanger, size 25" and larger | 5.70 | 7.60 |
| Sink, wall hung, with apron, including hanger, size 24" and smaller | 4.95 | 6.70 |
| Sink,, wall hung, with apron, including hanger, size 25" and larger | 6.45 | 8.70 |
| Combination single drainboard sink (sink with integral drainboard), wall hung, with or without apron, including hangers, all sizes | 16.40 | 22.00 |
| Combination double drainboard sink (sink with integral drainboards), wall hung, with or without apron, including hangers, all sizes | 20.85 | 28.35 |
| Corner drainboard sink (sink with integral drainboard(s) and corner back), wall hung, with or without apron, including hangers, single or double drainboard, all sizes | 14.85 | 19.35 |
| Sink and tray (one piece) combination, wall hung, with or without apron, including hangers and leg under tray, all sizes | 20.85 | 28.00 |
| Leg with rod (long) only, for sink, one piece or adjustable | 1.75 | 2.40 |
| Leg with rod (short) only, for tray, one piece or adjustable | 1.40 | 1.90 |
| Drainboard, all sizes | .95 | 1.35 |
| Slop sink with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 8.45 | 11.45 |
| Wash tray, single compartment, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 9.90 | 12.90 |
| Wash tray, double compartment, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 19.80 | 25.80 |
| Vitreous china plumbing fixtures (less fittings unless specifically stated): | | |
| Water closet bowl, all types, all shapes and kinds, including spud | 3.50 | 4.75 |
| Low tank, six or eight gallon capacity, all shapes and kinds, including and complete with fittings and cover, except supply pipe to floor or wall | 5.65 | 7.65 |
| Low tank, six or eight gallon capacity, all shapes and kinds, without fittings, but including cover | 3.25 | 4.40 |
| Cover only for six or eight gallon capacity low tank, all shapes and kinds | 1.30 | 1.75 |
| Porcelain (glazed earthenware) plumbing fixtures (less fittings unless specifically stated): | | |
| Single sink, tray, or washtub, with or without back, all sizes | 4.95 | 6.45 |
| Double sink, tray, or washtub, with or without back, all sizes | 9.90 | 12.90 |

SCHEDULE 21—Continued

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Plumbing fixture supply fittings (Irrespective of finish, material, shape, design, or style), complete with locknuts, coupling nuts, and tailpieces or union connections, unless provided with IPS male or female thread: | | |
| Lavatory faucet, single | $0.65 | $0.95 |
| Combination lavatory supply fitting | 1.60 | 2.35 |
| Combination lavatory supply fitting with pop-up waste | 2.20 | 3.20 |
| Combination bath faucet, including couplings | 1.30 | 1.95 |
| Combination bath faucet with shower diverter or transfer valve | 2.60 | 3.85 |
| Combination bath faucet with shower diverter or transfer valve, shower riser and shower head, with or without ball joint | 3.65 | 5.40 |
| Combination bath faucet with shower diverter or transfer valve, shower riser, and shower head, with or without ball joint and "D" or "O" type rod for curtain, but not including curtain and pins | 4.75 | 7.00 |
| Exposed two-valve shower fixture only | 1.90 | 2.80 |
| Exposed two-valve shower fixture, including riser and shower head, with or without ball joint | 2.45 | 3.60 |
| Shower attachment (portable) including faucet attacher, hose, riser, riser support, shower head, and "D" or "O" type rod for curtain but not including curtain and pins | 2.40 | 3.55 |
| Concealed two-valve supply fixture | 1.90 | 2.80 |
| Concealed two-valve over-rim tub filler supply fixture, including tub filler | 2.45 | 3.60 |
| Concealed two-valve shower supply fixture, including shower head (with or without ball joint), arm to wall, and escutcheon | 2.75 | 4.00 |
| Concealed three-valve (transfer valve) supply fixture | 2.70 | 3.95 |
| Concealed three-valve (transfer valve) supply fixture, including over-rim tub filler, shower head (with or without ball joint), arm to wall, and escutcheon | 3.80 | 5.55 |
| Concealed four-valve supply fixture | 3.05 | 4.45 |
| Concealed four-valve supply fixture, including over-rim tub filler, shower head (with or without ball joint), arm to wall, and escutcheon | 4.15 | 6.05 |
| Sink faucet, single | .65 | .95 |
| Combination sink supply fitting (for installation through deck, sink top, sink back, or to wall), with or without soap dish, with rigid or swing spout, with or without spray | 2.15 | 3.15 |
| Plumbing fixture waste fittings (irrespective of finish, material, shape, design or style), complete with slip nuts and slip nut washers for slip joints: | | |
| P. O. plug for lavatory, including tailpiece 4" or longer | .30 | .45 |
| Pop-up or lift waste for lavatory, including tailpiece 2½" or longer | 1.30 | 1.90 |
| Connected waste and overflow for bathtub, concealed or exposed, including chain, chain stay, and tailpiece 1½" or longer, with or without stopper | 1.65 | 2.40 |
| Connected pop-up of lift waste and overflow for bathtub, concealed or exposed, including tailpiece 1½" or longer | 1.95 | 2.85 |
| Sink strainer, flat type, including tailpiece | .35 | .50 |
| Sink strainer, cup type, including tailpiece | .55 | .80 |
| Two-part continuous waste, exclusive of trap | 1.30 | 1.90 |
| Three-part continuous waste, exclusive of trap | 1.95 | 2.85 |
| Trap, all types, except bag trap or anti-syphon trap: | | |
| Size 1¼" outlet | .80 | 1.20 |
| Size 1½" outlet | .80 | 1.20 |
| Size 2" outlet | 1.00 | 1.50 |
| Toilet seats, all types, with or without cover, painted, varnished, or sheet covered, including nuts and washers | .95 | 1.35 |

SCHEDULE 21—Continued

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Hot water tanks and heaters: | | |
| 30-gallon range boiler, all kinds of shapes and styles, irrespective of inside or outside finish | $3.25 | $3.75 |
| 40-gallon range boiler, all kinds of shapes and styles, irrespective of inside or outside finish | 4.00 | 4.50 |
| Flat top heater, up to 40-gallon per hour, 25° F. rise capacity, exclusive of firing tools | 4.45 | 5.25 |
| Dome top heater, up to 40-gallon per hour, 25° F. rise capacity, exclusive of firing tools | 5.70 | 6.75 |
| USED HEATING EQUIPMENT | | |
| Cast iron radiation (ceiling price is per square foot of heating surface for water-tested radiation and includes necessary plugs and bushings): | | |
| All radiation up to 26" high | .27 | .30 |
| All radiation 27" and higher | .25 | .28 |

Ceiling prices for items not listed in this schedule must be determined in accordance with the terms of section 7 (for wholesalers) or 8 (for retailers).

SCHEDULE 22

Applicable to the City of Memphis, Tennessee (see Schedule No. 14 for the State of Tennessee except Memphis).

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Cast iron enameled plumbing fixtures (less fittings unless specifically stated): | | |
| Bathtub, single shell, roll rim, recess or corner, on base or on legs, all sizes | $19.05 | $24.75 |
| Bathtub, with apron, double shell, recess or corner, all sizes | 25.10 | 32.75 |
| Lavatory, pedestal type, including pedestal, all sizes | 10.25 | 13.75 |
| Lavatory, leg type, including leg, rod, and brackets, all sizes | 5.65 | 7.40 |
| Lavatory, wall hung, with or without apron, including hanger, all sizes | 5.35 | 7.25 |
| Lavatory, wall hung, corner type, with or without apron, including hanger, all sizes | 4.10 | 5.35 |
| Pedestal only for pedestal lavatory | 2.65 | 3.30 |
| Leg with rod only for leg lavatory | 1.30 | 1.70 |
| Sink, wall hung, without apron, including hanger, size 24" and smaller | 4.15 | 5.55 |
| Sink, wall hung, without apron, including hanger, size 25" and larger | 5.90 | 7.80 |
| Sink, wall hung, with apron, including hanger, size 24" and smaller | 5.10 | 6.85 |
| Sink, wall hung, with apron, including hanger, size 25" and larger | 6.65 | 8.90 |
| Combination single drainboard sink (sink with integral drainboard), wall hung, with or without apron, including hangers, all sizes | 16.90 | 22.00 |
| Combination double drainboard sink (sink with integral drainboards), wall hung, with or without apron, including hangers, all sizes | 21.45 | 28.50 |
| Corner drainboard sink (sink with integral drainboard(s) and corner back), wall hung, with or without apron, including hangers, single or double drainboard, all sizes | 15.45 | 19.95 |
| Sink and tray (one piece) combination, wall hung, with or without apron, including hangers and leg under tray, all sizes | 21.45 | 28.00 |
| Leg with rod (long) only, for sink, one piece or adjustable | 1.80 | 2.40 |

SCHEDULE 22—Continued

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Cast iron enameled plumbing fixtures—Continued. | | |
| Leg with rod (short) only, for tray, one piece or adjustable | $1.45 | $1.90 |
| Drainboard, all sizes | .95 | 1.35 |
| Slop sink, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 8.70 | 11.70 |
| Wash tray, single compartment, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 10.30 | 13.30 |
| Wash tray, double compartment, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 20.60 | 26.60 |
| Vitreous china plumbing fixtures (Less fittings unless specifically stated): | | |
| Water closet bowl, all types, all shapes and kinds, including spud | 3.60 | 4.75 |
| Low tank, six or eight gallon capacity, all shapes and kinds, including and complete with fittings and cover, except supply pipe to floor or wall | 5.80 | 7.75 |
| Low tank, six or eight gallon capacity, all shapes and kinds, without fittings, but including cover | 3.35 | 4.50 |
| Cover only for six or eight gallon capacity low tank, all shapes and kinds | 1.30 | 1.75 |
| Porcelain (glazed earthenware) plumbing fixtures (less fittings unless specifically stated): | | |
| Single sink, tray, or washtub, with or without back, all sizes | 5.15 | 6.65 |
| Double sink, tray, or washtub, with or without back, all sizes | 10.30 | 13.30 |
| Plumbing fixture supply fittings (irrespective of finish, material, shape, design, or style) complete with locknuts, coupling nuts, and tailpieces or union connections, unless provided with IPS male or female thread: | | |
| Lavatory faucet, single | .65 | .95 |
| Combination lavatory supply fitting | 1.60 | 2.35 |
| Combination lavatory supply fitting with pop-up waste | 2.20 | 3.20 |
| Combination bath faucet, including couplings | 1.30 | 1.95 |
| Combination bath faucet with shower diverter or transfer valve | 2.60 | 3.85 |
| Combination bath faucet with shower diverter or transfer valve, shower riser and shower head, with or without ball joint | 3.65 | 5.40 |
| Combination bath faucet with shower diverter or transfer valve, shower riser, and shower head, with or without ball joint and "D" or "O" type rod for curtain, but not including curtain and pins | 4.75 | 7.00 |
| Exposed two-valve shower fixture only | 1.90 | 2.80 |
| Exposed two-valve shower fixture, including riser and shower head, with or without ball joint | 2.45 | 3.60 |
| Shower attachment (portable) including faucet attacher, hose, riser, riser support, shower head, and "D" or "O" type rod for curtain but not including curtain and pins | 2.40 | 3.55 |
| Concealed two-valve supply fixture | 1.90 | 2.80 |
| Concealed two-valve over-rim tub filler supply fixture, including tub filler | 2.45 | 3.60 |
| Concealed two-valve shower supply fixture, including shower head (with or without ball joint), arm to wall, and escutcheon | 2.75 | 4.00 |
| Concealed three-valve (transfer valve) supply fixture | 2.70 | 3.95 |
| Concealed three-valve (transfer valve) supply fixture including over-rim tub filler, shower head (with or without ball joint), arm to wall, and escutcheon | 3.80 | 5.55 |
| Concealed four-valve supply fixture | 3.05 | 4.45 |
| Concealed four-valve supply fixture, including over-rim tub filler, shower head (with or without ball joint), arm to wall, and escutcheon | 4.20 | 6.10 |

SCHEDULE 22—Continued

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Plumbing fixture supply fittings—Continued. | | |
| Sink faucet, single | $0.65 | $0.95 |
| Combination sink supply fitting (for installation through deck, sink top, sink back, or to wall), with or without soap dish, with rigid or swing spout, with or without spray | 2.15 | 3.15 |
| Plumbing fixture waste fittings (irrespective of finish, material, shape, design, or style) complete with slip nuts and slip nut washers for slip joints: | | |
| P. O. plug for lavatory, including tailpiece 4" or longer | .30 | .45 |
| Pop-up or lift waste for lavatory, including tailpiece 2½" or longer | 1.30 | 1.90 |
| Connected waste and overflow for bathtub, concealed or exposed, including chain, chain stay, and tailpiece 1½" or longer, with or without stopper | 1.65 | 2.40 |
| Connected pop-up or lift waste and overflow for bathtub, concealed or exposed, including tailpiece 1½" or longer | 1.95 | 2.85 |
| Sink strainer, flat type, including tailpiece | .35 | .50 |
| Sink strainer, cup type, including tailpiece | .55 | .80 |
| Two-part continuous waste, exclusive of trap | 1.30 | 1.90 |
| Three-part continuous waste, exclusive of trap | 1.95 | 2.85 |
| Trap, all types, except bag trap or anti-syphon trap: | | |
| Size 1¼" outlet | .80 | 1.20 |
| Size 1½" outlet | .80 | 1.20 |
| Size 2" outlet | 1.00 | 1.50 |
| Toilet seats, all types, with or without cover, painted, varnished, or sheet covered, including nuts and washers | .95 | 1.35 |
| Hot water tanks and heaters: | | |
| 30-gallon range boiler, all kinds of shapes and styles, irrespective of inside or outside finish | 3.25 | 3.75 |
| 40-gallon range boiler, all kinds of shapes and styles, irrespective of inside or outside finish | 4.00 | 4.50 |
| Flat top heater, up to 40-gallon per hour, 25° F. rise capacity, exclusive of firing tools | 4.50 | 5.25 |
| Dome top heater, up to 40-gallon per hour, 25° F. rise capacity, exclusive of firing tools | 5.90 | 6.75 |
| USED HEATING EQUIPMENT | | |
| Cast iron radiation. Ceiling price is per square foot of heating surface for water-tested radiation and includes necessary plugs and bushings: | | |
| All radiation up to 26" high | .27 | .30 |
| All radiation 27" and higher | .25 | .28 |

Ceiling prices for items not listed in this schedule must be determined in accordance with the terms of section 7 (for wholesalers) or 8 (for retailers).

SCHEDULE 23

Applicable to the State of: Mississippi.
State of: Montana.
State of: Texas, west of the 100th meridian (see Schedule No. 21 for the State of Texas east of the 100th meridian).

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Cast iron enameled plumbing fixtures (Less fittings unless specifically stated): | | |
| Bathtub, single shell, roll rim, recess or corner, on base or on legs, all sizes | $19.20 | $24.25 |

SCHEDULE 23—Continued

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Cast iron enameled plumbing fixtures—Continued. | | |
| Bathtub, with apron, double shell, recess or corner, all sizes | $25.30 | $32.75 |
| Lavatory, pedestal type, including pedestal, all sizes | 10.30 | 13.80 |
| Lavatory, leg type, including leg, rod, and brackets, all sizes | 5.70 | 7.45 |
| Lavatory, wall hung, with or without apron, including hanger, all sizes | 5.40 | 7.30 |
| Lavatory, wall hung, corner type, with or without apron, including hanger, all sizes | 4.15 | 5.40 |
| Pedestal only for pedestal lavatory | 2.70 | 3.35 |
| Leg with rod only for leg lavatory | 1.30 | 1.70 |
| Sink, wall hung, without apron, including hanger, size 24" and smaller | 4.20 | 5.60 |
| Sink, wall hung, without apron, including hanger, size 25" and larger | 5.95 | 7.85 |
| Sink, wall hung, with apron, including hanger, size 24" and smaller | 5.15 | 6.90 |
| Sink, wall hung, with apron, including hanger, size 25" and larger | 6.70 | 8.95 |
| Combination single drainboard sink (sink with integral drainboard), wall hung, with or without apron, including hangers all sizes | 17.00 | 22.00 |
| Combination double drainboard sink (sink with integral drainboards), wall hung, with or without apron, including hanger, all sizes | 21.60 | 28.50 |
| Corner drainboard sink (sink with integral drainboard(s) and corner back), wall hung, with or without apron, including hangers, single or double drainboard, all sizes | 15.60 | 20.10 |
| Sink and tray (one piece) combination, wall hung, with or without apron, including hangers and leg under tray, all sizes | 21.60 | 28.00 |
| Leg with rod (long) only, for sink, one piece or adjustable | 1.80 | 2.40 |
| Leg with rod (short) only, for tray, one piece or adjustable | 1.45 | 1.90 |
| Drainboard, all sizes | .95 | 1.35 |
| Slop sink, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 8.75 | 11.75 |
| Wash tray, single compartment, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 10.40 | 13.40 |
| Wash tray, double compartment, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 20.80 | 26.80 |
| Vitreous china plumbing fixtures (less fittings unless specifically stated): | | |
| Water closet bowl, all types, all shapes and kinds, including spud | 3.60 | 4.75 |
| Low tank, six or eight gallon capacity, all shapes and kinds, including and complete with fittings and cover, except supply pipe to floor or wall | 5.80 | 7.75 |
| Low tank, six or eight gallon capacity, all shapes and kinds, without fittings, but including cover | 3.35 | 4.50 |
| Cover only for six or eight gallon capacity low tank, all shapes and kinds | 1.35 | 1.75 |
| Porcelain (glazed earthenware) plumbing fixtures (less fittings unless specifically stated): | | |
| Single sink, tray, or washtub, with or without back, all sizes | 5.20 | 6.70 |
| Double sink, tray, or washtub, with or without back, all sizes | 10.40 | 13.40 |
| Plumbing fixture supply fittings (Irrespective of finish, material, shape, design, or style) complete with locknuts, coupling nuts, and tailpieces or union connections, unless provided with IPS male or female thread: | | |
| Lavatory faucet, single | .65 | .95 |
| Combination lavatory supply fitting | 1.60 | 2.35 |
| Combination lavatory supply fitting with pop-up waste | 2.20 | 3.20 |
| Combination bath faucet, including couplings | 1.30 | 1.95 |
| Combination bath faucet with shower diverter or transfer valve | 2.60 | 3.85 |

SCHEDULE 23—Continued

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Plumbing fixture supply fittings—Continued. | | |
| Combination bath faucet with shower diverter or transfer valve, shower riser and shower head, with or without ball joint | $3.65 | $5.40 |
| Combination bath faucet with shower diverter or transfer valve, shower riser, and shower head, with or without ball joint and "D" or "O" type rod for curtain, but not including curtain and pins | 4.80 | 7.05 |
| Exposed two-valve shower fixture only | 1.90 | 2.80 |
| Exposed two-valve shower fixture, including riser and shower head, with or without ball joint | 2.45 | 3.60 |
| Shower attachment (portable) including faucet attacher hose, riser, riser support, shower head, and "D" or "C" type rod for curtain but not including curtain and pins | 2.40 | 3.55 |
| Concealed two-valve supply fixture | 1.90 | 2.80 |
| Concealed two-valve over-rim tub filler supply fixture, including tub filler | 2.45 | 3.60 |
| Concealed two-valve shower supply fixture, including shower head (with or without ball joint) arm to wall, and escutcheon | 2.80 | 4.05 |
| Concealed three-valve (transfer valve) supply fixture | 2.70 | 3.95 |
| Concealed three-valve (transfer valve) supply fixture, including over-rim tub filler, shower head (with or without ball joint), arm to wall, and escutcheon | 3.85 | 5.60 |
| Concealed four-valve supply fixture | 3.10 | 4.50 |
| Concealed four-valve supply fixture, including over-rim tub filler, shower head (with or without ball joint) arm to wall, and escutcheon | 4.20 | 6.10 |
| Sink faucet, single | .65 | .95 |
| Combination sink supply fitting (for installation through deck, sink top, sink back, or to wall) with or without soap dish, with rigid or swing spout, with or without spray | 2.15 | 3.15 |
| Plumbing fixture waste fittings (irrespective of finish, material, shape, design, or style) complete with slip nuts and slip nut washers for slip joints: | | |
| P. O. plug for lavatory, including tailpiece 4" or longer | .30 | .45 |
| Pop-up or lift waste for lavatory, including tailpiece 2½" or longer | 1.30 | 1.90 |
| Connected waste and overflow for bathtub, concealed or exposed, including chain, chain stay, and tailpiece 1½" or longer, with or without stopper | 1.65 | 2.40 |
| Connected pop-up or lift waste and overflow for bathtub, concealed or exposed, including tailpiece 1½" or longer | 1.95 | 2.85 |
| Sink strainer, flat type, including tailpiece | .35 | .50 |
| Sink strainer, cup type, including tailpiece | .55 | .80 |
| Two-part continuous waste, exclusive of trap | 1.30 | 1.90 |
| Three-part continuous waste, exclusive of trap | 1.95 | 2.85 |
| Trap, all types, except bag trap or anti-syphon trap: | | |
| Size 1¼" outlet | .80 | 1.20 |
| Size 1½" outlet | .80 | 1.20 |
| Size 2" outlet | 1.00 | 1.50 |
| Toilet seats, All types, with or without cover, painted, varnished, or sheet covered, including nuts and washers | .95 | 1.35 |
| Hot water tanks and heaters: | | |
| 30-gallon range boiler, all kinds of shapes and styles irrespective of inside or outside finish | 3.25 | 3.75 |
| 40-gallon range boiler, all kinds of shapes and styles, irrespective of inside or outside finish | 4.00 | 4.50 |
| Flat top heater, up to 40-gallon per hour, 25° F. rise capacity, exclusive of firing tools | 4.50 | 5.25 |
| Dome top heater, up to 40-gallon per hour, 25° F. rise capacity, exclusive of firing tools | 5.95 | 6.75 |

SCHEDULE 23—Continued

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED HEATING EQUIPMENT | | |
| Cast iron radiation, ceiling price is per square foot of heating surface for water-tested radiation and includes necessary plugs and bushings: | | |
| All radiation up to 26" high | $0.27 | $0.30 |
| All radiation 27" and higher | .25 | .28 |

Ceiling prices for items not listed in this schedule must be determined in accordance with the terms of section 7 (for wholesalers) or 8 (for retailers).

SCHEDULE 24

**Applicable to the State of: Florida.**

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Cast iron enameled plumbing fixtures (less fittings unless specifically stated): | | |
| Bathtub, single shell, roll rim, recess or corner, on base or on legs, all sizes | $23.00 | $28.00 |
| Bathtub, with apron, double shell, recess or corner, all sizes | 29.50 | 35.00 |
| Lavatory, pedestal type, including pedestal, all sizes | 12.50 | 15.65 |
| Lavatory, leg type, including leg, rod, and brackets, all sizes | 6.95 | 8.50 |
| Lavatory, wall hung, with or without apron, including hanger, all sizes | 6.55 | 8.25 |
| Lavatory, wall hung, corner type, with or without apron, including hanger, all sizes | 5.05 | 6.15 |
| Pedestal only for pedestal lavatory | 3.30 | 3.85 |
| Leg with rod only for leg lavatory | 1.60 | 1.95 |
| Sink, wall hung, without apron, including hanger, size 24" and smaller | 5.05 | 6.35 |
| Sink, wall hung, without apron, including hanger, size 25" and larger | 7.25 | 8.90 |
| Sink, wall hung, with apron, including hanger, size 24" and smaller | 6.25 | 7.75 |
| Sink, wall hung, with apron, including hanger, size 25" and larger | 8.15 | 10.00 |
| Combination single drainboard sink (sink with integral drainboard), wall hung, with or without apron, including hangers, all sizes | 20.65 | 24.40 |
| Combination double drainboard sink (sink with integral drainboards), wall hung, with or without apron, including hangers, all sizes | 26.20 | 31.65 |
| Corner drainboard sink (sink with integral drainboard(s) and corner back), wall hung, with or without apron, including hangers, single or double drainboard, all sizes | 19.10 | 23.00 |
| Sink and tray (one piece) combination, wall hung, with or without apron, including hangers and leg under tray, all sizes | 26.20 | 31.75 |
| Leg with rod (long) only, for sink, one piece or adjustable | 2.20 | 2.65 |
| Drainboard, all sizes | 1.20 | 1.50 |
| Leg with rod (short) only, for tray, one piece or adjustable | 1.75 | 2.10 |
| Slop sink, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 10.60 | 13.05 |
| Wash tray, single compartment, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 12.70 | 15.00 |
| Wash tray, double compartment, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 25.40 | 30.00 |
| Vitreous china plumbing fixtures (less fittings unless specifically stated): | | |
| Water closet bowl, all types, all shapes and kinds, including spud | 4.35 | 5.25 |

SCHEDULE 24—Continued

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Vitreous china plumbing fixtures—Continued. | | |
| Low tank, six or eight gallon capacity, all shapes and kinds, including and complete with fittings and cover, except supply pipe to floor or wall | $7.00 | $8.60 |
| Low tank, six or eight gallon capacity, all shapes and kinds, without fittings, but including cover | 4.05 | 5.00 |
| Cover only for six or eight gallon capacity low tank, all shapes and kinds | 1.60 | 1.95 |
| Porcelain (glazed earthenware) plumbing fixtures (less fittings unless specifically stated): | | |
| Single sink, tray, or washtub, with or without back, all sizes | 6.35 | 7.50 |
| Double sink, tray, or washtub, with or without back, all sizes | 12.70 | 15.00 |
| Plumbing fixture supply fittings (irrespective of finish, material, shape, design, or style) complete with locknuts, coupling nuts, and tailpieces or union connections, unless provided with IPS male or female thread: | | |
| Lavatory faucet, single | .75 | 1.05 |
| Combination lavatory supply fitting | 1.90 | 2.60 |
| Combination lavatory supply fitting with pop-up waste | 2.65 | 3.60 |
| Combination bath faucet, including couplings | 1.55 | 2.15 |
| Combination bath faucet with shower diverter or transfer valve | 3.05 | 4.25 |
| Combination bath faucet with shower diverter or transfer valve, shower riser and shower head, with or without ball joint | 4.35 | 6.05 |
| Combination bath faucet with shower diverter or transfer valve, shower riser, and shower head, with or without ball joint and "D" or "O" type rod for curtain, but not including curtain and pins | 5.65 | 7.80 |
| Exposed two-valve shower fixture only | 2.30 | 3.15 |
| Exposed two-valve shower fixture, including riser and shower head, with or without ball joint | 2.95 | 4.05 |
| Shower attachment (portable) including faucet attacher, hose, riser, riser support, shower head, and "D" or "O" type rod for curtain but not including curtain and pins | 2.90 | 4.00 |
| Concealed two-valve supply fixture | 2.30 | 3.15 |
| Concealed two-valve over-rim tub filler supply fixture, including tub filler | 2.95 | 4.05 |
| Concealed two-valve shower supply fixture, including shower head (with or without ball joint), arm to wall, and escutcheon | 3.30 | 4.50 |
| Concealed three - valve (transfer valve) supply fixture | 3.25 | 4.45 |
| Concealed three - valve (transfer valve) supply fixture, including over-rim tub filler, shower head (with or without ball joint), arm to wall, and escutcheon | 4.55 | 6.20 |
| Concealed four-valve supply fixture | 3.65 | 5.00 |
| Concealed four-valve supply fixture, including over-rim tub filler, shower head (with or without ball joint), arm to wall, and escutcheon | 5.00 | 6.80 |
| Sink faucet, single | .75 | 1.05 |
| Combination sink supply fitting (for installation through deck, sink top, sink back, or to wall), with or without soap dish, with rigid or swing spout, with or without spray | 2.60 | 3.55 |
| Plumbing fixture waste fittings (irrespective of finish, material, shape, design, or style), complete with slip nuts and slip nut washers for slip joints: | | |
| P. O. plug for lavatory, including tailpiece 4" or longer | .35 | .50 |
| Pop-up or lift waste for lavatory, including tailpiece 2½" or longer | 1.55 | 2.10 |
| Connected waste and overflow for bathtub, concealed or exposed, including chain, chain stay, and tailpiece 1½" or longer, with or without stopper | 2.00 | 2.70 |

SCHEDULE 24—Continued

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Plumbing fixture waste fittings—Continued. | | |
| Connected pop-up or 1 ft waste and overflow for bathtub, concealed or exposed, including tailpiece 1½" or longer | $2.35 | $3.20 |
| Sink strainer, flat type, including tailpiece | .40 | .55 |
| Sink strainer, cup type, including tailpiece | .65 | .90 |
| Two-part continuous waste, exclusive of trap | 1.55 | 2.10 |
| Three-part continuous waste, exclusive of trap | 2.35 | 3.20 |
| Trap, all types, except bag trap or anti-syphon trap: | | |
| Size 1¼" outlet | .95 | 1.35 |
| Size 1½" outlet | .95 | 1.35 |
| Size 2" outlet | 1.20 | 1.70 |
| Toilet seats, all types, with or without cover, painted, varnished, or sheet covered, including nuts and washers | 1.20 | 1.50 |
| Hot water tanks and heaters: | | |
| 30-gallon range boiler, all kinds of shapes and styles, irrespective of inside or outside finish | 3.85 | 4.35 |
| 40-gallon range boiler, all kinds of shapes and styles, irrespective of inside or outside finish | 4.70 | 5.20 |
| Flat top heater, up to 40-gallon per hour, 25° F. rise capacity, exclusive of firing tools | 5.30 | 6.00 |
| Dome top heater, up to 40-gallon per hour, 25° F. rise capacity, exclusive of firing tools | 7.10 | 7.85 |
| USED HEATING EQUIPMENT | | |
| Cast iron radiation: Ceiling price is per square foot of heating surface for water-tested radiation and includes necessary plugs and bushings): | | |
| All radiation up to 26" high | .27 | .30 |
| All radiation 27" and higher | .25 | .28 |

Ceiling prices for items not listed in this schedule must be determined in accordance with the terms of section 7 (for wholesalers) or 8 (for retailers).

SCHEDULE 25

**Applicable to the City of New Orleans, Louisiana (see Schedule No. 19 for the State of Louisiana except the City of New Orleans).**

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Cast iron enameled plumbing fixtures (less fittings unless specifically stated): | | |
| Bathtub, single shell, roll rim, recess or corner, on base or on legs, all sizes | $19.70 | $24.75 |
| Bathtub, with apron, double shell, recess or corner, all sizes | 26.30 | 32.75 |
| Lavatory, pedestal type, including pedestal, all sizes | 10.70 | 14.20 |
| Lavatory, leg type, including leg, rod, and brackets, all sizes | 5.95 | 7.70 |
| Lavatory, wall hung, with or without apron, including hanger, all sizes | 5.60 | 7.50 |
| Lavatory, wall hung, corner type, with or without apron, including hanger, all sizes | 4.35 | 5.60 |
| Pedestal only for pedestal lavatory | 2.85 | 3.50 |
| Leg with rod only for leg lavatory | 1.35 | 1.75 |
| Sink, wall hung, without apron, including hanger, size 24" and smaller | 4.35 | 5.75 |
| Sink, wall hung, without apron, including hanger, size 25" and larger | 6.20 | 8.00 |
| Sink, wall hung, with apron, including hanger, size 24" and smaller | 5.35 | 7.00 |
| Sink, wall hung, with apron, including hanger, size 25" and larger | 6.95 | 9.00 |

SCHEDULE 25—Continued

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Cast iron enameled plumbing fixtures—Continued. | | |
| Combination single drainboard sink (sink with integral drainboard), wall hung, with or without apron, including hangers, all sizes | $17.50 | $22.00 |
| Combination double drainboard sink (sink with integral drainboards), wall hung, with or without apron, including hangers, all sizes | 22.35 | 28.50 |
| Corner drainboard sink (sink with integral drainboard(s) and corner back), wall hung, with or without apron, including hangers, single or double drainboard, all sizes | 16.35 | 20.85 |
| Sink and tray (one piece) combination, wall hung, with or without apron, including hangers and leg under tray, all sizes | 22.35 | 28.00 |
| Leg with rod (long) only, for sink, one piece adjustable | 1.85 | 2.40 |
| Leg with rod (short) only, for tray, one piece or adjustable | 1.50 | 1.90 |
| Drainboard, all sizes | 1.00 | 1.35 |
| Slop sink, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 9.00 | 11.75 |
| Wash tray, single compartment, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 10.75 | 13.50 |
| Wash tray, double compartment, with or without back (with iron leg support if without back), with or without apron, including hanger, all sizes | 21.50 | 27.00 |
| Vitreous china plumbing fixtures (less fittings unless specifically stated): | | |
| Water close bowl, all types, all shapes and kinds, including spud | 3.75 | 4.75 |
| Low tank, six or eight gallon capacity, all shapes and kinds, including and complete with fittings and cover, except supply pipe to floor or wall | 5.95 | 7.75 |
| Low tank, six or eight gallon capacity, all shapes and kinds, without fittings, but including cover | 3.50 | 4.50 |
| Cover only for six or eight gallon capacity low tank, all shapes and kinds | 1.35 | 1.75 |
| Porcelain (glazed earthenware) plumbing fixtures (less fittings unless specifically stated): | | |
| Single sink, tray, or washtub, with or without back, all sizes | 5.45 | 6.75 |
| Double sink, tray, or washtub, with or without back, all sizes | 10.90 | 13.50 |
| Plumbing fixture supply fittings (irrespective of finish, material, shape, design, or style), complete with locknuts, coupling nuts, and tailpieces or union connections, unless provided with IPS male or female thread: | | |
| Lavatory faucet, single | .65 | .95 |
| Combination lavatory supply fitting | 1.60 | 2.35 |
| Combination lavatory supply fitting with pop-up waste | 2.25 | 3.25 |
| Combination bath faucet, including couplings | 1.30 | 1.95 |
| Combination bath faucet with shower diverter or transfer valve | 2.60 | 3.85 |
| Combination bath faucet with shower diverter or transfer valve, shower riser and shower head, with or without ball joint | 3.70 | 5.45 |
| Combination bath faucet with shower diverter or transfer valve, shower riser, and shower head, with or without ball joint and "D" or "O" type rod for curtain, but not including curtain and pins | 4.80 | 7.05 |
| Exposed two-valve shower fixture only | 1.95 | 2.85 |
| Exposed two-valve shower fixture, including riser and shower head, with or without ball joint | 2.50 | 3.65 |
| Shower attachment (portable) including faucet attacher, hose, riser, riser support, shower head, and "D" or "O" type rod for curtain but not including curtain and pins | 2.45 | 3.60 |

SCHEDULE 25—Continued

| Column I<br>Description of the article | Col. II<br>Ceiling price for sales at wholesale | Col. III<br>Ceiling price for sales at retail |
|---|---|---|
| USED PLUMBING EQUIPMENT | | |
| Plumbing fixture supply fittings—Continued. | | |
| Concealed two-valve supply fixture | $1.95 | $2.85 |
| Concealed two-valve over-rim tub filler supply fixture, including tub filler | 2.50 | 3.65 |
| Concealed two-valve shower supply fixture, including shower head (with or without ball joint), arm to wall, and escutcheon | 2.80 | 4.05 |
| Concealed three-valve (transfer valve) supply fixture | 2.75 | 4.00 |
| Concealed three-valve (transfer valve) supply fixture, including over-rim tub filler, shower head (with or without ball joint), arm to wall, and escutcheon | 3.85 | 5.60 |
| Concealed four-valve supply fixture | 3.10 | 4.50 |
| Concealed four-valve supply fixture, including over-rim tub filler, shower head (with or without ball joint) arm to wall, and escutcheon | 4.25 | 6.15 |
| Sink faucet, single | .65 | .95 |
| Combination sink supply fitting (for installation through deck, sink top, sink back, or to wall), with or without soap dish, with rigid or swing spout, with or without spray | 2.20 | 3.20 |
| Plumbing fixture waste fittings (irrespective of finish, material, shape, design or style), complete with slip nuts and slip nut washers for slip joints: | | |
| P. O. plug for lavatory, including tailpiece 4" or longer | .30 | .45 |
| Pop-up or lift waste for lavatory, including tailpiece 2½" or longer | 1.30 | 1.90 |
| Connected waste and overflow for bathtub, concealed or exposed, including chain, chain stay, and tailpiece 1½" or longer, with or without stopper | 1.70 | 2.45 |
| Connected pop-up or lift waste and overflow for bathtub, concealed or exposed, including tail piece 1½" or longer | 2.00 | 2.90 |
| Sink strainer, flat type, including tailpiece | .35 | .50 |
| Sink strainer, cup type, including tailpiece | .55 | .80 |
| Two-part continuous waste, exclusive of trap | 1.30 | 1.90 |
| Three-part continuous waste, exclusive of trap | 2.00 | 2.90 |
| Trap, all types, except bag trap or anti-syphon trap: | | |
| Size 1¼" outlet | .80 | 1.20 |
| Size 1½" outlet | .80 | 1.20 |
| Size 2" outlet | 1.00 | 1.50 |
| Toilet seats, all types with or without cover, painted, varnished, or sheet covered, including nuts and washers | 1.00 | 1.35 |
| Hot water tanks and heaters: | | |
| 30-gallon range boiler, all kinds of shapes and styles, irrespective of inside or outside finish | 3.25 | 3.75 |
| 40-gallon range boiler, all kinds of shapes and styles, irrespective of inside or outside finish | 4.00 | 4.50 |
| Flat top heater, up to 40-gallon per hour, 25° F. rise capacity, exclusive of firing tools | 4.50 | 5.25 |
| Dome top heater, up to 40-gallon per hour, 25° F. rise capacity, exclusive of firing tools | 6.00 | 6.75 |
| USED HEATING EQUIPMENT | | |
| Cast iron radiation (ceiling price is per square foot of heating surface for water-tested radiation and includes necessary plugs and bushings): | | |
| All radiation up to 26" high | .27 | .30 |
| All radiation 27" and higher | .25 | .28 |

Ceiling prices for items not listed in this schedule must be determined in accordance with the terms of section 7 (for wholesalers) or 8 (for retailers).

This regulation shall become effective the 9th day of August 1944.

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

Issued this 14th day of July 1944.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 44-10473; Filed, July 14, 1944; 4:26 p. m.]

## PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 3,[1] Amdt. 2 to 11th Rev. Zoning Order 1]

### SUGAR

The Eleventh Revised Zoning Order No. 1 is amended in the following respects:

1. Section 1407.281 (c) is amended to read as follows:

(c) Sugar may be delivered, shipped or transferred from one zone to any point in any other zone.

2. Sections 1407.281 (d) and (e) are revoked.

This Amendment No. 2 to the Eleventh Revised Zoning Order No. 1 shall become effective July 14, 1944.

(Pub. Law 421, 77th Cong.; Executive Order 9125, 7 F.R. 2719; Executive Order 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; War Food Order No. 56, 8 F.R. 2005; War Food Order No. 64, 8 F.R. 7093; Sec. 1407.168 of Revised Ration Order 3)

Issued this 14th day of July 1944.

IVAN BURDICK,
*Director,*
*Food Rationing Division.*

[F. R. Doc. 44-10465; Filed, July 14, 1944; 12:01 p. m.]

## PART 1305—ADMINISTRATION

[Supp. Order 91, Amdt. 1]

### ALIEN PROPERTY CUSTODIAN SALES IN HAWAII

A statement to accompany this amendment has been filed with the Division of the Federal Register.*

Supplementary Order 91 is amended in the following respect:

Paragraph (a) (5) is added to read as follows:

(5) Sales of any commodity by the Office of the Alien Property Custodian, except commodities controlled under Maximum Price Regulation 139—Used Household Mechanical Refrigerators, Maximum Price Regulation 162—Used Typewriters, Maximum Price Regulation 294—Used Vacuum Cleaners, Maximum Price Regulation 372—Used Washing Machines, Maximum Price Regulation 380—Used Bedsprings, section 57 of Maximum Price Regulation 373—Used Passenger Automobiles, and Maximum Price Regulation 341—Used Commercial Vehicles.

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

This amendment shall become effective as of July 8, 1944.

Issued this 15th day of July 1944.

JAMES G. ROGERS, Jr.,
*Acting Administrator.*

[F. R. Doc. 44-10505; Filed, July 15, 1944; 11:21 a. m.]

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## PART 1340—FUEL

[MPR 120, Corr. to Amdt. 104]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

The section number is corrected from § 1340.215 (b) (1) to read § 1340.219 (b) (1).

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of July 1944.

JAMES G. ROGERS, Jr.,
*Acting Administrator.*

[F. R. Doc. 44-10507; Filed, July 15, 1944; 11:21 a. m.]

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## PART 1365—HOUSEHOLD FURNITURE

[MPR 548]

METAL UPHOLSTERY SPRINGS, CONSTRUCTIONS AND ACCESSORIES

In the judgment of the Price Administrator, the maximum prices established by this regulation, are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328. Insofar as this regulation uses specifications and standards which were not, prior to such use, in general use in the trade or industry affected, or insofar as their use was not lawfully required by another Government agency, the Administrator, has determined with respect to such standardization that no practicable alternative exists for securing effective price control with respect to the commodities subject to this regulation. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

§ 1365.102 *Maximum prices for sales of metal upholstery springs, constructions and accessories.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328, Maximum Price Regulation No. 548 (Metal Upholstery Springs, Constructions and Accessories) which is annexed hereto and made a part hereof, is hereby issued.

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

AUTHORITY: Secs. 1 to 21, inclusive, § 1365.102 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 NO. 548—METAL UPHOLSTERY SPRINGS, CONSTRUCTIONS AND ACCESSORIES

Sec.


1. Scope of this regulation.
2. Prohibitions.
3. General specifications of those articles for which ceiling prices are established by sections 4, 5 or 6.
4. Dollars and cents ceiling prices for sales by manufacturers or specified items of metal upholstery springs, constructions and accessories.
5. Maximum prices for sales by manufacturers of certain articles which are not specifically priced under section 4, and which were sold or delivered by the manufacturer during March 1942.
6. Maximum prices for sales by manufacturers of articles which cannot be priced pursuant to sections 4 and 5, but which are of the same type as an article produced by the manufacturer for which a ceiling price is established by section 4.
7. Maximum prices for sales of upholstery springs, construction and accessories manufactured from used materials.
8. Maximum prices for sales by manufacturers to automotive and aviation manufacturers of articles made from new and used materials.
9. Maximum prices for sales by manufacturers to jobbers.
10. Maximum prices for sales to the U. S. Government.
11. Maximum prices for sales by manufacturers of metal upholstery springs, constructions and accessories which cannot be priced under any other section of this regulation.
12. Terms of sale and zone differentials.
13. Maximum prices for sales by jobbers to any other person.
14. Invoices and receipts.
15. Records to be kept by jobbers.
16. Relationship between this regulation and other regulations.
17. Licensing.
18. Exports.
19. Petitions for amendment.
20. Enforcement and evasion.
21. Geographical applicability.


SECTION 1. *Scope of this regulation.* This regulation fixes ceiling prices for all sales and deliveries of the upholstery coils, innerspring units and constructions listed in paragraph (a) below by any person in the course of trade or business (except steel manufacturers who make and draw their own wire). It covers all the listed articles whether they are made wholly or in part of any new, reconditioned or used materials. It covers only those articles which are of the type used to form the resilient and shape-maintaining metal framework of all kinds of upholstered furniture, bedding articles and upholstered seat and back cushions which are used for any purpose. It also covers the specific accessory upholstery products listed below. It does not cover those articles listed in paragraph (b) below.

(a) *Articles covered by this regulation.* This regulation establishes ceiling prices for the following articles:

(1) Upholstery spiral coils of all kinds including, but not limited to, true upholstery springs, pillow springs, single cone springs, double cone springs, top extension springs, Marshall type springs, and all other springs of similar construction.

(2) Upholstery bar units wherein two or more upholstery spiral coils are attached to a rigid or flexible steel strip.

(3) Spring constructions made up of assembled or tied open or pocketed upholstery spiral coils or bar units (with or without padding or fabric or sisal covering) of the following types: davenport, chair, sofa, or seat constructions; cushion or back units.

(4) Shurstay bands. When used in this regulation shurstay bands means any flat steel strip varying in length between 16" and 30" and varying in gauge between 14" and 20", which is perforated at regular intervals in order to receive a spiral coil, for ultimate use in upholstered articles.

(5) Upholstery clips. When used in this regulation upholstery clips means any stamped or shaped metal piece of the type designed to hold or attach two or more adjoining wires for ultimate use in upholstered articles.

(6) Extension spring helicals. When used in this regulation an extension spring helical means any helical of 16 gauge or lighter varying in length between 2½" to 5" and of the type used to connect the top turns of adjoining spiral coils in upholstered articles.

(7) Edge wire. When used in this regulation, edge wire means high or low carbon wire of the type used to form a wire border for an assembled innerspring unit or construction for upholstered articles.

(b) *Articles not covered by this regulation.* The following articles are not covered by this regulation:

(1) Boxspring inner construction and mattress inner spring units. (Prices for these items continue under Maximum Price Regulation No. 188 for manufacturers and under the General Maximum Price Regulation for other sellers.)

(2) Inner constructions for dual purpose sleeping equipment. (Prices for these articles are under the jurisdiction of Maximum Price Regulation No. 188.)

(3) "No sag" or "zigger" type wire, together with attachments and accessories which are made exclusively for use with them.

(4) Helicals other than the extension spring helicals.

(5) Wood parts, fabrics and padding unless they are an integral part of the inner construction.

SEC. 2. *Prohibitions.* (a) On and after the effective date of this regulation and regardless of any contract or other obligation, no person is permitted to sell, offer to sell, deliver, or buy or receive any article covered by this regulation in the course of trade or business, at prices higher than the ceiling prices fixed

by this regulation, and no person shall offer, solicit, attempt or agree to do any of the foregoing.

(b) Prices lower than the ceiling prices fixed by this Regulation may be charged, demanded, paid or offered.

SEC. 3. *General specifications of those articles for which ceiling prices are established by sections 4, 5 or 6.* Articles priced under sections 4, 5 or 6 must conform to the following specifications:

(a) All materials must be new. Ceiling prices for articles made wholly or in part from used materials cannot be established pursuant to sections 4, 5 or 6 of this regulation, but must be established pursuant to the applicable section covering articles containing used materials. When used in this regulation used material means any material which has been subjected to any use in an upholstered product.

(b) All coils and helicals shall be high carbon spring wire and must be tempered by proper heat treatment.

(c) All wire connections must be properly secured and reinforced where necessary.

(d) The pig tail helicals which are used in helical-tied constructions and innerspring units shall be attached to vertical springs in such a manner as to prevent shifting under service while maintaining a definite hinge joint.

(e) Cut ends of wire on all constructions and innerspring units shall be turned into such a position as not to interfere with the action of the springs or damage the covering.

SEC. 4. *Dollars and cents ceiling prices for sales by manufacturers of specified items of metal upholstery springs, constructions and accessories.* This section establishes ceiling prices for the specific items of metal upholstery springs, constructions and accessories set forth below. The ceiling prices are for sales and deliveries by manufacturers of articles covered by this regulation to the "furniture trade". Whenever used in this regulation the term "furniture trade" means manufacturers of bedding and furniture, and industrial users other than automotive manufacturers, aviation manufacturers and the United States Government or any agency thereof. The ceiling prices are only for those articles which clearly meet the specifications listed in this section and the general specifications listed in section 3 above. The ceiling prices to classes of purchasers not covered by this section or for any article which varies from the specifications listed below must be established by sections 5 to 11 inclusive, whichever is first applicable.

TYPE I—UPHOLSTERY SPIRAL COILS

| Item | Item 1. Upholstery coils (gauges up to 11½) | Item 2. Pillow springs (gauges of 12 or lighter) |
|---|---|---|
| Specifications of base models | 7 inches or higher. Open ends. 10 gauge or heavier. Japanned and tempered. Quantity of 500 pounds or more of a single size and kind. | 6 inches or higher. Open ends. 13 gauge. Japanned and tempered. Quantity of 250 pounds or more of a single size and kind. |
| Base price per cwt | $6.75 | $8.50 |
| *Extras* (add or deduct from base price): | | |
| 6" high | Add $0.25 | |
| 5" high | Add $0.50 | Add $0.50. |
| 4" high | Add $1.00 | Add $1.00. |
| 3" high | Add $0.50 | Add $2.00. |
| Knot one end | Add $1.50 | Add $1.00. |
| Knot two ends | Add $1.00 | Add $1.50. |
| Dunk, dowell or eye—one end | Add $0.75 | Add $1.25. |
| Extension top and one Knot | Add $1.25 | Add $2.25. |
| Notched top | Add $1.00 | |
| Single cone | Add $0.25 | Add $0.35. |
| Each ½ gauge lighter | Add $0.25 | Add $0.50. |
| Each ½ gauge heavier | | Deduct $0.35. |

(Fractional gauges or heights to be priced same as nearest ½ gauge or listed height)

*Quantity differential* (to be applied after all other extras are added to or deducted from base price)

| | | |
|---|---|---|
| (1) 100–499 pounds or more of a single size and kind | Add 5 percent | |
| (2) 100–249 pounds or more of a single size and kind | | Add 5 percent. |
| (3) Less than 100 pounds of a single size and kind | Add 15 percent | Add 15 percent. |

TYPE II—SEAT AND BACK BAR UNITS

Item 3. *Seat bar hard edge*—Base price $8.75 —per 100 pieces in quantities of 500 pieces of a single size and kind.
1½" x 19 ga. bar—formed (or other dimensions of same weight).
19" hole to hole.
2½" drop—2 ends.
3 coils—5" high—10½ ga.—6 turns—single cone—knot one end.
Japanned.

*Extras* (add or deduct from base price):

| | |
|---|---|
| Bar each 1" additional drop, add | $0.25 |
| Bar each 1" longer, add | .25 |
| Bar each 1" shorter, deduct | .15 |
| For 1½" x 18 ga. bar, add | .50 |
| For 1¾" x 18 ga. bar, add | .60 |
| For each 1" higher all coils, add | .50 |
| For each 1" lower all coils, deduct | .25 |
| Each ½ ga. heavier—all coils, add | .35 |
| Each ½ gauge lighter—all coils, deduct | .25 |
| 2 coil bar, deduct | 1.00 |
| 4 coil bar, add | 1.50 |

(Fractional dimension to be priced same as nearest listed dimension.)

*Quantity differential* (to be applied after all other extras are added to or deducted from base price):

| | *Percent* |
|---|---|
| For 100–499 pieces of a single size and kind, add | 5 |
| For less than 100 pieces of a single size and kind, add | 15 |

Item 4. *Seat bars spring edge*—Base price $11.75 per 100 pieces in quantities of 500 pcs. of a single size and kind.
1½" x 19 gauge or 2" x 20 gauge bar—formed (or other dimensions of same weight).
25" hole to hole.
2½" drop—2 ends.
2 coils—6" high—9½ gauge—6 turns—single cone—regular top.
1 coil—7" high—9 gauge—7 turns—single cone—regular top.
Lip and hook back.
Japanned.

*Extras* (add or deduct from base price):

| | |
|---|---|
| Bar each 1" shorter, deduct | $0.15 |
| Bar each 1" longer, add | .25 |
| Each 1" additional drop, add | .25 |
| For 1½" x 18 gauge bar, add | .50 |
| For 1¾" x 18 gauge bar, add | .60 |
| All coils 1" higher, add | .60 |
| One coil 1" higher, add | .25 |
| Each ½ gauge heavier all coils, add | .40 |
| Each ½ gauge heavier 1 coil, add | .20 |
| Extension top (per coil), add | $0.005 |
| Double cone coils—all coils, add | 1.50 |
| 2 coil bar, deduct | 1.00 |
| 4 coil bar, add | 1.50 |

(Fractional dimension to be priced same as nearest listed dimension)

*Quantity differential* (to be applied after all other extras are added to or deducted from base price)

| | *Percent* |
|---|---|
| For 100–499 pieces of a single size and kind, add | 5 |
| For less than 100 pieces of a single size and kind, add | 15 |

Item 5. *Pillow back bars—Flexible bar.*—Base price $5.50 per 100 pieces in quantities of 500 pieces of a single size and kind.
1" x 20 gauge bar (or any other dimensions of same weight.)
24" hole to hole.
3 coils—6" high—13 gauge—6 turns—single cone—knot one end.
No drop.
Japanned.

*Extras* (add or deduct from base price):

| | |
|---|---|
| Bar each 1" shorter, deduct | $0.05 |
| Bar each 1" longer, add | .15 |
| Drop, each end, add | .15 |
| 1" x 18 gauge bar, add | .40 |
| 1" x 19 gauge bar, add | .20 |
| All coils each 1" higher or lower, add or deduct | .40 |
| All coils each ½ gauge heaver or lighter, add or deduct | .30 |
| 2 coil bar, deduct | .50 |
| 4 coil bar, add | 1.00 |
| Double cone coils—all coils, add | .75 |

(Fractional dimension to be priced same as nearest listed dimension)

*Quantity differential* (to be applied after all other extras are added to or deducted from base price)

| | *Percen* |
|---|---|
| For 100–499 pieces of a single size and kind, add | 5 |
| For less than 100 pieces of a single size and kind, add | 15 |

Item 6. *Rigid bar*—Base price $6.00 per 100 pieces in quantities of 500 pieces of a single size and kind.
1¼" x 19 gauge formed (or any other dimensions of same weight).
24" hole to hole.
3 coils—6" high—13 gauge—6 turns—single cone—knot one end.
No drop.
Japanned.

*Extras* (add or deduct from base price):

| | |
|---|---|
| Bar each 1" shorter, add | $0.15 |
| Bar each 1" longer, add | .25 |
| Drop, each end, add | .15 |
| 1½ x 18 gauge, add | .50 |
| 1¾ x 18 gauge, add | .60 |
| All coils each 1" higher or lower, add or deduct | .40 |
| All coils each ½ gauge heavier or lighter, add or deduct | .30 |
| 2 coil bar, deduct | .50 |
| 4 coil bar, add | 1.00 |
| Double cone coils—all coils, add | .75 |

(Fractional dimension to be priced same as nearest listed dimension)

*Quantity differential* (to be applied after all other extras are added to or deducted from base price)

| | *Percent* |
|---|---|
| For 100–499 pieces of a single size and kind, add | 5 |
| For lesss than 100 pieces of a single size and kind, add | 15 |

TYPE III—POCKETED COIL UNITS (MARSHALL TYPE ONLY)

Item 7. Specifications for base models:
Coil—3½" high—4½ turns or more.
Tie—Double-tied.
Fabric—Covers averaging more than 5 square yards per pound.[1]
Quantity—Lots of 50 cushion units or more of a single size and kind.

[Base prices per thousand coils]

| Diameter of coils (inches) | Gauge of coils | | | | | | |
|---|---|---|---|---|---|---|---|
| | 13½ | 14 | 14½ | 15 | 15½ | 16 | 16½ |
| 2½ | ----- | ----- | ----- | ----- | 16.00 | 15.75 | 15.55 |
| 2¾ | ----- | ----- | 17.20 | 16.95 | 16.70 | 16.45 | ----- |
| 3 | ----- | 18.45 | 18.10 | 17.75 | 17.45 | 17.15 | ----- |
| 3¼ | ----- | 19.40 | 19.05 | 18.75 | 18.45 | ----- | ----- |
| 3½ | 20.80 | 20.40 | 20.00 | 19.60 | ----- | ----- | ----- |
| 3¾ | 21.60 | 21.10 | 20.70 | ----- | ----- | ----- | ----- |

(Fractional O.D.'s and gauges at price of nearest listed O.D. and gauge)

*Extras* (add or deduct from base price):

| | *Percent* |
|---|---|
| Coils—each ½" higher (same coil pitch), add | 3 |
| Coils—each ½ guage heavier, add | 3 |
| Coils—each ½" lighter, deduct | 1½ |

*Extras*—Continued.

| | |
|---|---|
| Border wire—12 gauge or heavier, high carbon wire, for cushion sizes up to 24" x 24": | |
| Top only, add per cushion | $0.05 |
| Top and bottom, add per cushion | .10 |
| Marshall strip, deduct | 2.00 |
| Marshall nested tie, deduct | 1.75 |
| Single tie, deduct | 1.00 |

HEAVY FABRIC AND BOOKFOLD SISAL EXTRAS TO BASE PRICES [1]

| Diameter (inches) | 3 ounces bookfold sisal | Covers averaging 3.01–4.99 square yards per pound | Covers averaging 3 square yards or less per pound |
|---|---|---|---|
| 2¼ | $4.00 | $1.55 | $3.10 |
| 2¾ | 4.50 | 1.75 | 3.50 |
| 3 | 5.00 | 2.00 | 4.00 |
| 3¼ | 5.75 | 2.25 | 4.50 |
| 3½ | 6.75 | 2.45 | 4.90 |
| 3¾ | 7.25 | 2.65 | 5.30 |

*Quantity differential* (to be applied after all other extras are added or deducted from base price)

For lots of less than 50 cushion units of a single size and kind, add 10 percent.

[1] Average weight of cover to be computed for each shipment.

TYPE IV—WIRE TIED CUSHION UNITS

Item 8. *Bonnel type:*
Coils 4½" high—15 gauge—5 turns or more.
Center helicals—18 gauge or heavier—high carbon wire ½" O. D. or smaller—2 turns per inch or more.
Borders—4 sides—top and bottom 15 gauge helical—⅜" diameter—3 turns per inch or more; or 18 gauge helical—½" diameter or less—2 turns per inch or more with #15 gauge high carbon wire inserted border; or 2—18 gauge helicals interwound, ½" diameter—2 turns per inch.
With or without single insulation.
Not japanned.

Item 9. *Crimp or clip tied:*
Coils 4½" high—15½ gauge—5 turns—high carbon wire.
Crimps 16 gauge or heavier—low carbon wire.
Borders—1 piece—formed—top and bottom 15 gauge high carbon wire; or 2 strands—16½ gauge high carbon wire.
With or without single insulation.
Not japanned.

TYPE V—DAVENPORT AND CHAIR CONSTRUCTIONS

Item 10. *Bar base—Wire top:*
Coils—average 7" high—9½ gauge—6 turns or more—single cone—knot 1 end.
Rigid bar—1½" x 19 gauge—24" hole to hole—end holes punched; or—
Flexible bar—1½ x 19 gauge—24" hole to hole—end holes punched.
Bar drop—2½".
Top ties—15 gauge or heavier, low carbon wire.
Border wire—9½ gauge or heavier, high carbon wire; or 8 gauge or heavier, low carbon wire.
Japanned.

Item 11. *Bar base—Helical top—*
Coils—average 7" high—9½ gauge—6 turns or more—single cone—knot one end.
Rigid bar—1½" x 19 gauge—24" hole to hole—end holes punched; or—
Flexible bar—1¾" x 19 gauge—24" hole to hole—end holes punched.
Bar drop—2½".
Cross helicals—17 gauge or heavier.
Border wire—9 gauge or heavier, high carbon wire; or 7 gauge or heavier, low carbon wire.
Japanned.

Item 12. *Wire base—Wire top:*
Coils—average 7" high—9½ gauge—6 turns or more—single cone—knot one end.
Base wire—10 gauge or heavier, high carbon wire, eyed or pointed ends 1 way; or 9 gauge or heavier, low carbon wire, eyed or pointed ends 1 way.
Drop—2½".
Top ties—15 gauge low carbon wire.
Links—15 gauge low carbon wire or heavier.
Border wire—9½ gauge or heavier, high carbon wire; or 8 gauge or heavier, low carbon wire.
Japanned.

Item 13. *Wire base—Helical top:*
Coils—average 7" high—9½ gauge—6 turns or more—single cone—knot one end.
Base wires—10 gauge or heavier, high carbon wire, eyed or pointed ends one way; or 9 gauge or heavier, low carbon wire, eyed or pointed ends one way.
Drop—2½".
Cross helical—17 gauge or heavier.
Border wire—9 gauge high carbon wire or heavier; or 7 gauge low carbon wire or heavier.
Japanned.

[Schedule of base prices for items 8 and 9]

| Size | Coil count by row | Price in cents | | | | | |
|---|---|---|---|---|---|---|---|
| | | Uncovered units | Fabric covered | | | Sisal covered | |
| | | | 5 square yards per pound or lighter | 3.01–4.99 square yards per pound | 3 square yards per pound or heavier | Sisal encased 3 ounces | Bookfold extra (add to base price) |
| 15 x 15 | 4 x 3 | $0.246 | $0.328 | $0.354 | $0.378 | $0.429 | $0.136 |
| 15 x 16 | 4 x 4 | .283 | .369 | .398 | .425 | .482 | .143 |
| 15 x 17 | 4 x 4 | .284 | .373 | .402 | .430 | .488 | .152 |
| 15 x 18 | 4 x 4 | .285 | .378 | .407 | .435 | .494 | .159 |
| 15 x 19 | 4 x 4 | .286 | .383 | .412 | .441 | .500 | .168 |
| 15 x 20 | 4 x 5 | .342 | .445 | .480 | .513 | .582 | .177 |
| 15 x 21 | 4 x 5 | .343 | .450 | .485 | .518 | .588 | .185 |
| 16 x 16 | 4 x 3 | .257 | .347 | .374 | .399 | .453 | .154 |
| 16 x 17 | 4 x 4 | .291 | .387 | .417 | .445 | .506 | .161 |
| 16 x 18 | 4 x 4 | .292 | .391 | .422 | .450 | .511 | .170 |
| 16 x 19 | 4 x 4 | .293 | .396 | .426 | .455 | .517 | .179 |
| 16 x 20 | 4 x 4 | .294 | .401 | .431 | .461 | .523 | .188 |
| 16 x 21 | 4 x 5 | .341 | .455 | .490 | .523 | .594 | .197 |
| 16 x 19 | 5 x 5 | .395 | .500 | .539 | .574 | .653 | .179 |
| 16 x 20 | 5 x 5 | .396 | .504 | .544 | .580 | .658 | .188 |
| 16 x 21 | 5 x 5 | .397 | .509 | .548 | .585 | .664 | .197 |
| 17 x 17 | 5 x 4 | .342 | .441 | .475 | .507 | .576 | .170 |
| 17 x 18 | 5 x 4 | .343 | .446 | .480 | .513 | .582 | .181 |
| 17 x 19 | 5 x 5 | .396 | .503 | .544 | .580 | .658 | .190 |
| 17 x 20 | 5 x 5 | .397 | .508 | .548 | .585 | .664 | .199 |
| 17 x 21 | 5 x 5 | .398 | .514 | .553 | .590 | .670 | .208 |
| 18 x 18 | 5 x 4 | .340 | .450 | .485 | .518 | .588 | .190 |
| 18 x 19 | 5 x 5 | .397 | .508 | .548 | .585 | .664 | .201 |
| 18 x 20 | 5 x 5 | .398 | .513 | .553 | .590 | .670 | .210 |
| 18 x 21 | 5 x 5 | .399 | .518 | .558 | .596 | .676 | .221 |
| 18 x 22 | 5 x 5 | .400 | .523 | .563 | .601 | .682 | .230 |
| 19 x 19 | 5 x 4 | .342 | .459 | .495 | .528 | .600 | .210 |
| 19 x 20 | 5 x 4 | .343 | .464 | .500 | .533 | .606 | .221 |
| 19 x 21 | 5 x 5 | .400 | .522 | .563 | .601 | .682 | .231 |
| 19 x 22 | 5 x 5 | .401 | .527 | .567 | .606 | .688 | .242 |
| 19 x 19 | 6 x 5 | .465 | .585 | .630 | .673 | .764 | .210 |
| 19 x 20 | 6 x 5 | .466 | .590 | .635 | .678 | .770 | .221 |
| 19 x 21 | 6 x 5 | .467 | .596 | .640 | .684 | .776 | .231 |
| 19 x 22 | 6 x 5 | .468 | .602 | .645 | .689 | .782 | .242 |
| 20 x 20 | 6 x 5 | .465 | .596 | .640 | .684 | .776 | .231 |
| 20 x 21 | 6 x 5 | .466 | .602 | .645 | .689 | .782 | .244 |
| 20 x 22 | 6 x 5 | .467 | .608 | .650 | .694 | .788 | .255 |
| 20 x 23 | 6 x 6 | .528 | .675 | .733 | .777 | .882 | .266 |
| 21 x 21 | 6 x 5 | .467 | .608 | .655 | .699 | .794 | .255 |
| 21 x 22 | 6 x 5 | .468 | .616 | .665 | .709 | .805 | .267 |
| 21 x 23 | 6 x 6 | .535 | .689 | .742 | .792 | .900 | .280 |
| 21 x 24 | 6 x 6 | .538 | .698 | .751 | .801 | .909 | .289 |

Extras and deductions (add or deduct from base price)
Coils—for each ½ gauge heavier or lighter, add or deduct 3 percent of price of uncovered unit.
Coils—for each ½ inch higher, add 2 percent.

| | |
|---|---|
| Serpentine or shaped fronts: | |
| 4 coil width, add | $0.02 |
| 5 coil width, add | .025 |
| 6 coil width, add | .03 |
| 7 coil width, add | .035 |
| Taper units, add | .05 |
| Each full gauge heavier border wire for top and bottom, add | .01 |
| Japanned unit, add | .02 |
| 4 Piece border top and bottom in place of continuous formed border, deduct | .01 |
| Each continuous formed border omitted, deduct | .03 |
| Offset coil units (coils flattened where joined by helicals), add (per coil) | .002 |

The maximum price of an intermediate size of a listed row count is the price of a cushion unit with the same row count and the nearest surface area.
The maximum prices of all other sizes must be determined under sections 5, 6, or 11 of this regulation.

*Quantity differentials* (to be applied after all other extras are added or deducted from base price)

For lots of less than 50 cushion units of a single size or kind, add 10%.

BASE PRICES PER UNIT IN QUANTITIES OF 50 DAVENPORT OR 100 CHAIR UNITS OF A SINGLE SIZE AND KIND

[11-14 davenport and chair construction base prices]

| | Bar base | | Wire base | |
|---|---|---|---|---|
| | Item 10 wire top | Item 11 helical top | Item 12 wire top | Item 13 helical top |
| 3 x 2 chair | $0.60 | $0.63 | $0.56 | $0.59 |
| 3 x 3 chair | .69 | .75 | .63 | .69 |
| 3 x 4 chair | .86 | .95 | .78 | .87 |
| 4 x 4 chair | 1.00 | 1.13 | .89 | 1.01 |
| 3 x 6 sofa | 1.30 | 1.45 | 1.19 | 1.33 |
| 3 x 7 sofa | 1.52 | 1.69 | 1.39 | 1.56 |
| 3 x 8 sofa | 1.71 | 1.91 | 1.56 | 1.76 |
| 3 x 9 sofa | 1.84 | 2.06 | 1.67 | 1.90 |
| 4 x 7 sofa | 1.88 | 2.13 | 1.69 | 1.94 |
| 4 x 8 sofa | 2.07 | 2.36 | 1.87 | 2.15 |

*Extras* (add or deduct from base price).

| | *Chair* | *Sofa* |
|---|---|---|
| "T" frame and two coils, notched or eccentric frame (per unit) | $0.10 | $0.15 |
| Each 1" longer bar, bar base (per bar) | .0025 | .0025 |
| Each 1" shorter bar (per bar) | .0015 | .0015 |
| Each 1" shorter, wire base (per row) deduct | .001 | .001 |
| Each 1" longer, wire base (per row) | .0015 | .0015 |
| For 1½" x 18 ga. rigid bar (per bar) | .005 | .005 |
| For 1¾" x 18 ga. rigid bar (per bar) | .006 | .006 |
| Each 1" additional drop (per bar) | .0025 | .0025 |
| Each 1" variation in coil height (average all coils) add or deduct (per bar or row) | .005 | .005 |
| Coils each ½ ga. heavier (add per bar or row) | .005 | .005 |
| Coils each ½ ga. lighter (deduct per bar or row) | .003 | .003 |
| Bottom border 10½ ga. high carbon wire or 9 ga. low carbon wire (bar base unit per unit) | .15 | .20 |
| (wire base unit per unit) | .10 | .15 |

*Quantity differentials* (to be applied after all other extras are added or deducted from base price)

| | *Percent* |
|---|---|
| For 50–99 chairs or 25–49 davenports of a single size and kind, add | 5 |
| For less than 50 chairs or 25 davenports of a single size and kind, add | 15 |

TYPE VI.—SAG SEAT AND SPECIAL CONSTRUCTIONS

Item 14. *Rigid bar type:*
Coils—3" high—10½ gauge—single cone—knot one end.
Bar 1" x 18 gauge—formed (or other dimensions of same weight, 2½" drop.

Item 14. *Right bar type*—Continued.
Top crimps 15 gauge low carbon wire or heavier.
Links 13½ gauge low carbon wire or heavier.
Border wire 10½ gauge high carbon wire or heavier.
Japanned.

Item 15. *Wire base type:*
Coils—3" high—10½ gauge—single cone—knot 1 end.
Base wire 10½ gauge or heavier, eyed or pointed, low carbon wire.
Top crimps 15 gauge low carbon wire or heavier.
Links 13½ gauge low carbon wire or heavier.
Border wire 10½ gauge high carbon wire, or heavier.
Japanned.

BASE PRICES—PER UNIT IN QUANTITIES OF 100 OR MORE OF ONE SIZE AND KIND

| Size (inches) | | Number bars | Length of bars (inches) | Number springs | Height (inches) | Gauge coils | Price | |
|---|---|---|---|---|---|---|---|---|
| Length | Depth | | | | | | Wire base | Bar base |
| 14 | 14 | 2 | 18 | 2 | 3 | 10½ | $0.28 | $0.31 |
| 16 | 18 | 2 | 20 | 3 | 3 | 10½ | .33 | .36 |
| 18 | 15 | 3 | 20 | 2 | 3 | 10½ | .38 | .43 |
| 18 | 18 | 3 | 22 | 3 | 3 | 10½ | .46 | .51 |

*Extras* (add or deduct from base price):

| | |
|---|---|
| For 1½" x 19 gauge bar, per bar | $0.003 |
| Each ½ gauge heavier or lighter all coils add or deduct, per bar or row | .003 |
| Each 1" higher, all coils, per bar or row | .005 |
| Bottom border #3 gauge low carbon wire, per unit | .05 |

Other sizes priced similar to item above with nearest surface area.

*Quantity differentials* (to be applied after all other extras are added or deducted from base price)

| | Percent |
|---|---|
| For 50-99 one size and kind, add | 5 |
| For less than 50 one size and kind, add | 15 |

Item 16. *Seat construction for maple and sun room furniture:*
Self Supporting type—Non reversible base price $0.53 per unit in quantities of 100 or more of a single size and kind.
Size—20" x 21", 1" tolerance each way.
9 coils, 5½" high, 10½ gauge or heavier, 6 turns, single cone.
Top ties—15 gauge or heavier low carbon wire.
Links—13½ gage or heavier low carbon wire.
Top Border—10½ gauge or heavier high carbon wire.
Bottom Border 6 gauge or heavier high carbon wire.
Bottom ties—9 gauge or heavier high carbon wire.
Japanned.

Item 17. *Non-self-supporting style—Non-reversible* base price, $0.45 per unit in quantities of 100 or more of a single size and kind.
Size—21" x 23", 1" tolerance each way.
9 coils, 5½" high, 10 gauge or heavier—6 turns—single cone.
Top ties—15 gauge or heavier, low carbon wire
Links—13½ gauge.
Top Border—10½ gauge or heavier high carbon wire.
Bottom Border—10 gauge or heavier low carbon wire.
Bottom ties—11 gauge or heavier low carbon wire.
Japanned.

*Extras*, Items 16 and 17 (add or deduct from base price)

| | |
|---|---|
| Each ½ gauge heavier or lighter, all coils, add or deduct per bar | $0.01 |
| Each 1" higher or lower, all coils, add or deduct per bar | .015 |

*Quantity differentials* (to be applied after all other extras are added or deducted from base price)

| | Percent |
|---|---|
| For 50 to 99 same size and kind | 5 |
| For less than 50 same size and kind | 15 |

TYPE VII—ACCESSORIES

Item 18. *Edge wire:*

| Kind of wire | Base prices per cwt. | |
|---|---|---|
| | Coils | Cut and straightened |
| 9 gauge or heavier basic wire | $4.55 | $5.40 |
| 9 gauge or heavier spring wire | 5.15 | 6.00 |

*Extras* (add or deduct from base price):

| | |
|---|---|
| Each gauge lighter | $0.10 |
| Less than 100 pounds | .50 |

Item 19. *Shurstay bands:*
Hot rolled or equalled-punched.
1" x 20 gauge.
Base price per cwt. of 500 pounds or more of a single size and kind:

| | |
|---|---|
| Coils | $6.50 |
| Cut to length—packed | 7.00 |

*Extras* (add or deduct from base price):

| | |
|---|---|
| Less than 500 pounds | $0.60 |
| Each gauge heavier | .10 |
| Each ¼" wider, deduct | .05 |

Item 20. *Extension springs:*
16 gauge 6 turns per inch ½" OD, 4" long.
Single extension springs, $11.75 per cwt.
Cross extension springs 4" long, $13.25 per cwt.

*Extras* (add or deduct from base price): Each ½" shorter, $0.50.

Item 21. *Spring clips:*

| | Barrel lots (350 pounds) | Less than barrel lots |
|---|---|---|
| | *Per cwt.* | *Per cwt.* |
| 1⅛" 3 prong or even edge | $10.50 | $12.00 |

SEC. 5. *Maximum prices for sales by manufacturers of certain articles which are not specifically priced under section 4 and which were sold or delivered by the manufacturer during March 1942.* (a) This section establishes ceiling prices for sales by manufacturers to the furniture trade of an article covered by this regulation, but which is not specifically priced under section 4. This section may only be used if the manufacturer:

(1) Sold, offered for sale or delivered the article to be priced during March 1942 to the furniture trade; and

(2) Sold, offered for sale or delivered during March 1942 to the furniture trade an article of the same general type which is specifically priced under section 4.

(b) You determine your ceiling price under this section as follows:

(1) Select from the articles listed in section 4 of this regulation an article of the same general type which you sold, offered for sale or delivered to the furniture trade during March 1942 and which is nearest in size and construction to the article being priced.

(2) Ascertain for that article both (i) the maximum price fixed in section 4 for sales in the base model quantities, and (ii) your "highest price" during March 1942 to the furniture trade for sales in the same quantities. The term "highest price" when used in this regulation, means the highest net f. o. b. factory price after application of all discounts and rebates, except discounts for cash payment.

(3) Divide the price ascertained under (2) (i) above by the March 1942 price ascertained in (2) (ii) above. The resulting figure is the percentage factor.

(4) Ascertain your highest March 1942 price of the article being priced for sales to the furniture trade in the quantities specified in (b) (2) above.

(5) Multiply the price in (b) (4) above by the percentage factor in (b) (3) above. The resulting figure is your base ceiling price for the article being priced for sales to the furniture trade in the quantities specified in (b) (2) above. That price is subject to all applicable extras and allowances set forth in section 4 for that type of article.

(c) *Reports to be filed.* You may not sell, offer to sell, or deliver any article for which a ceiling price is fixed by this section until you have complied with the reporting and waiting provision required below. You must file with the Consumer Durable Goods Price Branch of the Office of Price Administration, Washington, D. C., a report setting forth the following information:

(1) The principal specifications of the article selected under (b) (1) above.

(2) Your highest March 1942 price for sales of that article as ascertained in (b) (2) (ii) above.

(3) The ceiling price listed under section 4 for the article selected in (b) (1) above.

(4) The principal specifications of the article to be priced and your highest March 1942 price of that article in the base quantities.

(5) Your ceiling price for the article to be priced as determining by this section.

Fifteen days after mailing of the report, in the absence of a contrary direction from the Office of Price Administration, the manufacturer may offer for sale the article at the price reported. If the report, as filed, is correct, the price shall be subject to adjustment (not to apply retroactively) at any time by order of the Office of Price Administration, where it appears that the price so established is out of line with the general level of prices established by this regulation. If the report as filed, is incorrect, the ceiling price for a sale, offer to sell or delivery of an article made pursuant to the incorrect report shall be the ceiling price which is properly computed under the formula contained in this section.

SEC. 6. *Maximum prices for sales by manufacturers of articles which cannot be priced pursuant to sections 4 and 5 but which are of the same type as an article currently manufactured for which a ceiling price is established by section 4.* The ceiling price for sales by a manufacturer to the furniture trade of any article which cannot be priced pursuant to sections 4 and 5 and which is of the same general type as an article currently manufactured and for which a ceiling price is established by section 4 shall be determined by the pricing formula set forth in this section.

NOTE: The meaning of certain terms used in this section is further explained in subsequent provisions of this section. The terms so explained are in quotation marks the first time they appear in the text.

(a) *Pricing formula.* To establish a ceiling price under this section, the manufacturer shall:

(1) Determine the "unit direct cost" for the article being priced.

(2) Select an article of the same general type currently manufactured by him for which a ceiling price is established under section 4 of this regulation and which has a unit direct cost closest to the unit direct cost of the article being priced.

(3) For the article selected in (2) above, determine (i) the unit direct cost and (ii) ascertain the base ceiling price established by section 4.

(4) Divide the base ceiling price in (3) (ii) above by the unit direct cost in (3) (i) above. The resulting figure is the percentage factor.

(5) Multiply the unit direct cost of the article being priced by the percentage factor ascertained in (4) above. The resulting figure is your base ceiling price for sales of the article being priced to the furniture trade. That price is subject to all applicable extras and allowances set forth in section 4 for sales of the comparable article.

(b) *Computation of unit direct cost.* For the purpose of this regulation, unit direct cost includes direct labor and direct material costs, but does not include factory burden (sometimes called factory overhead, or indirect factory expense), packaging and crating costs, royalties and patterns, tool and die, and items of administrative, selling and general expenses. Manufacturers shall compute the cost per unit of direct labor and material for both the comparable article and the article to be priced on the basis of the following: "wage rates", "material prices", and "operating conditions".

(1) *Wage rates.* The wage rates applicable to any article shall be the highest wage rates in effect in the manufacturer's plant at the time he manufactures the article for each class of labor involved in the production of the article. However, wage rates may not be higher than those in effect in the manufacturer's plant on October 3, 1942, unless approved by the War Labor Board. If an officer or owner performs any direct labor in the manufacture of the article, the wage rate applicable for his services may not exceed the wage rate paid to an employee performing the same type of labor.

(2) *Material prices.* Material prices for both the article being priced and the comparable article shall be the manufacturer's "customary supplier's" ceiling price to his class of purchaser or the actual cost of such material, whichever is lower.

(3) *Customary supplier.* The term customary supplier means the person from whom the manufacturer purchased the majority of his materials during March 1942 or lacking a March 1942 supplier of the material, his most recent supplier of the material.

(4) *Operating conditions.* Using the wage rates and material prices determined under (b) (1) and (b) (2) above, the manufacturer shall compute his cost per unit of direct labor and material by the accounting methods customarily employed by him in computing his costs. He shall compute the cost on the basis of production techniques employed in his plant and his actual volume of production, or the volume of production he reasonably expects for the article for which a ceiling price must be established by this section. Such expenses as breaking in, training, starting, set up charges and other non-recurring expenses may not be included in determining unit direct costs.

(c) *Reports to be filed.* You may not sell, offer for sale or deliver any article for which a ceiling price is fixed by this section until you have complied with the reporting and waiting provisions required below. You must file with the Consumer Durable Goods Price Branch of the Office of Price Administration, Washington, D. C., a report setting forth the following information prior to first offering the articles for sale.

(1) Principal specifications of the article being priced.

(2) Principal specifications of the comparable article listed in section 4.

(3) An itemized breakdown of the manufacturer's unit direct cost of the article to be priced, showing separately according to his own system of accounts or regularly prepared operating statements all major component unit direct cost factors. Also, the number of units of production upon which the unit direct costs were based.

(4) An itemized breakdown of the manufacturer's unit direct cost of the comparable article listed in section 4, showing separately according to his own system of accounts or regularly prepared operating statements all major component unit direct cost factors. Also, the number of units of production upon which the unit direct costs were based.

(5) The ceiling price for the article being priced as determined by the application of the pricing formula.

(6) Specify as to each item of material and labor reported in (3) and (4) whether costs are computed from available written records or from estimates.

Fifteen days after mailing of the report, in the absence of a contrary direction from the Office of Price Administration, the manufacturer may offer for sale the article at the price reported. If the report, as filed, is correct, the price shall be subject to adjustment (not to apply retroactively) at any time by order of the Office of Price Administration, where it appears that the price so established is out of line with the general level of prices established by this regulation. If the report as filed, is incorrect, the ceiling price for a sale, offer to sell or delivery of an article made pursuant to the incorrect report shall be the ceiling price which is properly computed under the formula contained in this section.

SEC. 7. *Maximum prices for sales of upholstery springs, constructions and accessories manufactured from used materials.* If you manufacture and sell any article listed in section 4 of this regulation, which contains used materials, your ceiling price for that article to the furniture trade shall be 75% of the ceiling price for that article listed in section 4. If the article containing used materials is not the same as an article for which a ceiling price is established by section 4, the manufacturer must make an application pursuant to section 11 for specific approval of a maximum price.

SEC. 8. *Maximum prices for sales by manufacturers to automotive and aviation manufacturers of articles made from new or used materials.* If you are a manufacturer of the articles covered by this regulation you establish your ceiling prices for sales to automotive or aviation manufacturers as follows:

(a) *Manufacturers who sold both bedding or furniture manufacturers and automotive and aviation manufacturers during the period October 1, 1941 to March 31, 1942.* If you regularly sold articles covered by this regulation to both the furniture trade and automotive or aviation manufacurers during the period October 1, 1941 to March 31, 1942, you establish your ceiling prices to automotive and aviation manufacturers by the formula set forth below:

(1) Select from the articles listed in section 4 of this regulation an article of the same general type which you sold, offered for sale, or delivered to the furniture trade during March 1942.

(2) Ascertain for that article both (i) the maximum price fixed in section 4 for sales in the base model quantities and (ii) your highest March 1942 price to the furniture trade for sales in the same quantities.

(3) Divide the price ascertained in (2) (i) above by the March 1942 price ascertained in (2) (ii) above. The resulting figure is the percentage factor.

(4) Ascertain the highest price charged by you to automotive or aviation manufacturers during the period October 1, 1941 to March 31, 1942 for the article being priced.

(5) Multiply the price in (4) above by the percentage factor in (3) above. The resulting figure is your f. o. b. factory ceiling price under this regulation for sales of the article to automotive and aviation manufacturers. This price is subject to all quantity discounts and dollar differentials customarily allowed to these classes of purchasers.

(b) *Reports to be filed.* You may not sell, offer to sell, or deliver any articles for which a ceiling price is fixed by this section until you have complied with the reporting provisions below. You must file with the Consumer Durable Goods Price Branch of the Office of Price Administration, Washington, D. C., a report setting forth the following information prior to first offering the article for sale:

(1) The principal specifications of the article selected under (a) (1) above.

(2) Your highest March 1942 price for sales of that article as ascertained in (a) (2) (ii) above.

(3) The ceiling price listed under section 4 for the article selected in (a) (1) above.

(4) The principal specifications of the article to be priced and the highest price charged by you for that article during the period October 1, 1941 to March 31, 1942 for sales to automotive or aviation manufacturers.

(5) Your ceiling price for the article to be priced as determined by this section.

(c) *Manufacturers who did not regularly sell the articles covered by this regulation to both automotive and aviation manufacturers and the furniture trade during the period October 1, 1941 to March 31, 1942.* If you are a manufacturer and did not sell the articles covered by this regulation to both the automotive and aviation manufacturers and the furniture trade during the period October 1, 1941 to March 31, 1942, you must make an application for specific approval of ceiling prices for sales to automotive and aviation manufacturers pursuant to section 11 of this regulation.

SEC. 9. *Maximum prices for sales by manufacturers to jobbers.* When used in this regulation the term jobber means any person who purchases any article covered by this regulation and resells that article without substantially changing its form.

(a) On sales to jobbers of the articles covered by this regulation, each manufacturer shall allow a discount of not less than 3% off the ceiling prices established by sections 4, 5, 6, 7 and 8 of this regulation. You are required to notify each jobber of your base ceiling price for sales to the furniture trade as required by paragraph (b) below.

(b) *Notification.* On and after the effective date of this regulation, at the time the manufacturer sends his first invoice to each jobber, he must notify the jobber of the base ceiling price for sales to the furniture trade of each article covered by this regulation which is listed on the invoice. For the purpose of this regulation, the "base ceiling price" is the price determined under sections 4, 5, 6, 7 or 11 for the quantities applicable to the base model specified in section 4.

SEC. 10. *Maximum prices for sales to the United States Government.* On sales to the United States Government or any agency thereof, or any contractor therewith for use in fulfillment of the contract, of an article for which a ceiling price is established by this regulation, the ceiling price shall be the lowest price established by this regulation for sales of the article to any class of purchaser in the largest quantities.

SEC. 11. *Maximum prices for sales by manufacturers of metal upholstery springs, constructions and accessories which cannot be priced under any other section of this regulation.* The maximum price for sales by manufacturers of any article which cannot be priced under any other section of this regulation, shall be a price set by order of the Price Administrator in line with the level of maximum prices established by this regulation. No person may sell, offer to sell or deliver an article for which a ceiling price must be established under this section until the price has been specifically authorized by order of the Office of Price Administration. If in violation of this provision, a sale, offer to sell or delivery of an article is made before the issuance of an order by the Price Administrator specifically authorizing a ceiling price for the article, the ceiling price applicable to the sale, offer to sell or delivery shall be such a ceiling price as the Price Administrator may establish for the article by subsequent order. Applications for a ceiling price under this section shall be made to the Office of Price Administration, Washington, D. C., and shall contain the following information:

(1) Identifying number or trade name of article to be priced.

(2) The reasons why the article to be priced cannot be priced under any other section of this regulation.

(3) Detailed specifications of the article to be priced.

(4) An itemized breakdown of the manufacturer's current unit direct cost of the article to be priced, showing separately according to his own system of accounts or regularly prepared operating statements all major component unit direct cost factors. Also, the number of units of production upon which the unit direct costs were based.

(5) An itemized breakdown of the manufacturer's current unit direct cost (as described in (4) above) of the basic model, specifically priced in this regulation, which is the most nearly comparable to the article being priced if the article is currently being produced. If the article is not currently being produced, an estimate of the costs.

(6) Price lists in effect during March 1942 showing the article most nearly comparable to the article being priced, with illustrations; the article most nearly comparable to the basic model mentioned in (4), with illustrations; all price differentials covering variations in these constructions.

If the manufacturer was not making and selling metal upholstery springs, constructions and accessories in March 1942, send the first price list which was in effect after March 1942, together with illustrations.

(7) A statement of the manufacturer's customary discounts, allowances and other price differentials to different classes of purchasers in effect for sales of metal upholstery springs, constructions and accessories during March 1942, or if the manufacturer was not making and selling metal upholstery springs, constructions and accessories during March 1942, the same information for the first period after March 1942 during which the manufacturer was engaged in this business.

(8) Requested maximum price of the article to be priced to each class of purchaser you intend to sell.

SEC. 12. *Terms of sale and zone differentials*—(a) *Packing charges.* The ceiling prices established by sections 4 to 11 of this regulation include customary packing (whether in the form of crates, cartons or wire tied bundles) for freight shipment or local delivery whichever is applicable. No charge for special packing may be made in addition to the ceiling prices established by this regulation.

(b) *Freight allowances.* The ceiling prices established by sections 4 to 11 of this regulation are f. o. b. the manufacturer's point of shipment except that manufacturers who made deliveries within their local metropolitan area, not to exceed a radius of 30 miles from their plant, may not add a delivery charge. If, however, the manufacurer delivers outside his local metropolitan area, in his own conveyance, he may make in addition to the ceiling prices specified in this regulation, a delivery charge not to exceed the rates charged by the least expensive available method of transportation by a common carrier. No delivery charge may be made unless a separate statement of the delivery charge appears on all invoices, sales slips or other evidences of sale.

(c) *Discounts.* The prices established by sections 4 to 11 of this regulation are subject to a 2% discount for payment within ten days net thirty days. On purchases for single shipment of a carload or more of the products covered by this regulation (except purchases by automotive or aviation users) the manufacturer must allow a discount of 3% off the prices established in this regulation in addition to all other discounts, extras and allowances provided in this regulation.

(d) *Zone differentials.* The ceiling prices established by this regulation are for sales by manufacturers and jobbers whose point of shipment is in the Eastern Zone. On sales of the articles covered by this regulation by manufacturers and jobbers whose point of shipment is in the Western Zone, the seller may add ½¢ per lb. gross shipping weight to the ceiling prices established by this regulation. For the purposes of this regulation the Western Zone includes the states of California, Oregon, Washington, Nevada, Idaho, Utah, Arizona, Wyoming, Montana, Colorado, New Mexico, and the following counties in Texas: El Paso, Hudspeth, Culberson, Jeff Davis, Presidio, Brewster, Terrell, Pecos, Harris, and Reeves. The rest of the country is in the Eastern Zone. No zone differential charge may be made unless a separate statement of that charge appears on all invoices, sales slips or other evidence of sale.

SEC. 13. *Maximum prices for sales by jobbers to any person.* Ceiling prices for sales by any person of any articles covered by this regulation which are purchased for resale and not for fabrication shall be determined by this section. Paragraph (a) establishes ceiling prices for sales by persons who purchased the articles directly from the manufacturers and who were engaged in the business of buying and selling the articles covered by this regulation during March 1942. Paragraph (e) establishes ceiling prices for sales by all other persons.

(a) *Ceiling prices for sales by persons who purchased the articles covered by this regulation directly from the manufacturer and who were engaged in the business of buying and selling the articles covered by this regulation during March 1942.* If you were a jobber of the articles covered by this regulation during March 1942 and if you purchased the articles covered by this regulation directly ffom the manufacturer for the purpose of resale, you establish your ceiling prices for sales to any person as follows:

(1) The manufacturer is required to notify you of the base ceiling price established by this regulation for sales to the furniture trade. You ascertain his base ceiling price from that notice.

(2) You add to the base ceiling price ascertained in (1) above an allowance for incoming freight from your current leading supplier of the item. The resulting figure is your average delivered cost.

(3) You multiply the average delivered cost by 135%. The resulting figure is your maximum price for sales of the article to any person in the smallest quantities sold by you during March 1942. To that price you must apply all the differentials, discounts, trade allowances and terms and conditions of sale allowed by you during March 1942 on sales of the same types of articles.

(b) *Reports to be filed.* If you are a person establishing your ceiling prices pursuant to paragraph (a) of this section, before you sell, offer to sell or deliver any article covered by this regulation, you must file with the Office of Price Administration, Washington, D. C., a report containing the following information:

(1) Your name and address of your place of business.

(2) The name of the leading suppliers from whom you purchased and a brief description of the class of trade to whom you sold the articles covered by this regulation during March 1942.

(3) A schedule of your discounts, differentials and terms of sale granted by you during March 1942.

(4) A copy of your price list covering articles priced under this section.

In the absence of a contrary direction from the Office of Price Administration, within 15 days after filing his report, the jobber may offer for sale at the price reported. If the report, as filed is correct, the price shall be subject to adjustment (not to apply retroactively) at any time by order of the Office of Price Administration where it appears that the price so established is out of line with the general level of prices established by this regulation.

(c) *Maximum prices for sales by jobbers who cannot establish ceiling prices pursuant to paragraph* (a). The ceiling prices for sales or deliveries by a jobber of any article covered by this regulation which cannot be determined under paragraph (a) above shall be a price fixed by order of the Price Administrator in line with the level of prices established by this regulation. No person may sell, offer to sell or deliver an article for which a price must be established under this paragraph, until a price has been specfically authorized by order of the Office of Price Administration. If in violation of this provision a sale, offer to sell or delivery of an article is made before the issuance of an order by the Price Administrator specifically authorizing a maximum price for the article, the maximum price applicable to the sale, offer to sell or delivery, shall be such ceiling price as the Price Administrator establishes for the article by subsequent order. An application for a ceiling price under this paragraph shall be made to the Office of Price Administration, Washington, D. C., and contain the following information:

(1) Reasons why the article cannot be priced under paragraph (a) above.

(2) Identification of the article.

(3) Your manufacturer's name and address and his f. o. b. ceiling price as established by this regulation.

(4) A brief description of the general business in which the applicant is engaged; the class of trade to whom articles priced in this regulation will be sold; and the terms and conditions of sale.

(5) Name of nearest competitive jobber or sales agent who operates a similar line of business selling to the same class of customer.

(6) Proposed ceiling prices.

SEC. 14. *Invoices and receipts.* After the effective date of this regulation every seller of any article covered by this regulation must furnish the purchaser with an invoice or other similar written evidence of purchase showing the:

(a) Date of sale
(b) The name and address of the buyer
(c) Terms of sale
(d) Quantities of each item
(e) The identification (including weight class of fabric) of each item
(f) The price for each item
(g) Designation "used" for any item containing used materials
(b) Separate statement of any additional charges for freight and zone differentials.

A copy of such invoice shall be kept by every seller for inspection by the Office of Price Administration and the original shall be retained by the purchaser.

SEC. 15. *Records to be kept by jobbers.* Each jobber selling any article covered by this regulation shall keep records showing all computations which he used to establish his ceiling prices pursuant to section 13 of this regulation as well as those records on the basis of which he made his computations. These records must be kept available for inspection by the Office of Price Administration.

SEC. 16. *Relationship between this regulation and other regulations.* The provisions of this regulation supersede the provisions of the General Maximum Price Regulation and Maximum Price Regulation No. 188 with respect to sales and deliveries for which ceiling prices are established by this regulation except that the record keeping provisions §§ 1499.11 and 1499.12 of the General Maximum Price Regulation are incorporated herein by reference.

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

SEC. 18. *Exports.* The ceiling prices at which a person may export any article covered by this regulation shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation.

SEC. 19. *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 issued by the Office of Price Administration.

SEC. 20. *Enforcement and evasion*—(a) *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.

(b) *Evasion.* You must not evade any of the provisions of this regulation by any scheme or device, or by any practice which has the effect of charging a higher-than-ceiling price.

SEC. 21. *Geographical applicability.* The provisions of this regulation shall be applicable to the forty-eight states and the District of Columbia.

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

This regulation shall become effective on the 20th day of July 1944.

Issued this 15th day of July 1944.

JAMES G. ROGERS, Jr.,
*Acting Administrator.*

[F. R. Doc. 44-10497; Filed, July 15, 1944; 11:23 a. m.]

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## PART 1388—DEFENSE-RENTAL AREAS

[Housing, Miami,[1] Amdt. 7]

### MIAMI AREA

Rent Regulation for Housing in the Miami Defense-Rental Area is amended in the following respects:

1. The second unnumbered paragraph of section 5 is amended to read as follows:

In cases under paragraphs (a) (2), (a) (4), (a) (5), (a) (7), (a) (8), (a) (9), (a) (11), (c) (1), (c) (3), and (c) (5), the adjustment of the maximum rent shall be on the basis of the maximum rent which the Administrator finds is generally prevailing in the defense-rental area for comparable housing accommodations.

2. Section 5 (a) (11) is added to read as follows:

(11) *Peculiar circumstances.* The rent during some portion of the year ending on August 31, 1943, or on the date subsequent thereto determining the maximum rent, was materially affected by peculiar circumstances and as a result the maximum rent for the housing accommodations is substantially lower than the maximum rent generally prevailing in the defense-rental area for comparable housing accommodations.

3. Section 5 (c) (5) is amended to read as follows:

(5) *Special relationship between landlord and tenant or peculiar circumstances.* The rent during some portion of the year ending on August 31, 1943, or on the date subsequent thereto determining the maximum rent, was materially affected by the blood, personal, or

[1] 8 F.R. 13118, 14047, 16033; 9 F.R. 3423, 4028, 6360.

other special relationship between the landlord and the tenant, or by peculiar circumstances, and as a result the maximum rent for the housing accommodations is substantially higher than the maximum rent generally prevailing in the defense-rental area for comparable housing accommodations.

This amendment shall become effective July 17, 1944.

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

Issued this 15th day of July 1944.

JAMES G. ROGERS, Jr.,
*Acting Administrator.*

[F. R. Doc. 44-10498; Filed, July 15, 1944; 11:18 a. m.]

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PART 1388—DEFENSE-RENTAL AREAS

[Housing,[1] Amdt. 29]

PECULIAR CIRCUMSTANCES

Rent Regulation for Housing is amended in the following respects:

1. Section 5 (a) (11) is added to read as follows:

(11) *Peculiar circumstances.* The rent on the date determining the maximum rent was materially affected by peculiar circumstances and as a result was substantially lower than the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date.

2. Section 5 (c) (4) is amended to read as follows:

(4) *Special relationship between landlord and tenant or peculiar circumstances.* The rent on the date determining the maximum rent was materially affected by the blood, personal, or other special relationship between the landlord and the tenant, or by peculiar circumstances, and as a result was substantially higher than the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date.

This amendment shall become effective July 17, 1944.

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

Issued this 15th day of July 1944.

JAMES G. ROGERS, Jr.,
*Acting Administrator.*

[F. R. Doc. 44-10499; Filed, July 15, 1944; 11:18 a. m.]

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PART 1388—DEFENSE-RENTAL AREAS

[Hotels and Rooming Houses,[2] Amdt. 25]

PECULIAR CIRCUMSTANCES

Section 5 (a) (8) is added to the Rent Regulation for Hotels and Rooming Houses to read as follows:

(8) *Peculiar circumstances.* The rent during the thirty-day period determining the maximum rent was materially affected by peculiar circumstances and as a result was substantially lower than the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date.

This amendment shall become effective July 17, 1944.

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

Issued this 15th day of July 1944.

JAMES G. ROGERS, Jr.,
*Acting Administrator.*

[F. R. Doc. 44-10500; Filed, July 15, 1944; 11:18 a. m.]

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PART 1388—DEFENSE-RENTAL AREAS

[Hotels and Rooming Houses, Miami,[1] Amdt. 4]

MIAMI AREA

Section 5 (a) (8) is added to the Rent Regulation for Hotels and Rooming Houses in the Miami Defense-Rental Area to read as follows:

(8) *Peculiar circumstances.* The rent during the thirty-day period determining the maximum rent was materially affected by peculiar circumstances and as a result was substantially lower than the rent generally prevailing in the defense-rental area for comparable housing accommodations on September 1, 1943.

This amendment shall become effective July 17, 1944.

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

Issued this 15th day of July 1944.

JAMES G. ROGERS, Jr.,
*Acting Administrator.*

[F. R. Doc. 44-10501; Filed, July 15, 1944; 11:18 a. m.]

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PART 1388—DEFENSE-RENTAL AREAS

[Housing, Atlantic County,[3] Amdt. 1]

ATLANTIC COUNTY, N. J., AREA

Rent Regulation for Housing in the Atlantic County Defense-Rental Area is amended in the following respects:

1. Section 5 (a) (11) is added to read as follows:

(11) *Peculiar circumstances.* The rent on the date determining the maximum rent was materially affected by peculiar circumstances and as a result was substantially lower than the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date.

2. Section 5 (c) (4) is amended to read as follows:

(4) *Special relationship between landlord and tenant or peculiar circumstances.* The rent on the date determining the maximum rent was materially affected by the blood, personal, or other special relationship between the landlord and the tenant, or by peculiar circumstances, and as a result was substantially higher than the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date.

This amendment shall become effective July 17, 1944.

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

Issued this 15th day of July 1944.

JAMES G. ROGERS, Jr.,
*Acting Administrator.*

[F. R. Doc. 44-10502; Filed, July 15, 1944; 11:18 a. m.]

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PART 1388—DEFENSE-RENTAL AREAS

[Housing, New York City,[1] Amdt. 9]

NEW YORK CITY AREA

Rent Regulation for Housing in the New York City Defense-Rental Area is amended in the following respects:

1. Section 5 (a) (11) is added to read as follows:

(11) *Peculiar circumstances.* The rent on the date determining the maximum rent was materially affected by peculiar circumstances and as a result was substantially lower than the rent generally prevailing in the defense-rental area for comparable housing accommodations on March 1, 1943.

2. Section 5 (c) (4) is amended to read as follows:

(4) *Special relationship between landlord and tenant or peculiar circumstances.* The rent on the date determining the maximum rent was materially affected by the blood, personal, or other special relationship between the landlord and the tenant, or by peculiar circumstances, and as a result was substantially higher than the rent generally prevailing in the defense-rental area for comparable housing accommodations on March 1, 1943.

This amendment shall become effective July 17, 1944.

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

Issued this 15th day of July 1944.

JAMES G. ROGERS, Jr.,
*Acting Administrator.*

[F. R. Doc. 44-10503; Filed, July 15, 1944; 11:18 a. m.]

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[1] 9 F.R. 5807, 5915, 6359, 6569, 6819.
[2] 9 F.R. 2165, 2290, 3231, 3421, 4194, 4541, 5002, 5806, 5828, 5915, 6569.
[3] 8 F.R. 14043, 16033; 9 F.R. 3422, 5003.
[4] 9 F.R. 6819.
[5] 8 F.R. 13914, 14814, 15586, 16219; 9 F.R. 2087, 3423, 4028, 6360.

PART 1388—DEFENSE-RENTAL AREAS

[Hotels and Rooming Houses, New York City,[1] Amdt. 9]

NEW YORK CITY AREA

Section 5 (a) (8) is added to the Rent Regulation for Hotels and Rooming Houses in the New York City Defense-Rental Area to read as follows:

(8) *Peculiar circumstances.* The rent during the thirty-day period determining the maximum rent was materially affected by peculiar circumstances and as a result was substantially lower than the rent generally prevailing in the defense-rental area for comparable housing accommodations on March 1, 1943.

This amendment shall become effective July 17, 1944.

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

Issued this 15th day of July 1944.

JAMES G. ROGERS, Jr.,
*Acting Administrator.*

[F. R. Doc. 44-10504; Filed, July 15, 1944; 11:18 a. m.]

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PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5E,[2] Amdt. 6]

MILEAGE RATIONING: GASOLINE REGULATIONS FOR PUERTO RICO

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

Ration Order 5E is amended in the following respects:

1. The table in section 2.2 (a) is amended to read as follows:

| Coupons: | *Valid period* |
|---|---|
| A-24 | July 1944. |
| A-25 | August 1944. |
| A-26 | September 1944. |
| A-27 | October 1944. |
| A-28 | November 1944. |
| A-29 | December 1944. |

2. The table in section 2.4 (b) is amended to read as follows:

| B or C Coupons bearing number: | *Valid period 6 days, commencing with* |
|---|---|
| 86 | June 26, 1944. |
| 87 | July 3, 1944. |
| 88 | July 10, 1944. |
| 89 | July 17, 1944. |
| 90 | July 24, 1944. |
| 91 | July 31, 1944. |
| 92 | August 7, 1944. |
| 93 | August 14, 1944. |
| 94 | August 21, 1944. |
| 95 | August 28, 1944. |
| 96 | September 4, 1944. |
| 97 | September 11, 1944. |
| 98 | September 18, 1944. |
| 99 | September 25, 1944. |
| 100 | October 2, 1944. |
| 101 | October 9, 1944. |
| 102 | October 16, 1944. |
| 103 | October 23, 1944. |
| 104 | October 30, 1944. |
| 105 | November 6, 1944. |
| 106 | November 13, 1944. |
| 107 | November 20, 1944. |
| 108 | November 27, 1944. |
| 109 | December 4, 1944. |
| 110 | December 11, 1944. |
| 111 | December 18, 1944. |
| 112 | December 25, 1944. |

3. The table in section 2.12 (d) is amended to read as follows:

| S-1, S-2, S-3, S-4, or S-5 coupons bearing number: | *Valid period 6 days, commencing with* |
|---|---|
| 85 | June 26, 1944. |
| 86 | July 3, 1944. |
| 87 | July 10, 1944. |
| 88 | July 17, 1944. |
| 89 | July 24, 1944. |
| 90 | July 31, 1944. |
| 91 | August 7, 1944. |
| 92 | August 14, 1944. |
| 93 | August 21, 1944. |
| 94 | August 28, 1944. |
| 95 | September 4, 1944. |
| 96 | September 11, 1944. |
| 97 | September 18, 1944. |
| 98 | September 25, 1944. |
| 99 | October 2, 1944. |
| 100 | October 9, 1944. |
| 101 | October 16, 1944. |
| 102 | October 23, 1944. |
| 103 | October 30, 1944. |
| 104 | November 6, 1944. |
| 105 | November 13, 1944. |
| 106 | November 20, 1944. |
| 107 | November 27, 1944. |
| 108 | December 4, 1944. |
| 109 | December 11, 1944. |
| 110 | December 18, 1944. |
| 111 | December 25, 1944. |

4. Section 2.25 is amended by changing the phrase "six (6)" to read "twelve (12)".

5. The table in section 2.31 (a) is amended by deleting the word "and" from the line setting forth the value of the R coupons and adding after the figure "10" on that same line the phrase "and 100".

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

Issued this 15th day of July 1944.

JORGE L. CORDOVA,
*Territorial Director,*
*Puerto Rico.*

Approved:

GERALD A. BARRETT,
*Acting Regional Administrator,*
*Region IX.*

[F. R. Doc. 44-10510; Filed, July 15, 1944; 11:22 a. m.]

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PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5E,[1] Amdt. 7]

MILEAGE RATIONING: GASOLINE REGULATIONS FOR PUERTO RICO

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

Ration Order 5E is amended in the following respects:

Section 2.7 (a) (13) is amended to read as follows:

(13) By traveling salesmen engaged in:

(i) The sale of necessary productive equipment or supplies for farms, factories, mines and similar productive or extractive establishments or of petroleum products, if the marketing of such equipment or supplies by salesmen is essential to the war effort; or

(ii) The sale of medical supplies for transporting such supplies to and from his establishment, but not to the ultimate consumer.

This amendment shall become effective July 15, 1944.

Issued this 15th day of July 1944.

JORGE L. CORDOVA,
*Territorial Director,*
*Puerto Rico.*

Approved:

GERALD A. BARRETT,
*Acting Regional Administrator,*
*Region IX.*

[F. R. Doc. 44-10511; Filed, July 15, 1944; 11:22 a. m.]

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PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 153]

METALS RESERVE COMPANY

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 is amended in the following respects:

1. A new section 6.53 is added to read as follows:

SEC. 6.53 *Quartz crystals; sales by the Metals Reserve Company.* The Metals Reserve Company's maximum prices for quartz crystals shall be those prices set out in the Metals Reserve Company price schedule dated February 18, 1944, and entitled "MRC Selling Prices for Quartz Crystal." Maximum prices determined under this section may, however, be adjusted by order issued by the Administrator.

This amendment shall become effective July 15, 1944.

Issued this 14th day of July 1944.

JAMES G. ROGERS, Jr.,
*Acting Administrator.*

[F. R. Doc. 44-10474; Filed, July 14, 1944; 4:25 p. m.]

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PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR,[1] Amdt. 151]

BUTCHERS' FROCKS SOLD BY DEFENSE SUPPLIES CORPORATION, THE AMERICAN MEAT INSTITUTE, THE INDEPENDENT MEAT PACKERS ASSOCIATION AND MEAT PACKERS

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.*

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

[1] 8 F.R. 15581, 16219, 16893; 9 F.R. 2086, 3422, 5003.

[2] 8 F.R. 9975, 16033; 9 F.R. 397, 1321.

[1] 8 F.R. 9975, 16033; 9 F.R. 397, 1321.

[1] 9 F.R. 1385, 5169, 6106.

Section 3.13 is amended in the following respects:

1. The headnote is amended to read as follows: "SEC. 3.13. *Specified butchers' frocks.*"

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

(a) Sales by Defense Supplies Corporation,

(1) To the American Meat Institute, Chicago, Illinois: $2.56 net per garment, f. o. b. warehouse.

(2) To the Independent Meat Packers Association, Washington, D. C.: $2.57 net per garment, f. o. b. warehouse.

(3) To linen supply companies: $2.57 net per garment, f. o. b. warehouse.

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

(b) Sales by the American Meat Institute, Chicago, Illinois, and the Independent Meat Packers Association, Washington, D. C.: $2.57 net per garment, f. o. b. warehouse.

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

(d) Prior to or at the time of shipment, the American Meat Institute and the Independent Meat Packers Association shall furnish to persons purchasing these garments from them, the following notice:

We are sending this notice to you pursuant to requirement of the OPA. This notice advises you as to your ceiling price for the butchers' frocks which we are delivering to you. These frocks were made for the United States Army. Because of the urgent need for butchers' frocks by the packing industry, arrangements have been made for the release by the Army of these frocks for ultimate sale or distribution to employees at meat packing houses.

The ceiling price for the [insert name of association], as fixed by the OPA, is $2.57 net per garment, f. o. b. warehouse.

If you are a packer, and you sell these frocks to your employees, your ceiling price as fixed by the OPA must not exceed the amount which you paid to the [insert name of association] plus the incoming transportation cost, per garment, which you paid. Meat packers who have arrangements with employees for the distribution of protective clothing below acquisition cost, or without any charge, may, of course, continue these practices with respect to these frocks.

This amendment shall become effective July 20, 1944.

Issued this 15th day of July 1944.

JAMES G. ROGERS, Jr.,
*Acting Administrator.*

[F. R. Doc. 44-10512; Filed, July 15, 1944; 11:22 a. m.]

## PART 1300—PROCEDURE

[Rev. Procedural Reg. 1, Corr. to Amdt. 8[1]]

The introductory sentence in Item 3 is corrected to read as follows:

3. Section 17 (c) is added to read as follows:

[1] 9 F.R. 7501.

Issued this 15th day of July 1944.

JAMES G. ROGERS, Jr.,
*Acting Administrator.*

[F. R. Doc. 44-10506; Filed, July 15, 1944; 11:21 a. m.]

## PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 376,[1] Amdt. 4]

### CERTAIN FRESH FRUITS AND VEGETABLES

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

Maximum Price Regulation No. 376 is amended in the following respect:

In section 5 paragraph (e) is added to read as follows:

(e) All sales and deliveries of snap beans, carrots, cabbage, green peas, lettuce and spinach made after June 4, 1944.

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

Issued this 14th day of July 1944.

JAMES G. ROGERS, Jr.,
*Acting Administrator.*

Approved: July 12, 1944.

GROVER B. HILL,
*Acting War Food Administrator.*

[F. R. Doc. 44-10464; Filed, July 14, 1944; 11:57 a. m.]

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

[MPR 30,[1] Amdt. 8]

### WASTEPAPER

A statement of the considerations involved in the issuance of Amendment No. 8 to Maximum Price Regulation No. 30 has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 30 is amended in the following respects:

1. Section 1347.11 (a) (8) is amended to read as follows:

(8) "Out-throw" for a given grade of wastepaper consists of all substances not suitable for the manufacture of paper or paperboard such as "Objectionable papers" and "Foreign materials", and all paper-making materials present in the packing that do not meet the requirements of the applicable definition for the grade. In the book, magazine and ledger grades, except as otherwise specified, "Out-throw" includes newsprint magazines, pulp magazines (novel news), hard backs and gilt, aluminum and varnish papers and other objectionable materials.

2. Section 1347.14 Appendix A (a) is amended to read as follows:

*Copies may be obtained from the Office of

[1] 7 F.R. 9732; 8 F.R. 3845, 6109, 7350, 7199, 7821, 13049, 17483.

§ 1347.14 *Appendix A: Maximum prices for wastepaper*—(a) *Grades and maximum prices per short ton f. o. b. point of shipment*—(1) *List of grades and prices:*

| Grades | Prices for wastepaper packed otherwise than in machine compressed bales weighing not less than 500 lbs., or packed in the optional manner provided in footnotes 3, 9, 10, 11, 12, 14, 15, 23 and 29, whichever is applicable | Prices for wastepaper packed in machine compressed bales weighing not less than 500 lbs., or packed in the optional manner provided in footnotes 3, 9, 10, 11, 12, 14, 15, 23 and 29, whichever is applicable |
|---|---|---|
| No. 1 mixed paper [1] | $14.00 | $19.00 |
| No. 1 news [2] | 15.00 | 20.00 |
| Overissue news [3] | 17.00 | 22.00 |
| Old corrugated containers [4] | 23.00 | 28.00 |
| New corrugated cuttings [5] | 13.00 | 18.00 |
| Boxboard cuttings [6] | 9.50 | 14.50 |
| White blank news [7] | 28.00 | 33.00 |
| Extra manilas [8] | 34.00 | 39.00 |
| New manila envelope cuttings [9] | 48.00 | 53.00 |
| One cut new manila envelope cuttings [10] | 52.50 | 57.50 |
| Manila tabulating cards, free from groundwood [11] | 40.00 | 45.00 |
| Manila tabulating cards, groundwood [12] | 22.00 | 27.00 |
| No. 1 hard white shavings [13] | 52.50 | 57.50 |
| Hard white envelope cuttings [14] | 57.50 | 62.50 |
| One cut hard white envelope cuttings [15] | 62.50 | 67.50 |
| No. 1 soft white shavings [16] | 45.00 | 50.00 |
| One cut soft white shavings [17] | 52.50 | 57.50 |
| Miscellaneous soft white shavings [18] | 38.00 | 43.00 |
| No. 1 fly leaf shavings [19] | 28.50 | 33.50 |
| No. 1 groundwood fly leaf shavings [20] | 20.00 | 25.00 |
| No. 2 mixed colored groundwood shavings [21] | 13.00 | 18.00 |
| Mixed books [22] | 17.00 | 22.00 |
| No. 1 heavy books and magazines [23] | 33.50 | 38.50 |
| No. 1 mixed ledger (colored ledger) [24] | 35.00 | 40.00 |
| No. 1 white ledger [25] | 41.00 | 46.00 |
| No. 1 assorted kraft (old kraft [26] | 30.00 | 35.00 |
| Triple sorted No. 1 brown soft kraft [27] | 45.00 | 50.00 |
| Mixed kraft envelope and/or bag cuttings [28] | 50.00 | 55.00 |
| Kraft envelope cuttings [29] | 60.00 | 65.00 |
| New 100% kraft corrugated cuttings [30] | 40.00 | 45.00 |
| Mill wrappers [31] | 17.00 | 22.00 |

[1] "No. 1 mixed paper" consists of wastepaper which does not have the uniform or distinctive qualities required for classification as any other grade.

[2] "No. 1 news" consists of waste newspapers.

[3] "Overissue news" consists of unused over-run newspapers from a newspaper office. Dealers' returns constitute a lower quality of this grade. Optional method of packing—securely tied bundles.

[4] "Old corrugated containers" consist of used corrugated or solid fibre containers, including any combination or mixture of "jute", double lined Kraft, and 100% Kraft.

[5] "New corrugated cuttings" consist of new corrugated or solid fibre container board cuttings.

[6] "Boxboard cuttings" consist of new cuttings of paperboard which is used in the manufacture of folding paper cartons, set-up boxes and similar boxboard products.

[7] "White blank news" consists of unprinted cuttings or sheets of white newsprint paper.

[8] "Extra manilas" of the highest quality consist of unprinted manila paper. Lower qualities may contain printing.

[9] "New manila envelope cuttings" consist of new cuttings or sheets of unprinted manila paper of the quality used in the manufacture of manila envelopes. Optional method of packing—securely tied packages.

[10] "One cut new manila envelope cuttings" consist of new one cut cuttings or sheets of unprinted manila paper of the quality used in the manufacture of manila envelopes. Optional method of packing—securely tied packages.

[11] "Manila tabulating cards, free from groundwood" consist of new or used printed manila cards which have been manufactured for use in automatic tabulating machines. Must be free from groundwood except to the extent that groundwood is used in the furnish of manila cards which were free from groundwood prior to the present war. Lower qualities of this grade may include tabulating cards of similar stock having colors other than manila. Optional method of packing—bags or boxes.

[12] "Manila tabulating cards, groundwood" consist of new or used printed manila cards, containing groundwood, which have been manufactured for use in automatic tabulating machines. Lower qualities of this grade may include tabulating cards of similar stock having colors other than manila. Optional method of packing—bags or boxes.

[13] "No. 1 hard white shavings" consist of new bond or writing paper shavings of sulphite or rag fiber content, free from groundwood except to the extent that groundwood is used in the furnish of bond or writing papers of sulphite or rag fiber content which were free from groundwood prior to the present war. The highest quality of this grade consists of all white shavings. Lower qualities may contain rulings or light colored stock.

[14] "Hard white envelope cuttings" consist of new cuttings from bond or writing papers of the quality used in the manufacture of envelopes. The fiber content of the stock shall be sulphite, rag, or bleached sulphate, free from printed matter and free from groundwood except to the extent that groundwood is used in the furnish of bond or writing papers of the quality used in the manufacture of envelopes which were free from groundwood prior to the present war. Optional method of packing—securely tied packages.

[15] "One cut hard white envelope cuttings" consist of new one cut cuttings from bond or writing papers of the quality used in the manufacture of envelopes. The fiber content of the stock shall be sulphite, rag, or bleached sulphate, free from printed matter and free from groundwood except to the extent that groundwood is used in the furnish of bond or writing papers of the quality used in the manufacture of envelopes which were free from groundwood prior to the present war. Optional method of packing—securely tied packages.

[16] "No. 1 soft white shavings" consist of unprinted, all white shavings from book and similar printing papers, free from printed matter and containing not in excess of 10% of coated paper stock or heavily filled papers. Must be free from groundwood except to the extent that groundwood is used in the furnish of book and similar printing papers which were free from groundwood prior to the present war.

[17] "One cut soft white shavings" consist of unprinted, all white, one cut shavings from book and similar printing papers, free from printed matter and containing not in excess of 10% of coated paper stock or heavily filled papers. Must be free from groundwood except to the extent that groundwood is used in the furnish of book and similar printing papers which were free from groundwood prior to the present war.

[18] "Miscellaneous soft white shavings" consist of unprinted all white shavings from book and similar printing papers, free from printed matter but not limited with respect to coated or filled paper stock. Must be free from groundwood except to the extent that groundwood is used in the furnish of book and similar printing papers which were free from groundwood prior to the present war.

[19] "No. 1 fly leaf shavings" consist of the trim of magazines, catalogs, and similar printed matter. It may contain the bleed of cover and insert stock but must be free of groundwood except to the extent that groundwood is used in the furnish of magazines, catalogs, and similar printed matter which were free from groundwood prior to the present war. Solid color and beater-dyed papers constitute a lower quality of this grade. Shavings of novel news or newsprint grades may not be included in the packing.

[20] "No. 1 groundwood fly leaf shavings" consist of the trim of magazines, catalogs and similar printed matter, not limited with respect to groundwood, and may contain the bleed of cover and insert stock, but shall be free from beater-dyed papers, solid or other color printing, and coated stock.

[21] "No. 2 mixed colored groundwood shavings" consist of the trim of magazines, catalogs and similar printed matter, not limited with respect to groundwood or coated stock, and may contain the bleed of cover and insert stock as well as beater-dyed papers and solid and other color printing.

[22] "Mixed books" consist of books or magazines, including outthrow, which may in no event exceed 20% of the total weight of the packing. Packings which contain in excess of 20% outthrow may not be sold at a price in excess of the maximum price for "No. 1 Mixed Paper." Packings of this grade which are sold for use in the manufacture of paperboard, regardless of outthrow percentage, must not be sold at a price in excess of the maximum price of "No. 1 Mixed Paper".

[23] "No. 1 heavy books and magazines" consist of used and overissue books and magazines, stitchless stock, quire waste and similar printed matter. The packing may contain up to 5% outthrow. A shipment containing more than 5% outthrow but not more than 10% outthrow must be rejected or paid for only after adjustment to eliminate any payment for outthrow in excess of 5%; in such shipment the excess of outthrow becomes the property of the purchaser. A shipment containing outthrow of more than 10% must be rejected as No. 1 heavy books and magazines and may be accepted only as "No. 1 Mixed Paper." A deduction of at least $5.00 per ton from the maximum price must be made if the material is not packed in machine compressed bales weighing not less than 500 lbs., in air compressed bales or on skids.

[24] "No. 1 mixed ledger (colored ledger)" consists of ledger sheets, bond, and writing papers, white and colored. It must contain no more than 2% out-throw, and must be free from groundwood except to the extent that groundwood is used in the furnish of ledger sheets, bond and writing papers which were free from groundwood prior to the present war. Deliveries which fail to meet the requirement as to out-throw must be rejected or paid for only after adjustment to eliminate any payment for the excessive out-throw.

[25] "No. 1 white ledger" consists of ledger sheets, bond and writing papers, all white. It must contain no more than 2% out-throw, and must be free from groundwood except to the extent that ground wood is used in the furnish of ledger sheets, bond and writing papers which were free from groundwood prior to the present war. Deliveries which fail to meet the requirements as to out-throw must be rejected or paid for only after adjustment to eliminate any payment for the excessive outthrow.

[26] "No. 1 assorted kraft (old kraft)" consists of kraft paper waste, free from corrugated waste of any kind.

[27] "Triple sorted No. 1 brown soft Kraft" consists of old, soft, natural color kraft papers completely free from papers other than those containing 100% sulphate fiber.

[28] "Mixed Kraft envelope and/or bag cuttings" consist of new cuttings from sulphate envelope or bag stock, free from groundwood and other non-sulphate fiber except to the extent that groundwood or other non-sulphate fiber is used in the furnish of sulphate envelope or bag-stock which was free from groundwood and other non-sulphate fiber prior to the present war.

[29] "Kraft envelope cuttings" consist of new cuttings from kraft envelope stock, free from other fiber except to the extent that such other fiber is used in the furnish of kraft envelope stock which was free from such other fiber prior to the present war. Optional method of packing—securely tied packages.

[30] "New 100% kraft corrugated cuttings" consist of cuttings from new corrugated or solid fiber container stock of 100% sulphate fiber content. A lower quality of this grade consists of cuttings from new corrugated stock composed of two liners which are 100% sulphate fiber with a corrugated filler of other fiber. Unless both of the liners are of 100% sulphate fiber, the material must not be sold at a price in excess of the maximum price of "New corrugated cuttings".

[31] "Mill wrappers" consist of paper used as outside wrappers for rolls or bundles of finished paper stock and may contain sulphite or kraft screenings, groundwood fiber or chemical woodpulp fiber.

3. Section 1347.14 Appendix A (b) (3) is deleted.

This amendment shall become effective July 17, 1944.

Issued this 15th day of July 1944.

JAMES G. ROGERS, Jr.,
*Acting Administrator.*

[F. R. Doc. 44-10538; Filed, July 15, 1944; 4:37 p. m.]

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

[RO 1A,[1] Amdt. 80]

### TIRES, TUBES, RECAPPING AND CAMELBACK

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

Ration Order No. 1A is amended in the following respects:

1. Section 1315.804 (j) (1) is amended by deleting the date "July 15, 1944" wherever it appears and substituting the date "July 31, 1944" in each instance.

This amendment shall become effective July 15, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, WPB Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 15th day of July 1944.

JAMES G. ROGERS, Jr.,
*Acting Administrator.*

[F. R. Doc. 44-10536; Filed, July 15, 1944; 4:36 p. m.]

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## PART 1351—FOOD AND FOOD PRODUCTS

[FPR 1,[1] Supp. 6]

### CERTAIN FROZEN FRUITS, BERRIES AND VEGETABLES OF THE 1944 AND LATER PACKS

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

FOOD PRODUCTS REGULATION NO. 1, SUPP. 6—CERTAIN FROZEN FRUITS, BERRIES AND VEGETABLES OF THE 1944 AND LATER PACKS

ARTICLE I—EXPLANATION OF THE SUPPLEMENT

Sec.

1. Explanation of the supplement.
2. Applicability of Food Products Regulation No. 1.
3. Definitions.

ARTICLE II—PRICING PROVISIONS

4. Maximum prices for sales by processors of frozen red sour pitted cherries to purchasers other than government procurement agencies.
5. Maximum prices for sales by processors of frozen products covered by this supplement, except frozen red sour pitted cherries, to purchasers other than govment procurement agencies.
6. Maximum prices for custom packing in certain cases.
7. Maximum prices for sales by wagon wholesalers.
8. Provisions of Article II of Food Products Regulation No. 1 applicable to this supplement.

ARTICLE III—MISCELLANEOUS PROVISIONS

9. Invoices.
10. Reports which sellers must file.
11. Individual adjustment of maximum prices.
12. Provisions of Article III of Food Products Regulation No. 1 applicable to this supplement.

AUTHORITY: Secs. 1 to 12, inclusive (§ 1351.501) issued under 56 Stat. 23, 765; 57 Stat. 556; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

### ARTICLE I—EXPLANATION OF THE SUPPLEMENT

SECTION 1. *Explanation of the supplement.* (a) This supplement establishes maximum prices for the 1944 and later packs of the frozen fruits, berries and vegetables listed below:

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

[1] 7 F.R. 9160, 9392, 9724.

[1] 9 F.R. 6711.

Cherries, red sour pitted

(b) This supplement applies to sales by all persons except wholesalers and retailers (wagon wholesalers, however, are included).

(c) This supplement applies in the 48 states of the United States and the District of Columbia.

(d) This supplement supersedes the provisions of all other maximum price regulations and orders only as to the products listed and sellers covered.

(e) This supplement becomes effective July 17, 1944.

The "effective date" of this supplement as to any product covered by it shall be the date when the pricing provisions of the supplement first become applicable to it.

SEC. 2. *Applicability of Food Products Regulation No. 1.* Important: Not all of the provisions affecting the maximum prices of the listed frozen products are stated in this supplement. Those which are not specifically set forth here are stated in Food Products Regulation No. 1, and they are just as much a part of this supplement as if they were printed here. The "explanation of the regulation" is also a part of this supplement.

The particular sections of Food Products Regulation No. 1 which are applicable to this supplement are listed at appropriate places in the following provisions (in each case, the section number set forth in parentheses is the appropriate section number of Food Products Regulation No. 1). When any applicable section of the regulation is amended, the amendment also is applicable to this supplement.

SEC. 3. *Definitions.* (a) When used in this supplement, the term:

"No-storage basis" means that prior to the transfer of ownership the goods have been stored by the seller for a period no longer than 30 days after the goods were put in cold storage.

"Storage basis" means that prior to the transfer of ownership the goods have been stored by the seller for a period longer than 30 days after the goods were put in cold storage.

"Style of pack" means the form and sugar basis of the pack.

*Examples:* Frozen sliced strawberries are a different style of pack from frozen whole strawberries. Frozen whole strawberries on a sugar basis of 3 plus 1 are likewise a different style of pack from frozen whole strawberries on a sugar basis of 4 plus 1.

"Frozen fruits", "frozen berries" and "frozen vegetables" include the purees of these products and mixtures of different fruits, different berries and different vegetables, respectively, when frozen and enclosed in containers, whether or not hermetically sealed.

(b) The definitions of the following terms, set forth in the designated sections of Food Products Regulation No. 1, are applicable to this supplement:

"Person" (sec. 1.1 of FPR 1).
"Processor" (sec. 1.2 of FPR 1).
"Distributor" (sec. 1.3 of FPR 1).
"Primary distributor" (sec. 1.5 of FPR 1).
"Wholesaler" and "retailer" (sec. 1.6 of FPR 1).
"Ultimate consumer" (sec. 1.7 of FPR 1).
"Item" (sec. 1.8 of FPR 1).
"Container type" (sec. 1.9 of FPR 1).
"Sale" (sec. 1.10 of FPR 1).
"Price" (sec. 1.11 of FPR 1).
"Net delivered cost" (sec. 1.12 of FPR 1).
"Delivered to the customary receiving point" (sec. 1.13 of FPR 1).
"Records" (sec. 1.14 of FPR 1).

ARTICLE II—PRICING PROVISIONS

SEC. 4. *Maximum prices for sales by processors of frozen red sour pitted cherries to purchasers other than government procurement agencies*—(a) *Frozen red sour pitted cherries, in barrels, and in tin containers having a capacity of 30 pounds or more.* For sales to purchasers other than government procurement agencies, the maximum prices per pound, f. o. b. factory, on a no-storage basis, which a processor may charge for frozen red sour pitted cherries of the 1944 and later packs, in barrels, and in tin containers having a capacity of 30 pounds or more, shall be as follows:

| Style of pack | Maximum price per pound | | | |
|---|---|---|---|---|
| | In barrels | | In tin containers having a capacity of 30 pounds or more | |
| | Area 1 | Area 2 | Area 1 | Area 2 |
| 3+1 | $0.1250 | $0.1225 | $0.1275 | $0.1250 |
| 4+1 | .1275 | .1250 | .1300 | .1275 |
| 5+1 | .1300 | .1275 | .1325 | .1300 |
| 6+1 | .1300 | .1275 | .1325 | .1300 |
| 7+1 | .1300 | .1275 | .1325 | .1300 |
| 8+1 | .1300 | .1275 | .1325 | .1300 |
| 9+1 | .1325 | .1300 | .1350 | .1325 |
| 10+1 | .1325 | .1300 | .1350 | .1325 |
| 11+1 | .1325 | .1300 | .1350 | .1325 |
| 12+1 | .1325 | .1300 | .1350 | .1325 |
| 13+1 | .1350 | .1325 | .1375 | .1350 |
| 14+1 | .1350 | .1325 | .1375 | .1350 |
| 15+1 | .1350 | .1325 | .1375 | .1350 |
| All others | .1375 | .1350 | .1400 | .1375 |

States included in areas:

*Area 1*: Washington, Oregon, Montana, Utah, Idaho and Colorado.

*Area 2*: All states other than Washington, Oregon, Montana, Utah, Idaho and Colorado.

NOTE: The area named refers, in each case, to the area in which the processor's factory is located. The area in which the fruit was grown is not controlling.

For goods sold on a storage basis, the maximum price named above is increased ⅛ cent per pound per month after the first 30 days in which the item is in cold storage. Any period of less than 15 days shall not be considered one month.

(b) *Frozen red sour pitted cherries in containers having a capacity of 30 pounds or more, other than barrels and tin containers.* For sales to purchasers other than government procurement agencies, the processor shall figure his maximum price per pound, f. o. b. factory, on a no-storage basis, under section 8 (b), below, for each item of frozen red sour pitted cherries of the 1944 and later packs, in containers having a capacity of 30 pounds or more, other than barrels and tin containers. For this purpose, however, the "base container" used shall be a tin container having a capacity of 30 pounds or more.

For goods sold on a storage basis, the maximum price figured above is increased ⅛ cent per pound per month after the first 30 days in which the item is in cold storage. Any period of less than 15 days shall not be considered one month.

(c) *Frozen red sour pitted cherries in containers (other than barrels) having a capacity of less than 30 pounds.* For sales to purchasers other than government procurement agencies, the processor shall figure his maximum price per dozen or other unit, f. o. b. shipping point, on a no-storage basis for each item of frozen red sour pitted cherries of the 1944 and later packs, in any containers (other than barrels) having a capacity of less than 30 pounds, by subtracting ¾ cent per pound from his maximum price for the item, f. o. b. shipping point, on a no-storage basis under Maximum Price Regulation No. 409.[2]

For goods sold on a storage basis, the maximum price figured above is increased ⅛ cent per pound per month after the first 30 days in which the item is in cold storage. Any period of less than 15 days shall not be considered one month.

SEC. 5. *Maximum prices for sales by processors of frozen products covered by this supplement, except frozen red sour pitted cherries, to purchasers other than government procurement agencies.* The pricing method of this section and the frozen products covered by it will be announced later.

SEC. 6. *Maximum prices for custom packing in certain cases.* This section applies only to custom packing resulting in an item of frozen fruits or berries where the particular fresh fruits or berries packed were subject to maximum prices, under Maximum Price Regulation 425,[3] or covered by announced prices recommended by the Department of Agriculture for payment to growers, applying to the purchase by which they were acquired by the person for whom the custom packing is done.

(a) *Maximum prices.* The custom packer's maximum price for the services of custom packing an item of fruits or berries (including the furnishing of any packaging materials and additional ingredients) shall be the amount by which his maximum price for sales of the item on a no-storage basis exceeds the price paid for the particular fresh fruits or berries by the person for whom the custom packing is done, after conversion to cents per unit of the finished product. However, the custom packer's maximum price for his services shall not exceed the difference between his maximum price for the frozen product and the maximum price for the particular fruit or berry as established in Maximum Price Regulation 425, or if there is no such maximum price established by that regulation, the custom packer's maximum price for his services shall not exceed the difference between his maximum price for the frozen product and the price recommended by the Department of Agriculture for payment to growers for the particular fruit or berry.

(b) *Information required to be furnished and kept.* The person for whom the custom packing is done shall furnish the custom packer with a signed statement in writing, naming the amount paid for the fresh fruits or berries custom packed, the date on which and the name

[2] 8 F.R. 17299; 9 F.R. 97, 1596.

[3] 8 F.R. 9303, 9879, 12632, 12952, 14154, 15674, 16293; 9 F.R. 7505, 7330, 7858.

of the seller from whom they were purchased. This statement shall be furnished before the custom packing is begun, and the custom packer shall preserve the statement, for examination by the Office of Price Administration or its authorized representatives at any reasonable time. However, if the fresh fruits or berries are acquired through the custom packer as agent of the purchaser, no statement is required, but the custom packer shall instead make and preserve a record of the same information for like examination.

(c) *Meaning of "custom packing."* In this regulation "custom packing" means any processing operation performed on fruits or berries owned by another, on a toll or contract basis (whether or not any packaging materials or additional ingredients are furnished), resulting in an item of frozen fruits or berries. "Custom packer" and "custom packed" shall be construed accordingly.

SEC. 7. *Maximum prices for sales by wagon wholesalers.* The maximum price per dozen or other unit which a wagon wholesaler may charge for an item of frozen fruits, berries or vegetables covered by this supplement shall be his net delivered cost plus a markup of 29 per cent. He shall figure his maximum price on the basis of the most recent purchase of that item, and shall refigure it after each new purchase. The maximum price so figured is the wagon wholesaler's maximum price for his entire inventory of that item, and it is effective until his first sale after he receives the next lot.

A "wagon wholesaler" is one who purchases the item being priced and distributes it to retailers or to commercial, industrial or institutional users from an inventory stocked in trucks or other conveyances which are under the supervision of driver salesmen who make delivery at the time and place of sale. Such a wholesaler is a wagon wholesaler only for sales made in this manner.

In this section, "net delivered cost" means the amount the wagon wholesaler pays for the item delivered to his customary receiving point (but not in excess of the processor's maximum price for it, f. o. b. shipping point, plus actual charges for the transportation to the wagon wholesaler's customary receiving point), less all discounts allowed him except the discount for prompt payment. No expense of local trucking or unloading shall be included.

SEC. 8. *Provisions of Article II of Food Products Regulation No. 1 applicable to this supplement.* The following provisions of Food Products Regulation No. 1 are applicable to this supplement:

(a) Processors who have two seasonal packs (sec 2.1 of FPR 1).
(b) Maximum prices for products in new container types and sizes (sec. 2.2 of FPR 1).
(c) Adjustment of dollars-and-cents maximum prices for processors who perform the wholesale or retail function (sec. 2.3 of FPR 1).
(d) Elective pricing method for processors (sec. 2.4 of FPR 1). The maximum "markup percentage" figure is 175%.
(e) Individual authorization of maximum prices (sec. 2.5 of FPR 1).
(f) When the seller must figure a delivered price (sec. 2.6 of FPR 1). The "base period" is (to be announced).
(g) Uniform prices where the processor or repacker has more than one factory (sec. 2.7 of FPR 1).
(h) Uniform delivered prices where the seller has customarily been selling on an f. o. b. shipping point basis (sec. 2.8 of FPR 1). The "base period" is (to be announced).
(i) Maximum prices for sales by primary distributors (sec. 2.9 of FPR 1).
(j) Maximum prices for sales by distributors who are not primary distributors, wholesalers or retailers (sec. 2.10 of FPR 1).
(k) Payment of brokers (sec. 2.11 of FPR 1).
(l) Maximum prices for sales to government procurement agencies in certain cases (sec. 2.12 of FPR 1).
(m) Special packing expenses which may be reflected in maximum prices for sales to government procurement agencies (sec. 2.13 of FPR 1).
(n) Treatment of federal and state taxes (sec. 2.14 of FPR 1). The "base period" is (to be announced).
(o) Units of sale and fractions of a cent (sec. 2.15 of FPR 1).
(p) Maintenance of customary discounts and allowances (sec. 2.16 of FPR 1).

ARTICLE III—MISCELLANEOUS PROVISIONS

SEC. 9. *Invoices.* The seller shall furnish the buyer with an invoice showing for each item sold (a) his actual selling price, and (b) his selling price figured on a no-storage basis.

Item (b) shall be figured by multiplying by ⅛ cent the number of months (if any) which the seller actually stored the goods beyond the first 30 days in which the goods were in cold storage and prior to the transfer of ownership, and subtracting the resulting figure from item (a). Any period of less than 15 days shall not be considered one month.

SEC. 10. *Reports which sellers must file.* (To be announced).

SEC. 11. *Individual adjustment of maximum prices.* (To be announced).

SEC. 12. *Provisions of Article III of Food Products Regulation No. 1 applicable to this supplement.* The following provisions of Food Products Regulation No. 1 are applicable to this supplement:

(a) Restrictions on sales to primary distributors (sec. 3.1 of FPR 1).
(b) Weights (sec. 3.2 of FPR 1).
(c) Storage (sec. 3.3 of FPR 1).
(d) Export sales (sec. 3.4 of FPR 1).
(e) Notification of new maximum price (sec. 3.5 of FPR 1).
(f) Records which must be kept (sec. 3.6 of FPR 1).
(g) Sales slips and receipts (sec. 3.8 of FPR 1).
(h) Transfers of business or stock in trade (sec. 3.9 of FPR 1).
(i) How a figured maximum price is established and how an established maximum price may be changed (sec. 3.10 of FPR 1).
(j) Adjustable pricing (sec. 3.11 of FPR 1).
(k) Compliance with the applicable supplement (sec. 3.12 of FPR 1).
(l) Adjustment of maximum prices of food products under "Government contracts" or subcontracts (sec. 3.13 of FPR 1).
(m) Applications for adjustment by sellers who have been found to have violated the Robinson-Patman Act (sec. 3.14 of FPR 1).
(n) Applications for adjustment and petitions for amendment based on wage or salary increases requiring approval of the National War Labor Board (sec. 3.15 of FPR 1).
(o) Petitions for amendment (sec. 3.16 of FPR 1).

This supplement shall become effective July 17, 1944.

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

Issued this 15th day of July 1944.

JAMES G. ROGERS, Jr.,
*Acting Administrator.*

[F. R. Doc. 44-10537; Filed, July 15, 1944; 4:36 p. m.]

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

[RO 1A,[1] Amdt. 79]

### TIRES, TUBES, RECAPPING AND CAMELBACK

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

Ration Order No. 1A is amended in the following respects:

1. Section 1315.201 (a) (46) is revoked.

2. Section 1315.201 (a) (47) is amended to read as follows:

(47) "Tire inspector" means the operator of premises at which persons may obtain the inspection of tires required by this order. It also includes any person employed by the operator and designated by him to make these inspections. The term "inspector" shall be deemed to refer to a tire inspector.

3. Section 1315.307 is amended to read as follows:

§ 1315.307 *Inspection stations* — (a) *Designation by District Director.* A District Director shall designate as an Official Truck and Passenger Tire Inspection Station or as an Official Passenger Tire Inspection Station any premises where he is satisfied that the operator has complied or will comply with all instructions relating to the proper inspection of tires issued by the Office of Price Administration from time to time. In addition, the following standards must be met:

(1) *Official Truck and Passenger Tire Inspection Stations.* To be designated as an Official Truck and Passenger Tire Inspection Station, there must be a person employed at the premises who is experienced in the servicing of truck tires; there must be adequate space to store, for a thirty-day period, all inspected tires which must be held at the station; and there must be adequate facilities, equipment and tools available at the premises for demounting, replacing and inspecting truck tires.

(2) *Official Passenger Tire Inspection Stations.* To be designated as an Official Passenger Tire Inspection Station, there must be a person employed at the prem-

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

[1] 7 F.R. 9160, 9392, 9724.

ises who is experienced in the servicing of passenger tires; and there must be adequate facilities, equipment and tools available at the premises for demounting, replacing and inspecting passenger tires.

(b) *Scope of tire inspector's authority.* (1) A tire inspector at an Official Truck and Passenger Tire Inspection Station is authorized to inspect all types of tires.

(2) A tire inspector at an Official Passenger Tire Inspection Station is authorized to inspect tires for passenger automobiles, farm tractors, implements, and wagons and passenger-type tires for equipment.

(c) *Operation of stations.* The operator of an inspection station shall pay the total cost of operations, including expenditures for equipment, rent and salaries of any tire inspectors.

The station and the tire inspectors in the performance of their duties as inspectors shall be subject to the supervision of the OPA Tire Examiners assigned for such purpose. The operator of a station shall be responsible for all inspections made by persons in his employ.

The authority conferred on operators to establish and maintain an inspection station may be withdrawn for cause at any time by the District Director.

4. Section 1315.308 is amended to read as follows:

§ 1315.308 *Central Truck Tire Inspection Station*—(a) *Designation by District Director.* A District Director shall authorize the establishment of Central Truck Tire Inspection Stations to serve areas designated by the Office of Price Administration, Washington, D. C., and may authorize in his discretion the establishment of additional Central Truck Tire Inspection Stations to serve other areas. Neither the operator of a Central Truck Tire Inspection Station nor his employees shall engage in the business of manufacturing, selling, recapping, or repairing tires or tubes. The authorization to a person operating a Central Truck Tire Inspection Station may be withdrawn at any time for cause by the District Director for the area in which the station is located.

(b) *Scope of authority.* A tire inspector at a Central Truck Tire Inspection Station is authorized to re-inspect in his area all tires to be replaced for commercial motor vehicles and all truck-type tires having a cross-section size of 12.00 or smaller to be replaced for equipment. The re-inspection shall be made at the Central Truck Tire Inspection Station or at other premises designated for that purpose by the District Director.

(c) *Operation of station.* The operator of a Central Truck Tire Inspection Station is to pay the total cost of operations including any expenditure for equipment, rent and salaries of one or more tire inspectors and any other employees necessary to the effective operation of the station. The station and the tire inspection work performed by the operator and his employees shall be subject to the supervision of the OPA Tire Examiner assigned for such purpose.

5. Section 1315.603 is revoked.

6. Section 1315.610 (b) (2) is amended to read as follows:

(2) A tire which is being held at a Central Truck Tire Inspection Station or at an Official Truck and Passenger Tire Inspection Station shall be turned in by transferring its legal title to the dealer or manufacturer to whom the certificate was surrendered.

7. The third sentence of § 1315.611 (a) is amended to read as follows:

The dealer or manufacturer upon presenting Part A of the certificate under which he acquired a tire which is being held pursuant to § 1315.704 may obtain possession of the tire after it has been held the required length of time.

8. Following § 1315.657 an undesignated headnote "Inspection procedures" is added.

9. Section 1315.701 is added to read as follows:

§ 1315.701 *Inspection of tires for replacement*—(a) *Inspection by certifying inspector.* No consumer or automobile dealer may file an application for a certificate, and no such application shall be considered by a Board until an inspector has inspected the tire to be replaced and has made the inspector's report required by OPA Form R–1 or, in the case of applications to replenish an emergency reserve, by OPA Form R–21 (in duplicate): *Provided, however,* That if an application is made for a tire for a passenger automobile other than a passenger automobile operated on a non-highway ration, all the tires mounted on the automobile shall be inspected and a report of their condition made by an inspector.

(b) *Certification by inspector.* An inspector shall not certify his report concerning the condition of tires until he has made an adequate inspection of the tires. A Board may require an additional inspection and certification by an inspector whom it names if it has reason to believe that the first inspection was made improperly.

(c) *No compensation for certification.* No applicant may pay any compensation for the certification or the inspection required by this section. However, sums not in excess of those set forth in the following schedule may be paid the inspector, or any other person, for removing and replacing a tire when it is necessary for inspection purposes.

SCHEDULE OF FEES FOR REMOVING AND REPLACING TIRES

| Type of tire: | Fee |
|---|---|
| (1) Passenger car tires, each | $0.50 |
| (2) Small truck tires (7.50–20 or smaller), each | .75 |
| (3) Large truck tires (larger than 7.50–20), each | 1.00 |
| (4) Additional charge for removing inside dual truck tires (larger than 7.50–20 | .50 |

10. Section 1315.702 is added to read as follows:

§ 1315.702 *Further examination at Central Truck Tire Inspection Station of tires to be replaced*—(a) *Inspection at Central Truck Tire Inspection Station.* An applicant who is applying to a Board in an area served by a Central Truck Tire Inspection Station shall present for reexamination to a Central Truck Tire Inspection Station all tires to be replaced for a commercial motor vehicle and all truck tires having a cross-section size of 12.00 or smaller to be replaced on equipment. The Board may not act upon an application to replace such tires until an inspector attached to a Central Truck Tire Inspection Station has certified to their condition. A state, local or foreign government or the Federal Government or any department or agency of any such government shall be exempted from this paragraph if it is prohibited by law from paying the inspection fees which may be charged by a Central Truck Tire Inspection Station as provided in paragraph (b).

The inspector shall approve or disapprove the first inspection on OPA Form R–1 or on OPA Form R–21 (in the case of emergency reserve applicants). He shall forward all applications on OPA Form R–1 which he has reviewed to the proper Board.

The inspector shall, on OPA Form R–21, authorize emergency reserve applicants to transfer to a dealer or manufacturer the tires he has found to be unrepairable or unrecappable after he has notched the truck-type tires as required by § 1315.704 (a) (1). An emergency reserve applicant shall file with his Board his application on OPA Form R–19 and the certification of an inspector on OPA Form R–21 with proof made thereon of the transfer of the unrepairable or unrecappable tires to a dealer or manufacturer. The dealer or manufacturer to whom the tires are transferred shall retain a copy of OPA Form R–21 as a record.

(b) *Fees that may be charged by Central Truck Tire Inspection Stations.* An operator of a Central Truck Tire Inspection Station may charge the applicant, for the inspection services performed under this section, an amount not in excess of twenty-five (25) cents for the inspection of each tire 7.50–20 or smaller and fifty (50) cents for each tire larger than 7.50–20. The station operator may, in addition to these inspection fees, charge the applicant for removing and replacing tires the sums provided in § 1315.701 (c).

(c) *Inspection by OPA Tire Examiner.* An OPA Tire Examiner may perform the functions of an inspector attached to a Central Truck Tire Inspection Station, with respect to tires of an emergency reserve applicant which are located in an area not served by a Central Truck Tire Inspection Station.

11. Section 1315.703 is added to read as follows:

§ 1315.703 *Further examination by an OPA Tire Examiner of tires to be replaced.* When an application by an emergency reserve operator is filed with a truck tire board located outside of an area served by a Central Truck Tire In-

spection Station, an OPA Tire Examiner shall examine the tires to be replaced. The Tire Examiner shall, on OPA Form R–21, approve or disapprove the first inspection and shall authorize the transfer of the tires he finds to be unrepairable or unrecappable, to a dealer or manufacturer. He shall notch the truck tires he finds to be unrepairable or unrecappable at the heel of the bead directly under the serial number when he authorizes their transfer.

Prior to the issuance of a certificate, the applicant shall transfer to a dealer or manufacturer the tires which the Tire Examiner authorized to be transferred and shall file proof of their disposition on OPA Form R–21 with the Board. A state government which is prohibited by law from disposing of tires, shall not be required to transfer them or file proof of their disposition.

The dealer or manufacturer to whom the tires are transferred shall retain a copy of OPA Form R–21 as a record.

12. Section 1315.704 is added to read as follows:

§ 1315.704 *Notching and holding of tires*—(a) *By Central Truck Tire Inspection Station*—(1) *Notching of truck tires.* An inspector attached to a Central Truck Tire Inspection Station shall notch the truck-type tires which he finds to be unrepairable or unrecappable, at the heel of the bead directly under the serial number.

(2) *Holding of tires.* The tires listed on OPA Form R–1 which an inspector attached to a Central Truck Tire Inspection Station is required to reinspect and which he has found to be unrepairable or unrecappable shall be retained at the premises at which they were inspected. A tag shall be attached to each tire showing its serial number, the date of the inspection, and the names and addresses of the applicant and the inspector who made the preliminary inspection. The tires shall be held at the premises for at least thirty days after being examined unless the operator of the premises has been instructed to hold them for a longer or shorter period by a representative of the Office of Price Administration authorized to give such instructions. A tire which has been held for the required period of time under this subparagraph shall be surrendered:

(i) To any state, local or foreign government or the Federal Government or any department or agency of any such government which is prohibited by law from disposing of the replaced tire as required by § 1315.610 (b); or

(ii) To a dealer or manufacturer who presents Part A of the certificate under which he acquired the tire pursuant to § 1315.611 (a).

The provisions of this paragraph relating to the holding of tires shall not apply to tires leased under a mileage contract, but instead they shall be turned in as required by § 1315.610 (b).

(b) *By Official Truck and Passenger Tire Inspection Station*—(1) *Notching of truck tires.* An inspector at an Official Truck and Passenger Tire Inspection Station shall notch all truck-type tires which he finds to be unrepairable or unrecappable, at the heel of the bead directly under the serial number, except those tires which are required to be reexamined before a certificate may be issued to replace them, either at a Central Truck Tire Inspection Station or by an OPA Tire Examiner.

(2) *Holding tires.* Any tire to be replaced on a commercial motor vehicle any any truck-type tire having a cross-section size of 12.00 or smaller, to be replaced on equipment, which is found to be unrepairable or unrecappable by an inspector at an Official Truck and Passenger Tire Inspection Station shall be retained at the station. A tag shall be attached to it showing its serial number, the date of the inspection, and the name and address of the applicant. The tire shall be held at the station for at least thirty days after the date of inspection unless the operator of the station has been instructed to hold it for a longer or shorter period by a representative of the Office of Price Administration authorized to give such instructions. The provisions of this subparagraph (2) shall not apply:

(i) To tires which are required to be re-examined before a certificate may be issued to replace them, either at a Central Truck Tire Inspection Station or by an OPA Tire Examiner; or

(ii) To tires of an emergency reserve applicant; or

(iii) To tires leased under a mileage contract.

(3) *Release of tires held.* Tires which have been held for the required period of time under this paragraph shall be surrendered to:

(i) Any state, local or foreign government or the Federal Government, or any department or agency of any such government, which is prohibited by law from disposing of the replaced tire as required by § 1315.610 (b).

(ii) A dealer or manufacturer who presents Part A of the certificate under which he acquired the tire pursuant to § 1315.611 (a).

(c) *Transfer of defective tires for adjustment.* A defective tire held under this section may, at any time, be transferred without certificate to a dealer or a manufacturer for purposes of adjustment, provided the operator of the inspection station keeps a record showing the serial number, size and type of the tire, the name and address of the applicant and the supplier to whom the tire was transferred, the date of its transfer and a description of the defective condition. A dealer may in turn transfer it without certificate to his supplier provided he keeps similar records.

(d) *Surrender of tires when application is denied.* Whenever an application for a tire to replace a tire that is being held at a Central Truck Tire Inspection Station or an Official Truck and Passenger Tire Inspection Station is denied by a board, the tire may be surrendered to the applicant upon presentation of the notice of the board's decision.

13. The second paragraph of § 1315.806 (g) (2) is amended to read as follows:

The provisions of this subparagraph shall not apply:

(i) To tires leased under a mileage contract; or

(ii) To tires which have been held pursuant to §§ 1315.704 (a) (2) or (b) (2).

This amendment shall become effective July 25, 1944.

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

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, WPB Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 17th day of July 1944.

JAMES G. ROGERS, Jr.,
*Acting Administrator.*

[F. R. Doc. 44–10595; Filed, July 17, 1944; 11:54 a. m.]

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

[RPS 32,[1] Amdt. 15]

PAPERBOARD SOLD EAST OF THE ROCKY MOUNTAINS

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

In § 1347.53a, paragraph (d) is added to read as follows:

(d) No producer and no agent or representative of a producer shall make any charge for any services rendered in converting raw materials into paperboard, and no person shall pay or offer to pay any such charge.

This amendment shall become effective July 22, 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 17th day of July 1944.

JAMES G. ROGERS, Jr.,
*Acting Administrator.*

[F. R. Doc. 44–10598; Filed, July 17, 1944; 11:51 a. m.]

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PART 1367—FERTILIZERS

[RMPR 205,[2] Corr. 1]

FERTILIZER RAW MATERIALS

Paragraph (b) of section 9 of Article II of Revised Maximum Price Regulation 205 is corrected to read as follows:

(b) *Colorado, Idaho, Montana, Nevada, New Mexico, Utah and Wyoming.* The maximum price that may be charged for sulphate of ammonia in bags shall be: $41.00 per ton delivered to any destina-

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

[1] 7 F.R. 1264, 2000, 2132, 2740, 3182, 8948; 8 F.R. 3524, 4187, 5838, 11291, 14811, 15607, 17415; 9 F.R. 67, 1571, 3331, 5482, 7261.

[2] 9 F.R. 7426.

tion in Colorado; $42.60 per ton delivered to any destination in New Mexico; and, for deliveries to any destination in Idaho, Montana, Nevada, Utah and Wyoming, f. o. b. Ironton, Utah, $31.50 per ton in carload quantities of 40 tons or more, $34.10 per ton in quantities of 15 tons or more but less than 40 tons and $41.60 per ton in quantities of less than 15 tons. In the case of deliveries of material in bulk, the above maximum prices shall be reduced by $2.50 per ton.

This correction shall become effective as of July 5, 1944.

Issued this 17th day of July 1944.

JAMES G. ROGERS, Jr.,
*Acting Administrator.*

[F. R. Doc. 44-10601; Filed, July 17, 1944; 11:52 a. m.]

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## PART 1369—METAL ORES

[RMPR 113,[1] Amdt. 1]

### IRON ORE PRODUCED IN MINNESOTA, WISCONSIN, OR MICHIGAN

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

Section 7 (b) (4) is amended to read as follows:

(4) *Other special ores.* Such ores include off-grade and premium ores not specifically named in this paragraph (b). The maximum prices for each such ore shall be:

(i) The sum of (*a*) the seller's 1941 weighted average spot price for the ore or the price which was approved by the Office of Price Administration before the issuance of this regulation, plus (*b*) the difference between the seller's 1941 weighted average spot price for standard ore and the maximum price established by this regulation for such standard ore; or

(ii) If a maximum price cannot be determined under (i), the price established by the Office of Price Administration upon application by the seller. Such application may be made by letter addressed to the Iron and Steel Branch, Office of Price Administration, Washington, D. C., and shall contain a full description and analysis of the ore for which a maximum price is requested. The maximum price established by the Office of Price Administration pursuant to such application shall be in line with the maximum prices established by this Regulation for other ores. Such action may be taken by letter.

This amendment shall become effective July 22, 1944.

Issued this 17th day of July 1944.

JAMES G. ROGERS, Jr.,
*Acting Administrator.*

[F. R. Doc. 44-10597; Filed, July 17, 1944; 11:51 a. m.]

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

[1] 8 F.R. 16843.

## PART 1371—IMPORT PRICES

[Maximum Import Price Reg.,[1] Amdt. 4]

### WAR RISK INSURANCE

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.*

The second proviso in the definition of "total landed costs" in section 6 and in section 9 is amended to read as follows:

(2) That in computing these costs, war risk insurance costs for shipments made after June 25, 1944, shall not exceed the amount of the war risk insurance premium paid (at rates in effect at the time of shipment) on a value representing 105% of the sum of the foreign invoice price, freight to the port of entry, and premiums paid for marine and war risk insurance.

This Amendment No. 4 shall become effective on July 19, 1944.

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

Issued this 17th day of July 1944.

JAMES G. ROGERS, Jr.,
*Acting Administrator.*

[F. R. Doc. 44-10599; Filed, July 17, 1944; 11:51 a. m.]

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## PART 1381—SOFTWOOD LUMBER

[3d Rev. MPR 219]

### NORTHEASTERN SOFTWOOD LUMBER

Second Revised Maximum Price Regulation No. 219 is redesignated Third Revised Maximum Price Regulation 219 and is revised and amended to read as follows:

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328. A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

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

### 3D REVISED MAXIMUM PRICE REGULATION 219—NORTHEASTERN SOFTWOOD LUMBER

ARTICLE I—SCOPE OF THE REGULATION

Sec.
1. Prices higher than ceiling prohibited.
2. To what products and transactions this regulation applies.

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

3. Basic prices and cash discount.
4. Addition for direct-mill retail sales.
5. Transportation charges.
6. Species, grades, services and extras not specifically priced.
7. Invoicing and tally card requirements.
8. Sales for export.
9. Prohibited practices.
10. Adjustable pricing.

ARTICLE III—MISCELLANEOUS

11. Applications for adjustment and petitions for amendment.
12. Records.
13. Enforcement.
14. Licensing.

ARTICLE IV—APPENDIX A: SQUARE-EDGE WHITE PINE: PRICE TABLES

15. Application of Appendix A.
16. Grading rules.
17. Maximum prices.
18. Transportation addition on imported lumber.
19. Application of Appendix B.
20. Grading rules.
21. Maximum prices.

ARTICLE V—APPENDIX B: ROUND-EDGE WHITE PINE: PRICE TABLES

ARTICLE VI—APPENDIX C: EASTERN SPRUCE, NORWAY PINE AND JACK PINE: PRICE TABLES

22. Application of Appendix C.
23. Grading rules.
24. Maximum prices.
25. Transportation addition on imported lumber.

ARTICLE VII—APPENDIX D: NEW ENGLAND AND IMPORTED EASTERN HEMLOCK LUMBER: PRICE TABLES

26. Application of Appendix D.
27. Grading rules.
28. Maximum prices.
29. Transportation addition on imported lumber.

ARTICLE VIII—APPENDIX E: EASTERN HEMLOCK LUMBER PRODUCED IN NEW YORK, PENNSYLVANIA, MARYLAND, WEST VIRGINIA, KENTUCKY, VIRGINIA, TENNESSEE, NORTH CAROLINA, SOUTH CAROLINA AND GEORGIA: PRICE TABLES

30. Application of Appendix E.
31. Grading rules.
32. Maximum prices.

ARTICLE IX—APPENDIX F: OTTAWA VALLEY WHITE AND NORWAY PINE: PRICE TABLES

33. Application of Appendix F.
34. Grading rules.
35. Maximum prices.
36. Transportation adjustment.

AUTHORITY: Secs. 1 to 36, inclusive (§ 1381.301), issued under 56 Stat. 23, 765; Pub. Law 151 and 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

### ARTICLE I—SCOPE OF THE REGULATION

SECTION 1. *Prices higher than ceiling prohibited.* (a) On and after July 17, 1944, regardless of any contract or other obligation, no person shall sell or buy for direct-mill shipment, or deliver or receive on direct-mill shipment, any Northeastern softwood lumber at prices higher than the ceiling prices fixed by this regulation; and no person shall agree, offer or attempt to do any of these things.

(b) Prices lower than the ceiling prices may, of course, be charged and paid.

SEC. 2. *To what products and transactions this regulation applies.*—(a) *Products covered.* This regulation covers, under the name of "Northeastern softwood lumber" all items of lumber of the following softwood species produced in the States of Maine, New Hampshire, Vermont, Connecticut, Massachusetts, Rhode Island, New York, Pennsylvania, Maryland, West Virginia, Kentucky, Virginia, Tennessee, North Carolina, South Carolina and Georgia, and in the part of the Dominion of Canada located east of the 85th meridian; or imported

from the Union of Soviet Socialist Republics: Northeastern white pine (Pinus strobus), Norway pine (Pinus resinosa), Eastern hemlock (Tsuga canadensis), Eastern spruce (Picea rubra, Picea Mariana, and Picea glauca), Eastern white cedar (Thuja occidentalis), and Jack pine (Pinus banksiana), and of all other softwood species except Southern pine (covered by 2d Rev. MPR 19), Cypress (covered by MPR 412 and MPR 513) and Cedar (covered by MPR 454), whether the item or species is specifically named in the price tables or not.

(b) *Transactions covered.* This regulation covers, under the term "sales for direct-mill shipment", all sales of Northeastern softwood lumber, no matter who the seller is, and regardless of the quantity involved, except sales of Northeastern softwood lumber which was part of the regular stock of a distribution yard at the time the sale was made.

(1) *How to tell a mill from a distribution yard.* The term "mill", as used here, covers what are known in the trade as sawmills, planing mills and concentration yards. Three types of establishment are described below: the first (1), a typical sawmill or planing mill; the second (2), a typical concentration yard; and the third (3), a typical distribution yard. An establishment which resembles (1) or (2) more than it does (3) is considered a mill; and one which resembles (3) more than it does (1) and (2) is considered a distribution yard.

(i) "A typical sawmill or planing mill" is an establishment which is chiefly engaged in manufacturing lumber from logs or rough lumber by sawing or planing; which is located in or near a lumber producing area; which makes and sells chiefly Northeastern softwood lumber;

(ii) "A typical concentration yard" is an establishment which concentrates and prepares lumber for commercial shipment, which keeps in stock mostly Northeastern softwood lumber, which has its lumber brought in chiefly in rough green form by truck from small local sawmills and sells chiefly for rail or full truckload shipment, and which has been located at its particular site to be near the lumber producing area;

(iii) "A typical distribution yard" is a wholesale or retail lumber yard which gets lumber from mills or other yards; unloads, sorts, and resells or redistributes it; which regularly maintains a varied stock of lumber from different regions; which gets its lumber, except for local species, mostly by rail and sells mostly for truck shipment; which is equipped to make quick deliveries of many different items of lumber; and which has been located at its particular site in order to be near a lumber consuming area.

(2) *New yards or changed status.* In order to prevent violation of this regulation by unnecessary routing through yards, the Office of Price Administration will not recognize distribution yards, either new or resulting from a change in operations, set up after May 24, 1943, unless the yard writes to the Lumber Branch of the Office of Price Administration, Washington 25, D. C., and proves that it satisfies the requirements of the definition and that the purpose is not to get around this regulation by means of unnecessary yard business. Until approval is received, the new yard cannot consider itself a distribution yard for the purpose of this regulation.

(3) *"CPA contract yards."* "CPA yards" as defined in Second Revised Maximum Price Regulation 215 [1] are considered distribution yards, regardless of the above requirements.

### ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

SEC. 3. *Basic prices and cash discount*—(a) *Basic prices.* The maximum prices for domestic Northeastern softwood lumber are set forth in Appendices A, B, C, D, and E. The maximum base prices for imported Northeastern softwood lumber are set forth in Appendices A, C, D, and F, and the transportation charges provided in these Appendices shall be added to arrive at the maximum delivered prices to points within the United States.

(b) *Cash discount.* If cash is paid the maximum price must be reduced by the seller's August 1941 cash discount. When a seller was not in business in August 1941, 2% cash discount for payment in 10 days shall be allowed. On specific written allocations issued by the Office of the Chief of Engineers, War Department, the terms 30 days net may be used by the seller regardless of his established practice.

SEC. 4. *Addition for "direct mill retail sales."* In the case of sales of less than 2,500 feet to any buyer except mills or distribution yards, a handling charge of $5.00 per M'BM may be added to the loaded on cars price, together with a percentage mark-up of 10% of the total so obtained, provided the seller expressly agrees:

(a) To see that the lumber is delivered to the job site or buyer's plant at such time and in such quantities as the buyer specifies;

(b) To give the buyer the privilege of exchanging the lumber and returning unused material;

(c) To make good any shortage from stocks kept on hand for this purpose. The size of the sale is determined by the over-all amount involved in the transaction. Thus, if the buyer and seller know that a particular shipment will run to 10 M'BM, the addition may not be made even if the order is broken into five orders of 2 M'BM and delivered on five different days in loads of 2 M'BM.

SEC. 5. *Transportation charges*—(a) *Domestic lumber*—(1) *Private truck.* When shipment is by truck owned or controlled by the seller, the following amounts may be added for transportation: For distances up to and including 10 miles, $1.50 per M'BM; over 10 and up to and including 20 miles, $2.00 per M'BM; and over 20 and up to and including 30 miles, $2.50 per M'BM. Where the distance is greater than 30 miles, the seller may charge the amount of the railroad charge at the carload rate for the most similar haul or $3.00 per M'BM, whichever is greater. Distance, as used in this paragraph, means the distance from the mill to the point of destination as measured by the speedometer. No addition may be made for the return trip.

(2) *Common or contract carrier.* For common or contract carrier shipments, the maximum transportation addition shall be either the rate times the estimated weights in the Appendices, or the actual amount paid to the carrier.

(3) *Truck delivery after rail haul.* Where the shipment is by rail followed by truck delivery, the amount added for transportation may include, in addition to the amount added for rail transportation, the actual cost of the truck delivery.

(4) *Trucking to rails.* Where a truck haul precedes the rail haul, as where a mill located away from a railhead hauls lumber by truck to the railhead, no addition may be made for the truck haul.

(5) *Transportation to planing mill.* Where the lumber is shipped by rail from a mill having milling-in-transit arrangements with a carrier to a planing mill, owned by the same person, for further processing before delivery to the purchaser, that person may apply for permission to figure transportation charges on the basis of the through rail freight rate from the first mill to final destination in the following case:

(i) Where the hurricane of September, 1938, damaged and destroyed a substantial portion of the timber near which the planing mill had been located so that the mill has been compelled to rely primarily on more distant sources of timber; and

(ii) Where it has not been practicable to move the planing mill near other sources of timber because of excessive moving costs, shortages of mill labor and insufficient standing timber in any single location to warrant moving the mill.

The application should be made by letter to the Lumber Branch, of the Office of Price Administration, Washington, 25, D. C., and may be acted upon by letter. The addition may not be made on quotations or sales until permission has been received.

(b) *Imported lumber.* In the case of sales of imported lumber the transportation charges that may be added to the maximum basic prices are specifically set forth in the various appendices dealing with imported Northeastern softwood lumber.

(c) *"Evening-out".* When estimated weights are used, delivered prices shall be evened out to the nearest quarter of a dollar per M'BM, or nearest 5 cents per 1,000 pieces of lath or square of shingles.

SEC. 6. *Species, grades, items, services and extras not listed.* (a) If a seller wishes to sell a species, grade or item of Northeastern softwood lumber which is not specifically priced in the price tables, or wishes to make an addition for special workings, specifications, services, or extras for which additions are not specifically permitted, he must apply to the Lumber Branch of the Office of Price Administration, Washington 25, D. C. for a maximum price. He must submit the following information:

(1) The requested price; (2) a complete description of the material to be priced; and (3) the price differential

[1] 8 F.R. 14145; 9 F.R. 221, 2553, 2948, 4227, 5314, 6457.

between it and the most comparable item priced in the price tables between January 1 and August 1, 1941, from the seller's own records, or if that is impossible, from the experience of the trade. If no established price differential existed, detailed analysis of comparable value should be furnished.

Applications under this section will be considered only when accompanied by a true copy of an order or of a customer's inquiry which forms the basis of the application, and a written statement by the purchaser showing that none of the items specifically priced in the regulation will serve the purpose for which the stock is to be used, and that it has been his custom to purchase lumber on these special specifications.

(b) As soon as the request has been filed, quotations and deliveries may be made at the requested price, but final payment may not be made until the price has been approved. Action on the request may be by letter or telegram. If the Office of Price Administration has not acted within 30 days of the receipt of the request, the requested price is approved.

SEC. 7. *Invoicing and tally card requirements*—(a) *Invoices.* An invoice must be rendered in all sales as follows:

(1) *Basic price.* All invoices must contain a complete description of the lumber to show whether the price is proper or not. Any working, specification, or extra which affects the maximum price must be mentioned in the description. The amount added for these does not have to be separately shown.

(2) *Transportation charges.* In delivered sales, the invoice must contain the:

(i) Point of origin of shipment; (ii) Destination; (iii) Rail rate (if estimated weights are used; otherwise the actual amount added for transportation); and in the case of the sales of imported lumber, the method of calculation of the freight addition; (iv) The words "direct-mill shipment."

(3) *Delivery and related charges.* Any separate charge which the seller is permitted to make for truck delivery after rail haul must be separately shown on the invoice.

(4) *Direct-mill retail sales.* If the price exceeds the basic mill price because of the "direct-mill retail sale" mark-up authorized in section 10, the invoice should show the amount of the mark-up separately labeled "direct-mill retail sale."

(5) *Different freight rates.* When a single order, for which a single flat delivered price was quoted and accepted is shipped from two or more mills to a single destination on varying freight rates, the seller may average-out the transportation charges. For example, if a wholesaler bids $33.00 per M'BM on a single order of a hundred thousand feet of lumber, the ceiling price being $30.00 per M'BM and the estimated freight $3.00, he can ship half of it on a rate resulting in a $2.00 freight charge and half on a rate resulting in a $4.00 freight charge. Where this practice is adopted, the seller must observe all of the following conditions:

(i) Each invoice must state that the particular shipment is part of a larger order and identify the order. It must also show the individual rates for each shipment or delivery.

(ii) The transportation charges which may be made and collected for each shipment or delivery, on account, must not exceed the average transportation charge figured on the entire order or the actual transportation charge for the particular shipment based upon the permitted estimated weights, whichever is the lower.

(iii) Upon completion of the order the seller must render a final invoice showing the individual f. o. b. mill prices separately, the amount shipped from each mill, the freight charge for each shipment, and a reconciliation of the total amount so computed with the agreed delivered selling prices and also with the maximum prices permitted by this regulation. Final payment and all necessary adjustments between buyer and seller are to be made upon the final reconciliation.

(b) *Tally cards.* Every person selling any Northeastern Softwoods lumber for direct-mill shipment shall post within the freight car, truck, or other means of transport, a tally card showing the point of origin of the shipment and a complete description of the lumber contained in the shipment including the species, condition, working and the number of pieces of each grade, size and length. Any working, specification or extra which affects the maximum f. o. b. mill prices must be mentioned in the description.

SEC. 8. *Sales for export.* The maximum price at which any person may export Northeastern softwood lumber shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation [2] issued by the Office of Price Administration.

SEC. 9. *Prohibited practices.* (a) *General.* Any practice which is a device to get the effect of a higher than ceiling price without actually raising the dollars-and-cents price is as much a violation of this Regulation as an outright over-ceiling price.

(b) *Specific practices.* The following are some of the specific practices prohibited.

(1) Getting the effect of a higher price by changing credit practices from what they were in August 1941. This includes decreasing credit periods or making greater charges for extension of credit. In any case, on sales made through the Office of the Chief of Engineers, War Department, terms of 30 days net may be used.

(2) Refusing (without good reason) to ship except in specified or restricted random lengths, or under other circumstances which bring the seller an extra return.

(3) Selling as specified lengths or widths a shipment of lumber which is substantially equivalent to standard or random lengths or widths; or reselling as specified lengths or widths a shipment bought by the seller as standard or random lengths or widths.

(4) Grading as a special grade lumber which can be graded as a standard grade; wrongly or falsely grading or invoicing lumber in any way.

(5) Making additions for special specifications, services, or other extras which are not specifically permitted.

(6) Refusing to sell on an f. o. b. mill basis, and insisting on selling on a delivered basis, except in the case of sales of imported Northeastern softwood lumber.

(7) Unnecessarily routing lumber through a distribution yard.

(8) Quoting a gross price above the maximum price, even if accompanied by a discount the effect of which is to bring the net price below the maximum.

(9) Making the buyer take something he does not want in order to get what he does want.

(10) Getting a higher price by charging the buyer for ripping or resawing, or charging on the basis of an original size larger than the item actually delivered (for example, charging the price of 4 x 4 ripped to 2 x 4 on a sale and delivery of 2 x 4's) except where the items ordered and delivered are non-standard sizes not specifically priced in the tables. This prohibition has no application where the item resulting from remanufacture is priced higher in the tables than the original larger size.

(11) Making any of the additions contained in the footnotes to the tables in Articles V to X inclusive, to the prices of the various items set forth in the tables unless the purchaser's order expressly requires the working, grade, condition, size, or length for which the additions are permitted.

(12) Making an addition for double end trimming when standard lengths are ordered and shipped.

(c) *Adding commission to ceiling prohibited.* It is unlawful for any person to charge, receive, or pay a commission for the service of procuring (including buying, selling or locating lumber, or for any related service such as "expediting") which does not involve actual physical handling of lumber, if the commission plus the purchase price results in a total payment by the buyer which is higher than the maximum price of the lumber. For purposes of this regulation, a commission is any compensation, however designated, which is paid for the procurement of lumber. This prohibition has no application to the case of a bona fide employer-employee relationship where the employee serves only one employer, insofar as lumber procurement is concerned, and where the compensation paid by the employer is a fixed salary and is not based directly or indirectly on the quantity, price or value of the lumber in connection with which the service is rendered.

(d) *Combination grades.* Lumber sold in a combination of grades for which no price is established in the regulation may not be sold above the maximum price for the lowest priced grade actually named in the combination. For example, the maximum price for lumber sold as merchantable and selected merchant-

[2] 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1036, 5923.

able is the maximum price fixed for merchantable lumber. But it is permissible to sell a combination of grades where the exact quantity of each grade shipped is separately shown on the invoice and segregated in the car by strips (except timbers) or otherwise easily made identifiable to the purchaser and separately tallied (tally card to be included in car), in which case the appropriate ceiling price for the quantity of each grade shipped may be charged.

SEC. 10. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of shipment; but no person may deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after shipment.

ARTICLE III—MISCELLANEOUS

SEC. 11. *Applications for adjustment and petitions for amendment*—(a) *Government contracts.* (See Procedural Regulation No. 6.[3])

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,[4] issued by the Office of Price Administration.

SEC. 12. *Records.* All sellers of Northeastern softwood lumber must keep, for two years, records which show a complete description of the items of lumber sold, the name and address of the buyer, the date of the sale and the price. Buyers must keep similar records, including the name and address of the seller. These records must be kept for any month in which the seller or buyer sold or bought 5,000 feet board measure or more of Northeastern softwood lumber.

SEC. 13. *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for suspension of licenses provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 14. *Licensing.* The provisions of Licensing Order No. 1,[5] 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 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.

[3] 7 F.R. 5087, 5064; 8 F.R. 6173, 6174, 12024.
[4] 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806; 9 F.R. 1594, 5791.
[5] 8 F.R. 13240.

ARTICLE IV—APPENDIX A: SQUARE-EDGE WHITE PINE

SEC. 15. *Application of Appendix A.* This appendix applies to domestic Northeastern white pine lumber processed square edge (i. e., sawn or processed square on four sides), and to imported Northeastern white pine lumber processed square edge shipped from mills located in that part of the Dominion of Canada east of the Province of Ontario, when sold on the specifications and on the grades designated below. (Maximum prices for Northeastern white pine lumber shipped from mills located in that part of the Province of Ontario lying east of the 85th Meridian, known as Ottawa Valley White Pine, are set forth separately in Appendix F.)

SEC. 16. *Grading rules.* Grade terms in this appendix have the meaning set forth in "Standard Grading Rules for Northern White Pine and Norway Pine" (Northeastern type) published by the Northeastern Lumber Manufacturers Association, Inc., effective January 1, 1937.

SEC. 17. *Maximum prices.* The maximum prices f. o. b. cars customary loading-out point for domestic Northeastern white pine lumber processed square edge, and the maximum base price for imported Northeastern white pine lumber other than Ottawa Valley white pine lumber processed square edge shall be as set forth below. These prices are for 1,000 feet board measure of lumber in a rough air-dried condition.

White pine lumber may be invoiced at the dry price if it has been on sticks at least 30 days and is shipped on or before August 17, 1944, or has been on sticks at least 60 days and is shipped between August 17, 1944 and September 17, 1944 or has been on sticks at least 90 days and is shipped after September 17, 1944.

In all cases where the dry price is used the seller must certify on the invoice the date the lumber was placed on sticks.

The term "on sticks" means placed in a suitable drying field and so piled that an air space of approximately 1" is provided between each 2 consecutive horizontal courses of the pile.

TABLE 1—NORTHEASTERN WHITE PINE PROCESSED SQUARE EDGE ROUGH—AIR DRIED—LOADED ON CARS

| Random lengths | C select and better | D select and better | No. 1 and No. 2 common | No. 3 common | No. 4 common | No. 5 common |
|---|---|---|---|---|---|---|
| 1" x 3" | $81.00 | $71.00 | $54.00 | $47.50 | $41.00 | $33.00 |
| 1" x 4" | 80.50 | 70.50 | 51.00 | 47.00 | 39.00 | 28.00 |
| 1" x 5" | 81.50 | 71.50 | 51.50 | 46.00 | 40.00 | 28.00 |
| 1" x 6" | 83.00 | 73.00 | 54.50 | 49.00 | 44.00 | 32.50 |
| 1" x 7" | 83.00 | 73.00 | 54.50 | 49.00 | 44.00 | 32.50 |
| 1" x 8" | 86.00 | 76.00 | 57.00 | 49.50 | 44.50 | 33.50 |
| 1" x 9" | 86.00 | 76.00 | 57.00 | 49.50 | 44.50 | 33.50 |
| 1" x 10" | 91.00 | 81.00 | 57.00 | 51.50 | 44.50 | 33.50 |
| 1" x 11" | 91.00 | 81.00 | 57.00 | 51.50 | 44.50 | 33.50 |
| 1" x 12" | 103.00 | 93.00 | 67.00 | 57.00 | 46.50 | 34.50 |
| 1" x 13" and wider | 106.00 | 96.00 | 68.00 | 58.00 | 48.00 | 37.00 |
| 1" x 4" and wider av. 7" to 8" | 84.00 | 74.00 | 55.50 | 48.75 | 43.75 | 32.50 |
| 1" x 5" and wider av. 8" to 9" | 85.50 | 75.50 | 56.50 | 49.00 | 44.00 | 33.00 |
| 1" x 6" and wider av. 9" or over | 86.00 | 76.00 | 57.00 | 49.50 | 44.50 | 33.50 |

ADDITIONS AND DEDUCTIONS PER M'BM TO THE ABOVE PRICES

| | C select | D select | No. 1 and No. 2 common | No. 3 common | No. 4 common | No. 5 common |
|---|---|---|---|---|---|---|
| For thickness: | | | | | | |
| 1. 8/4" to 8/4" add | $10.00 | $10.00 | $7.00 | ---------- | ---------- | $2.00 |
| 2. 9/4 and thicker add | 15.00 | 15.00 | 8.00 | ---------- | ---------- | 3.00 |
| 3. 5/4 to 8/4" deduct | ---------- | ---------- | ---------- | $2.00 | $2.00 | ---------- |
| 4. 9/4" and thicker deduct | ---------- | ---------- | ---------- | 2.00 | 1.00 | ---------- |
| For length: | | | | | | |
| 5. For specified lengths, add $2.00 | | | | | | |
| 6. For all even lengths, add $1.00 | | | | | | |
| (NOTE: See section 9 paragraph 11.) | | | | | | |

TABLE 2—LOG RUN NORTHEASTERN WHITE PINE PROCESSED SQUARE EDGE ROUGH—AIR DRIED—LOADED ON CARS

4/4" and thicker ---------- $43.50

ADDITIONS AND DEDUCTIONS PER M'BM TO THE PRICES OF TABLES 1 & 2

| | 5,000 ft. B. M. or over | 1,000 to 4,999 ft. B. M. | Net charge under 1,000 |
|---|---|---|---|
| For condition: | | | |
| 1. For green, deduct $3.00 per 1,000 board feet. | | | |
| 2. Loaded on trucks from sticks or planing mill, deduct $1.00. | | | |
| 3. On sticks, deduct $2.00. | | | |
| 4. Loaded on trucks from the pit deduct $2.00. | | | |
| For working: | | | |
| 5. S1S, S2S | $4.00 | $4.25 | $4.25 |
| 6. S2S match | 5.00 | 5.25 | 5.25 |
| 7. Clipping only to exact length | 3.00 | 3.25 | 3.25 |
| 8. Bead 1 side add to S4S | 1.00 | 1.25 | 1.25 |

| | 5,000 ft. B. M. or over | 1,000 to 4,999 ft. B. M. | Net charge under 1,000 |
|---|---|---|---|
| For working—Continued | | | |
| 9. Bead 2 sides add to S4S | $1.50 | $1.75 | $1.75 |
| 10. S2S and resaw 1 cut | 6.50 | 6.75 | 6.75 |
| 11. S4S and resaw 1 cut | 7.50 | 7.75 | 7.75 |
| 12. S2S and resaw 2 cuts | 7.50 | 7.75 | 7.75 |
| 13. S4S and resaw 2 cuts | 8.50 | 8.75 | 8.75 |
| 14. Resaw rough-1 cut | 4.00 | 4.25 | 4.25 |
| 15. Resaw rough — more than 1 cut, add per cut | 2.25 | 2.50 | 2.50 |
| 16. Resaw 1 cut and S2S each piece | 7.50 | 7.75 | 7.75 |
| 17. Resaw 1 cut and S4S each piece | 8.25 | 8.50 | 8.50 |
| 18. Rip per cut | 2.75 | 3.00 | 3.00 |
| 19. S4S and bevel resaw | 7.50 | 7.75 | 7.75 |
| 20. Siding to pattern # 105 or 106 | 6.50 | 6.75 | 6.75 |
| 21. Other patterns 4" or wider | 8.50 | 8.75 | 8.75 |
| 22. Cross cutting—per cut | 1.00 | 1.25 | 1.25 |
| 23. For dressing thicker than standard, for each ½" add to above charges | .50 | .75 | .75 |
| 24. For bundling | 1.50 | 1.50 | 1.50 |

TABLE 3—ESTIMATED WEIGHTS PER THOUSAND FEET—DRY

| | Pounds |
|---|---|
| Rough | 2,500 |
| S1S, S2S | 2,000 |
| S4S | 1,800 |

SEC. 18. *Transportation addition on imported lumber.* (For domestic transportation addition, see section 5). In the case of sales of imported Northeastern white pine lumber, the amount that may be added to the maximum base price for transportation is the railroad freight from Campbellton, New Brunswick, to the point of delivery in the United States, computed on the lowest through rate. This rule applies regardless of the point of origin, and whether the lumber is shipped by rail or truck. The freight shall be computed on the basis of the estimated average weights set forth in Table No. 3 above, and the final amount shall be evened out to the nearest quarter of a dollar per M'BM. No addition may be made to the maximum base price for duty or for any charges or fees incurred in importation.

ARTICLE V—APPENDIX B: ROUND-EDGE WHITE PINE: PRICE TABLES

SEC. 19. *Application of Appendix B.* This appendix applies to domestic Northeastern white pine lumber processed round edge (i. e., sawn or processed by sawing two sides without sawing or otherwise processing edges), sold on the specifications and on the grades designated below.

SEC. 20. *Grading rules.* Grade terms used herein have the meaning set forth in "Standard Grading Rules for Northern White Pine and Norway Pine" (Northeastern type), published by the Northeastern Lumber Manufacturers Association, Inc., effective January 1, 1937.

SEC. 21. *Maximum prices.* The maximum prices for 1,000 feet board measure of Northeastern white pine lumber processed round edge, in a rough air-dried condition, shall be as set forth below.

Round edge white pine lumber may be invoiced at the dry price if it has been on sticks at least 30 days and is shipped on or before August 17, 1944, or has been on sticks at least 60 days and is shipped between August 17, 1944 and September 17, 1944 or has been on sticks at least 90 days and is shipped after September 17, 1944.

In all cases where the dry price is used the seller must certify on the invoice the date the lumber was placed on sticks.

The term "on sticks" means placed in a suitable drying field and so piled that an air space of approximately 1" is provided between each 2 consecutive horizontal courses of the pile.

TABLE 4—NORTHEASTERN WHITE PINE LUMBER PROCESSED ROUND EDGE ROUGH

| | Loaded on trucks from pit | On sticks | Loaded on trucks from sticks | Loaded on railroad cars |
|---|---|---|---|---|
| Dry | | $33.00 | $34.00 | $35.00 |
| Green | $30.00 | 30.00 | 31.00 | 32.00 |

Box sides: Deduct $10.00 from above prices.

NOTE: The use of estimated weight of 3,250 lbs. per thousand feet for freight charges for dry lumber is permissible.

ARTICLE VI—APPENDIX C: EASTERN SPRUCE, NORWAY PINE AND JACK PINE PRICE TABLES

SEC. 22. *Application of Appendix C.* This appendix applies to domestic and imported Eastern spruce, Jack pine and Norway pine lumber (except Norway pine produced in Ontario and farther west), sold on the specifications and on the grades designated below. (Maximum prices for Norway pine shipped from mills located in that part of the Province of Ontario lying east of the 85th meridian, known as Ottawa Valley Norway pine, are set forth separately in Appendix F.)

SEC. 23. *Grading rules.* Grade terms used herein have the meaning set forth in "Standard Grading Rules for Eastern Spruce and Balsam Fir," published by the Northeastern Lumber Manufacturers Association, Inc., effective April 1, 1938, as applied to Eastern spruce and Jack pine lumber, and in "Standard Grading Rules for Northern White Pine" (Northeastern type) published by the Northeastern Lumber Manufacturers Association, Inc., effective January 1, 1937, as applied to Norway pine lumber.

SEC. 24. *Maximum prices.* The maximum f. o. b. cars price for domestic Eastern spruce, Norway pine and Jack pine lumber and white cedar shingles, and the maximum base price for imported Eastern spruce, Norway pine (other than Ottawa Valley Norway pine), and Jack pine lumber shall be as set forth below. These prices are for 1,000 feet board measure (or for 1,000 pieces, or for a square, where so designated) of lumber in a rough air-dried condition.

TABLE 5—EASTERN SPRUCE—FULL SAWN BOARDS—ROUGH LOADED ON CARS

[For Jack pine and Norway pine, see notes 36 and 37]

| Grade | Random length odd and even 8' to 20' | Random length even 8' to 20' | Specified length 8' to 15' inclusive | Specified length 16' | Specified length 17' and/or 18' | Specified length 19' and/or 20' |
|---|---|---|---|---|---|---|
| No. 1 (merchantable): | | | | | | |
| 1 x 2 | $41.50 | $42.50 | $43.50 | $44.50 | $45.50 | $46.50 |
| 3 | 43.50 | 44.50 | 45.50 | 46.50 | 47.50 | 48.50 |
| 4 | 43.50 | 44.50 | 45.50 | 46.50 | 47.50 | 48.50 |
| 5 | 43.50 | 44.50 | 45.50 | 46.50 | 47.50 | 48.50 |
| 6 | 45.50 | 46.50 | 47.50 | 48.50 | 49.50 | 50.50 |
| 7 | 45.50 | 46.50 | 47.50 | 48.50 | 49.50 | 50.50 |
| 8 | 47.50 | 48.50 | 49.50 | 50.50 | 51.50 | 52.50 |
| 9 | 47.50 | 48.50 | 49.50 | 50.50 | 51.50 | 52.50 |
| 10 | 50.50 | 51.50 | 52.50 | 53.50 | 54.50 | 55.50 |
| 12 | 52.50 | 53.50 | 54.50 | 55.50 | 56.50 | 57.50 |

ADDITIONS AND DEDUCTIONS PER M'BM TO THE ABOVE PRICES

| | 5,000 feet BM or over | 1,000 to 4,999 feet BM |
|---|---|---|
| For working: | | |
| 1. Crosscutting for one cut, add | $1.00 | $1.25 |
| Each additional cut, add | 1.00 | 1.25 |
| 2. Crosscutting square, to exact non-standard length, add | 3.00 | 3.25 |
| 3. Ripping, straight, for one cut, add | 2.75 | 3.00 |
| Each additional cut, add | 2.75 | 3.00 |
| 4. Saw sizing to exact width, add | 2.75 | 3.00 |
| 5. Resawing, 4" and narrower, for one cut, add | 4.00 | 4.25 |
| 6. Resawing, wider than 4", for one cut, add | 3.00 | 3.25 |
| 7. Resawing, each additional cut, add | 2.25 | 2.50 |
| 8. Dressing S1S, S2S, S1E, S2E, add | 4.00 | 4.25 |
| 9. Dressing, S2S1E, S4S, S1S+M, S2S+M, S2S+SL, S2E1S, add | 5.00 | 5.25 |
| 10. Any standard dressing and beading one side, add | 6.00 | 6.25 |
| 11. Any standard dressing and beading two sides, add | 6.50 | 6.75 |
| 12. Working to other standard patterns, add | 7.00 | 7.25 |
| 13. Any standard dressing and resawing, add | 6.50 | 6.75 |
| 14. Resawing 1 cut and dressing each piece, add | 7.50 | 7.75 |
| 15. Resawing 1 cut in center and bevel resawing each piece and bundling, add | 7.00 | 7.25 |
| 16. Bundling, add | 1.50 | 1.75 |
| 17. Bundling, exact specified lengths shorter than 8', add | 2.00 | 2.25 |
| For widths: | | |
| 18. For widths wider than listed: For each inch or fraction thereof over 12": to the 12" price add $1.00. | | |
| 19. For specified fractional widths: Price as next wider standard width for which a price is provided and add the ripping charge. | | |
| 20. For lengths longer than listed: For each 2 ft. or fraction thereof over 20 ft; to the 20 ft. price add $1.00. | | |
| 21. Specified fractional lengths longer than 10 ft.: Price and compute footage as next longer standard length, add the crosscutting charge. | | |
| 22. Specified length shorter than 10 ft.: Price as shortest multiple for which a price is provided and add the crosscutting charge. | | |

For thickness:
23. For 1¼" rough: Compute footage as 1¼" and price as 4/4.
24. For ¾ thickness: To the price of the same width and length add $2.00.
25. For 1⅜" rough: Compute footage as 1⅜" and price as 5/4.
26. For 6/4" thickness: To the price of the same width and length add $2.00.
27. For 1½" rough: Compute footage as 1½" and price as 6/4".
28. For scant thickness: (⅞" rough, 2⅜₃₂" S1S, ¾" S2S) from the price of full sawn boards of the same width, length and working, deduct $2.00.
29. Thin boards: Boards thinner than ¾" may be priced on a surface measure basis; but the maximum price per 1000 feet surface measure for any size may not be more than would be the total cost to the purchaser of the necessary board foot quantity of the appropriate thicker size reworked to produce 1000 feet surface measure of the thinner size. For example: 1000 feet surface measure of 1¼₆ x 6 S1S will be produced from 813 feet board measure of 1⅝ x 6 S2S and resawn; therefore the price of 1000 feet surface measure of 1¼₆ x 6 S1S may not be more than the price of 813 feet board measure of 1⅝ x 6 S2S and resawn and the estimated shipping weight per 1000 feet surface measure for 1¼₆ x 6 S1S may not be more than the permissible estimated dressed weight of 813 feet board measure of 1⅝ x 6.

For condition:
30. Loaded on trucks from sticks or planing mill, deduct $1.00.
31. On sticks, deduct $2.00.
32. Loaded on trucks from pit, deduct $2.00.

For grade:
33. Selected merchantable: Add $5.00 to No. 1 prices.
34. No. 2: Deduct $4.00 from No. 1 prices.
35. No. 3: Deduct $9.00 from No. 1 prices.

Notes:
36. Ontario Jack Pine: Price as spruce.
37. Norway Pine: From spruce prices deduct $2.00.
38. Items specifically priced in table No. 8 may not be priced on this table.

TABLE 6—EASTERN SPRUCE FULL SAWN DIMENSION—ROUGH—LOADED ON CARS

[For Jack pine and Norway pine, see notes 21 and 22]

| Grade | Random length odd and even, 8' to 20' | Random length even, 8' to 20' | Specified length, 8' to 15' inc. | Specified length, 16' | Specified length, 17' and/or 18' | Specified length, 19' and/or 20' |
|---|---|---|---|---|---|---|
| No. 1 (merchantable): | | | | | | |
| 2 x 3 | $41.50 | $42.50 | $43.50 | $44.50 | $45.50 | $46.50 |
| 4 | 41.50 | 42.50 | 43.50 | 44.50 | 45.50 | 46.50 |
| 5 | 41.50 | 42.50 | 43.50 | 44.50 | 45.50 | 46.50 |
| 6 | 43.50 | 44.50 | 45.50 | 46.50 | 47.50 | 48.50 |
| 7 | 43.50 | 44.50 | 45.50 | 46.50 | 47.50 | 48.50 |
| 8 | 45.50 | 46.50 | 47.50 | 48.50 | 49.50 | 50.50 |
| 9 | 46.50 | 47.50 | 48.50 | 49.50 | 50.50 | 51.50 |
| 10 | 49.50 | 50.50 | 51.50 | 52.50 | 53.50 | 54.50 |
| 12 | 51.50 | 52.50 | 53.50 | 54.50 | 55.50 | 56.50 |

ADDITIONS AND DEDUCTIONS PER M'BM TO THE ABOVE PRICES

| | 5,000 ft. B. M. or over add— | 1,000–4,999 ft. B. M. |
|---|---|---|
| For working: | | |
| 1. Cross cutting, for one cut | $1.00 | $1.25 |
| Each additional cut | .50 | .75 |
| 2. Cross cutting square to exact nonstandard length | 3.00 | 3.25 |
| 3. Ripping, straight, for one cut | 2.75 | 3.00 |
| Each additional cut | 2.75 | 3.00 |
| 4. Saw sizing to exact width | 2.75 | 3.00 |
| 5. Resaw | 3.00 | 3.25 |
| 6. Dressing, S1S, S2S, S1E, S2E | 4.00 | 4.25 |
| 7. Dressing S2S1E, S4S, S1S&M, S2S&M, S2S&SL, S2E1S | 5.00 | 5.25 |
| 8. Working to other standard patterns | 7.00 | 7.25 |

For width:
9. For widths wider than listed: For each inch or fraction thereof over 12", to the 12" price add $1.00.
10. Specified fractional widths: Price as next wider standard width for which a price is provided and add the crosscutting charge.

For length:
11. For lengths longer than listed: For each 2 ft. or fraction thereof over 20', to the 20' price add $1.00.
12. Specified fractional lengths longer than 10' price and compute footage as next longer standard length and add the crosscutting charge.
13. Specified fractional lengths shorter than 10': Price as shortest multiple for which a price is provided and add the crosscutting charge.

For thickness:
14. For scant thickness: (1⅝" rough, 1²³⁄₃₂" S1S, 1⅝" S2S): From the price of full sawn dimension of the same width, length and working, deduct $2.00.

For condition:
15. Loaded on trucks from sticks or planing mill, deduct $1.00.
16. On sticks, deduct $2.00.
17. Loaded on trucks from pit, deduct $2.00.

For grade:
18. Selected merchantable: Add $5.00 to No. 1 prices.
19. No. 2: Deduct $4.00 from No. 1 prices.
20. No. 3: Deduct $9.00 from No. 1 prices.

Notes:
21. Ontario Jack Pine: Price as spruce.
22. Norway Pine: From spruce prices deduct $2.00.

TABLE 7—EASTERN SPRUCE FULL SAWN TIMBERS—ROUGH—LOADED ON CARS

[For Jack pine and Norway pine, see notes 20 and 21]

| Grade | Random length odd and even, 8' to 20' | Random length even, 8' to 20' | Specified length, 8' to 15' incl. | Specified length, 16' | Specified length, 17' and/or 18' | Specified length, 19' and/or 20' |
|---|---|---|---|---|---|---|
| No. 1 (merchantable): | | | | | | |
| 3 x 4 | $44.50 | $45.50 | $46.50 | $47.50 | $48.50 | $49.50 |
| 5 | 44.50 | 45.50 | 46.50 | 47.50 | 48.50 | 49.50 |
| 6 | 44.50 | 45.50 | 46.50 | 47.50 | 48.50 | 49.50 |
| 7 | 44.50 | 45.50 | 46.50 | 47.50 | 48.50 | 49.50 |
| 8 | 45.50 | 46.50 | 47.50 | 48.50 | 49.50 | 50.50 |
| 9 | 46.50 | 47.50 | 48.50 | 49.50 | 50.50 | 51.50 |
| 10 | 49.50 | 50.50 | 51.50 | 52.50 | 53.50 | 54.50 |
| 12 | 51.50 | 52.50 | 53.50 | 54.50 | 55.50 | 56.00 |
| 4 x 4 | 44.50 | 45.50 | 46.50 | 47.50 | 48.50 | 49.50 |
| 5 | 44.50 | 45.50 | 46.50 | 47.50 | 48.50 | 49.50 |
| 6 | 45.50 | 46.50 | 47.50 | 48.50 | 49.50 | 50.50 |
| 7 | 45.50 | 46.50 | 47.50 | 48.50 | 49.50 | 50.50 |
| 8 | 45.50 | 46.50 | 47.50 | 48.50 | 49.50 | 50.50 |
| 9 | 46.50 | 47.50 | 48.50 | 49.50 | 50.50 | 51.50 |
| 10 | 49.50 | 50.50 | 51.50 | 52.50 | 53.50 | 54.50 |
| 12 | 51.50 | 52.50 | 53.50 | 54.50 | 55.50 | 56.50 |
| 6 x 6 | 45.50 | 46.50 | 47.50 | 48.50 | 49.50 | 50.50 |
| 7 | 45.50 | 46.50 | 47.50 | 48.50 | 49.50 | 50.50 |
| 8 | 46.50 | 47.50 | 48.50 | 49.50 | 50.50 | 51.50 |
| 8 x 8 | 49.50 | 50.50 | 51.50 | 52.50 | 53.50 | 54.50 |

ADDITIONS AND DEDUCTIONS PER M'BM TO THE ABOVE PRICES

| | 5,000 ft. B. M. or over, add— | 1000–4999 ft. B. M. |
|---|---|---|
| For working: | | |
| 1. Cross cutting, for one cut | $1.00 | $1.25 |
| Each additional cut | .50 | .75 |
| 2. Cross cutting square, to exact non standard length | 3.00 | 3.25 |
| 3. Ripping, straight, for one cut | 2.75 | 3.00 |
| Each additional cut | 2.75 | 3.00 |
| 4. Saw sizing to exact width | 2.75 | 3.00 |
| 5. Dressing S1S, S2S, S1E, S2E | 4.00 | 4.25 |
| 6. Dressing S2S1E, S4S, S1S&M, S2S&M, S2S&SL, S2E1S | 5.00 | 5.25 |

For width:
7. For widths wider than listed: For each inch or fraction thereof over 12", to the 12 in. price add $1.00.
8. Specified fractional widths: Price as next wider standard width for which a price is provided and add the ripping charge.

For length:
9. For lengths longer than listed: For each 2 ft. or fraction thereof over 20', to the 20 ft. price add $1.00.
10. Specified fractional lengths longer than 10 ft.: Price and compute footage as next longer standard length and add the crosscutting charge.
11. Specified fractional lengths shorter than 10 ft.: Price as shortest multiple for which a price is provided and add the crosscutting charge.

For thickness:
12. 2¼" thick: Compute footage as 2½" and use 3" price.
13. For thickness greater than listed: For each inch or fraction thereof over 4" add to the 4" price $2.00.

For condition:
14. Loaded on trucks from sticks or planing mill, deduct $1.00.
15. On sticks, deduct $2.00.
16. Loaded on trucks from pit, deduct $2.00.

For grade:
17. Selected merchantable: Add $5.00 to No. 1 prices.
18. No. 2: Deduct $4.00 from No. 1 prices.
19. No. 3: Deduct $9.00 from No. 1 prices.

Notes:
20. Ontario Jack Pine: Price as spruce.
21. Norway Pine: From spruce prices deduct $2.00.

TABLE 8—EASTERN SPRUCE FURRING—LOADED ON CARS

| Nominal size | Finished size | Random length odd and even, 8′ to 16′ | Random length even, 8′ to 16′ | Specified odd, 8′ to 16′ | Specified even, 8′ to 16′ | Specified, 13′ |
|---|---|---|---|---|---|---|
| No. 1 (merchantable): | | | | | | |
| 1 x 1½: | | | | | | |
| D1S1E&BDL | 1 1/16 x 1⅜ | $41.75 | $42.75 | $42.75 | $43.75 | $44.75 |
| | ¾ x 1⅜ | 45.75 | 46.75 | 46.75 | 47.75 | 48.75 |
| | 1 3/16 x 1⅜ | 47.75 | 48.75 | 48.75 | 49.75 | 50.75 |
| | ⅞ x 1⅜ | 48.75 | 49.75 | 49.75 | 50.75 | 51.75 |
| D2S1E&BDL | ¾ x 1⅜ | 46.25 | 47.25 | 47.25 | 48.25 | 49.25 |
| | 1 3/16 x 1⅜ | 48.25 | 49.25 | 49.25 | 50.25 | 51.25 |
| | ⅞ x 1⅜ | 49.25 | 50.25 | 50.25 | 51.25 | 52.25 |
| x 2: | | | | | | |
| D1S1E&BDL | 1 1/16 x 1¾ | 39.75 | 40.75 | 40.75 | 41.75 | 42.75 |
| | 2 3/32 x 1¾ | 40.75 | 41.75 | 41.75 | 42.75 | 43.75 |
| | ¾ x 1¾ | 42.75 | 43.75 | 43.75 | 44.75 | 45.75 |
| | 2 3/32 x 1¾ | 45.75 | 46.75 | 46.75 | 47.75 | 48.75 |
| | 1 3/16 x 1¾ | 46.25 | 47.25 | 47.25 | 48.25 | 49.25 |
| | ⅞ x 1¾ | 46.75 | 47.75 | 47.75 | 48.75 | 49.75 |
| D2S1E&BDL | ¾ x 1¾ | 46.75 | 47.75 | 47.75 | 48.75 | 49.75 |
| | 2 3/32 x 1¾ | 47.00 | 48.00 | 48.00 | 49.00 | 50.00 |
| | 1 3/16 x 1¾ | 47.25 | 48.25 | 48.25 | 49.25 | 50.25 |
| | ⅞ x 1¾ | 47.75 | 48.75 | 48.75 | 49.75 | 50.75 |
| | ⅞ x 1⅞ | 48.25 | 49.25 | 49.25 | 50.25 | 51.25 |
| D4S&BDL | ¾ x 1¾ | 48.75 | 49.75 | 49.75 | 50.75 | 51.75 |
| | ⅞ x 1¾ | 49.75 | 50.75 | 50.75 | 51.75 | 52.75 |
| | ⅞ x 1⅞ | 50.25 | 51.25 | 51.25 | 52.25 | 53.25 |
| 1 x 2½: | | | | | | |
| D1S1E&BDL | 1 1/16 x 2⅜ | 41.75 | 42.75 | 42.75 | 43.75 | 44.75 |
| | ¾ x 2⅜ | 44.75 | 45.75 | 45.75 | 46.75 | 47.75 |
| D2S1E&BDL | ¾ x 2⅜ | 45.75 | 46.75 | 46.75 | 47.75 | 48.75 |
| | ⅞ x 2⅜ | 48.75 | 49.75 | 49.75 | 50.75 | 51.75 |
| D4S&BDL | ¾ x 2⅜ | 47.75 | 48.75 | 48.75 | 49.75 | 50.75 |
| | ⅞ x 2⅜ | 49.75 | 50.75 | 50.75 | 51.75 | 52.75 |
| 1 x 3: | | | | | | |
| D1S1E&BDL | ¾ x 2¾ | 44.75 | 45.75 | 45.75 | 46.75 | 47.75 |
| | 1 3/16 x 2¾ | 46.75 | 47.75 | 47.75 | 48.75 | 49.75 |
| | ⅞ x 2¾ | 47.75 | 48.75 | 48.75 | 49.75 | 50.75 |
| D2S1E&BDL | ¾ x 2¾ | 45.25 | 46.25 | 46.25 | 47.25 | 48.25 |
| | 1 3/16 x 2¾ | 47.25 | 48.25 | 48.25 | 49.25 | 50.25 |
| | ⅞ x 2¾ | 48.25 | 49.25 | 49.25 | 50.25 | 51.25 |
| D4S&BDL | ¾ x 2¾ | 45.75 | 46.75 | 46.75 | 47.75 | 48.75 |
| | 1 3/16 x 2¾ | 47.75 | 48.75 | 48.75 | 49.75 | 50.75 |
| | ⅞ x 2¾ | 48.75 | 49.75 | 49.75 | 50.75 | 51.75 |
| | ⅞ x 2⅞ | 49.25 | 50.25 | 50.25 | 51.25 | 52.25 |
| 1 x 1: | | | | | | |
| D2S1E&BDL | ⅞ x ⅞ | 51.75 | 52.75 | 52.75 | 53.75 | 54.75 |

ADDITIONS AND DEDUCTIONS PER M'BM TO THE ABOVE PRICES

For grade:
1. No. 2: Deduct $4.00 from No. 1 prices.
2. No. 3: Deduct $9.00 from No. 1 prices.

For working:
3. Furring: SSD1E and bundled: From the price of the same widt hand thickness D1S1E and bundled, deduct $1.00.

TABLE 9—EASTERN SPRUCE SELECTS—ROUGH—LOADED ON CARS

| | *Random lengths 8′ to 20′* |
|---|---|
| C. Select: | |
| Thickness and width: | |
| 1 x 2 to 1 x 10, inclusive | 75.50 |
| 1 x 12 | 80.50 |

ADDITIONS AND DEDUCTIONS PER M'BM TO THE ABOVE PRICES

For width:
1. Specified fractional widths: Price as next wider standard width for which a price is provided and add the ripping charge.

For length:
2. Specified fractional lengths shorter than 10 ft.: Price as shortest multiple for which a price is provided and add the crosscutting charge.
3. Specified fractional lengths over 10 ft.: Price and compute footage as next longer standard length and add the crosscutting charge.

For thickness:
4. 1¼″ thick add $5.00 to price of 4/4.
5. 1½″ thick add $5.00 to price of 4/4.
6. 2″ thick add $10.00 to price of 4/4.
7. 3″ thick add $20.00 to price of 4/4.

For grade:
8. B and better: Add to prices of C. Select $20.00.

TABLE 10—EASTERN SPRUCE SELECTED SCAFFOLDING—ROUGH—LOADED ON CARS

| Thickness and width | Specified length 13′ | Specified length 16′ |
|---|---|---|
| 1¼ x 9 | $56.00 | |
| 2 x 9 | 54.00 | |
| 2½ x 10 | | $53.00 |

TABLE 11—EASTERN SPRUCE LATH

| Size | Per 1,000 pieces, #1 | Per 1,000 pieces, #2 |
|---|---|---|
| 3/8″ x 1½″ x 4′ | $5.75 | $4.25 |
| 3/8″ x 1⅝″ x 4′ | 6.25 | 4.75 |
| ½″ x 1½″ x 4′ | 8.50 | 7.00 |
| 7/16″ x 2″ x 4′ | 10.50 | 8.75 |

TABLE 12—WHITE CEDAR SHINGLES 16″

| Grade | Per Square |
|---|---|
| Extra No. 1 | $3.25 |
| Clear walls | 4.50 |
| 2d clears | 4.75 |
| Clears | 5.35 |
| Extras | 5.75 |

TABLE 13—ESTIMATED AVERAGE WEIGHTS FOR SHIPMENTS FROM AMERICAN MILLS

LUMBER

| Species | Rough, pounds per M'BM | Dressed, pounds per M'BM |
|---|---|---|
| Spruce | 3,300 | 3,000 |
| Norway | 3,000 | 2,500 |

LATH

| | Size | Pounds per M pieces |
|---|---|---|
| Spruce | 3/8″ x 1½″ x 4′ | 500 |
| | 3/8″ x 1⅝″ x 4′ | 550 |
| | ½″ x 1½″ x 4′ | 800 |
| | 7/16″ x 2″ x 4′ | 900 |

SHINGLES

| | Size | Pounds per square |
|---|---|---|
| White cedar | 16″ | 200 |

TABLE 14—ESTIMATED AVERAGE WEIGHTS FOR SHIPMENTS FROM CANADIAN MILLS

LUMBER

| Species | Rough, pounds per M'BM | Dressed, pounds per M'BM |
|---|---|---|
| Spruce—except furring | 3,100 | 2,600 |
| Spruce furring 2 3/32+ thicker | | 2,600 |
| Spruce furring ¾+ thinner | | 2,100 |
| Jack pine | 3,100 | 2,600 |
| Norway | 3,000 | 2,500 |

LATH

| | Size | Pounds per M pieces |
|---|---|---|
| Spruce | 3/8″ x 1½″ x 4′ | 500 |
| | 3/8″ x 1⅝″ x 4′ | 550 |
| | ½″ x 1½″ x 4′ | 800 |
| | 7/16″ x 2″ x 4′ | 900 |

TABLE 14—ESTIMATED AVERAGE WEIGHTS FOR SHIPMENTS FROM CANADIAN MILLS—Continued

SHINGLES

| | Size | Pounds per square |
|---|---|---|
| White cedar | 16" | 200 |

SEC. 25. *Transportation addition on imported lumber.* (For domestic transportation addition, see section 5). In the case of sales of Eastern spruce, Norway pine (other than Ottawa Valley Norway pine) and Jack pine lumber, the amount that may be added to the maximum base price for transportation is the railroad freight from Campbellton, New Brunswick, to the point of delivery in the United States computed on the lowest through rate. This rule applies regardless of the point of origin and whether the lumber is shipped by rail or truck. The freight shall be computed on the basis of the estimated average weights set forth in Table No. 14 above, and the final amount shall be evened out to the nearest quarter of a dollar per M'BM. No additions may be made to the maximum base price for duty or for any charge or fees incurred in importation.

ARTICLE VII—APPENDIX D: NEW ENGLAND AND IMPORTED EASTERN HEMLOCK LUMBER: PRICE TABLES

SEC. 26. *Application of Appendix D.* This appendix applies to Eastern hemlock lumber which is shipped to the purchaser from mills located in the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut, and that part of the Dominion of Canada located east of the 85th meridian, and which is sold on the specifications and on the grades designated in this section.

SEC. 27. *Grading rules.* Grade terms used herein have the meaning set forth in the "Official Grading Rules for Hemlock and Tamarack Lumber, and White Cedar Shingles" published by the Northern Hemlock and Hardwood Manufacturers' Association, effective June 27, 1941.

SEC. 28. *Maximum prices.* The maximum f. o. b. cars price for New England Eastern Hemlock lumber, and the maximum base price for imported Eastern hemlock lumber shall be as set forth below. These prices are for 1,000 feet board measure of lumber in a rough air dried condition.

TABLE 15—HEMLOCK BOARDS—ROUGH—LOADED ON CARS (NEW ENGLAND AND CANADIAN)

| Grade | Random length, 6' to 20' | Specified lengths, 8' to 14' | Specified lengths, 16' | Specified lengths, 18' | Specified lengths, 20' |
|---|---|---|---|---|---|
| No. 1: | | | | | |
| 1 x 2 | $42.00 | $42.00 | $44.00 | $45.00 | $46.00 |
| 3 | 42.00 | 42.00 | 44.00 | 45.00 | 46.00 |
| 4 | 42.00 | 42.00 | 44.00 | 45.00 | 46.00 |
| 5 | 42.00 | 42.00 | 44.00 | 45.00 | 46.00 |
| 6 | 44.00 | 44.00 | 46.00 | 47.00 | 48.00 |
| 7 | 44.00 | 44.00 | 46.00 | 47.00 | 48.00 |
| 8 | 44.00 | 44.00 | 46.00 | 47.00 | 48.00 |
| 9 | 44.00 | 44.00 | 46.00 | 47.00 | 48.00 |
| 10 | 45.00 | 45.00 | 47.00 | 48.00 | 49.00 |
| 12 | 47.00 | 47.00 | 49.00 | 50.00 | 51.00 |
| 1 x 5 and wider | 43.00 | 43.00 | 45.00 | 46.00 | 47.00 |
| 1 x 6 and wider | 44.00 | 44.00 | 46.00 | 47.00 | 48.00 |

TABLE 15—HEMLOCK BOARDS—ROUGH—LOADED ON CARS (NEW ENGLAND AND CANADIAN)—Con.

| Grade | Random length, 6' to 20' | Specified lengths, 8' to 14' | Specified lengths, 16' | Specified lengths, 18' | Specified lengths, 20' |
|---|---|---|---|---|---|
| Merchantable: | | | | | |
| 1 x 2 | $39.00 | $39.00 | $41.00 | $42.00 | $43.00 |
| 3 | 39.00 | 39.00 | 41.00 | 42.00 | 43.00 |
| 4 | 39.00 | 39.00 | 41.00 | 42.00 | 43.00 |
| 5 | 39.00 | 39.00 | 41.00 | 42.00 | 43.00 |
| 6 | 41.00 | 41.00 | 43.00 | 44.00 | 45.00 |
| 7 | 41.00 | 41.00 | 43.00 | 44.00 | 45.00 |
| 8 | 41.00 | 41.00 | 43.00 | 44.00 | 45.00 |
| 9 | 41.00 | 41.00 | 43.00 | 44.00 | 45.00 |
| 10 | 42.00 | 42.00 | 44.00 | 45.00 | 46.00 |
| 12 | 44.00 | 44.00 | 46.00 | 47.00 | 48.00 |
| 1 x 5 and wider | 40.00 | 40.00 | 42.00 | 43.00 | 44.00 |
| 1 x 6 and wider | 41.00 | 41.00 | 43.00 | 44.00 | 45.00 |
| No. 2: | | | | | |
| 1 x 2 | 36.00 | 36.00 | 38.00 | 39.00 | 40.00 |
| 3 | 36.00 | 36.00 | 38.00 | 39.00 | 40.00 |
| 4 | 36.00 | 36.00 | 38.00 | 39.00 | 40.00 |
| 5 | 36.00 | 36.00 | 38.00 | 39.00 | 40.00 |
| 6 | 37.00 | 37.00 | 39.00 | 40.00 | 41.00 |
| 7 | 37.00 | 37.00 | 39.00 | 40.00 | 41.00 |
| 8 | 38.00 | 38.00 | 40.00 | 41.00 | 42.00 |
| 9 | 38.00 | 38.00 | 40.00 | 41.00 | 42.00 |
| 10 | 39.00 | 39.00 | 41.00 | 42.00 | 43.00 |
| 12 | 41.00 | 41.00 | 43.00 | 44.00 | 45.00 |
| 1 x 5 and wider | 37.00 | 37.00 | 39.00 | 40.00 | 41.00 |
| 1 x 6 and wider | 37.00 | 37.00 | 39.00 | 40.00 | 41.00 |
| No. 3: | | | | | |
| 1 x 2 | 33.00 | 33.00 | 35.00 | 36.00 | 37.00 |
| 3 | 33.00 | 33.00 | 35.00 | 36.00 | 37.00 |
| 4 | 33.00 | 33.00 | 35.00 | 36.00 | 37.00 |
| 5 | 33.00 | 33.00 | 35.00 | 36.00 | 37.00 |
| 6 | 35.00 | 35.00 | 37.00 | 38.00 | 39.00 |
| 7 | 35.00 | 35.00 | 37.00 | 38.00 | 39.00 |
| 8 | 35.00 | 35.00 | 37.00 | 38.00 | 39.00 |
| 9 | 35.00 | 35.00 | 37.00 | 38.00 | 39.00 |
| 10 | 36.00 | 36.00 | 38.00 | 39.00 | 40.00 |
| 12 | 38.00 | 38.00 | 40.00 | 41.00 | 42.00 |
| 1 x 5 and wider | 34.00 | 34.00 | 36.00 | 37.00 | 38.00 |
| 1 x 6 and wider | 35.00 | 35.00 | 37.00 | 38.00 | 39.00 |
| No. 4: | 35.00 4' to 20' | | | | |
| 1 x 4 | 26.00 | 26.00 | 28.00 | 29.00 | 30.00 |
| 5 | 26.00 | 26.00 | 28.00 | 29.00 | 30.00 |
| 6 | 26.00 | 26.00 | 28.00 | 29.00 | 30.00 |
| 7 | 26.00 | 26.00 | 28.00 | 29.00 | 30.00 |
| 8 | 26.00 | 26.00 | 28.00 | 29.00 | 30.00 |
| 9 | 26.00 | 26.00 | 28.00 | 29.00 | 30.00 |
| 10 | 26.00 | 26.00 | 28.00 | 29.00 | 30.00 |
| 12 | 26.00 | 26.00 | 28.00 | 29.00 | 30.00 |
| No. 5: All widths and lengths | 21.00 | | | | |

ADDITIONS AND DEDUCTIONS PER M'BM TO THE ABOVE PRICES

| | 5,000 ft. B. M. or over, add— | 1000–4999 ft. B. M. |
|---|---|---|
| For working: | | |
| 1. Cross cutting, for one cut | $1.00 | $1.25 |
| Each additional cut | 1.00 | 1.25 |
| 2. Cross cutting square, to exact nonstandard length | 3.00 | 3.25 |
| 3. Ripping straight for one cut | 2.75 | 3.00 |
| Each additional cut | 2.75 | 3.00 |
| 4. Saw sizing to exact width | 2.75 | 3.00 |
| 5. Resawing, 4" and narrower, for one cut | 4.00 | 4.25 |
| 6. Resawing, wider than 4", for one cut | 3.00 | 3.25 |
| 7. Resawing, each additional cut | 2.25 | 2.50 |
| 8. Dressing S1S, S2S, S1E, S2E | 4.00 | 4.25 |
| 9. Dressing, S2S1E, S4S, S1S&M, S2S&M, S2S&SL, S2E1S) | 5.00 | 5.25 |
| 10. Any standard dressing and beading 1 side | 6.00 | 6.25 |
| 11. Any standard dressing and beading 2 sides | 6.50 | 6.75 |
| 12. Working to other standard patterns | 7.00 | 7.25 |
| 13. Any standard dressing and resawing | 6.50 | 6.75 |
| 14. Resawing 1 cut and dressing each piece | 7.50 | 7.75 |
| 15. Resawing 1 cut in center and bevel resawing each piece and bundling | 7.00 | 7.25 |
| 16. Bundling | 1.50 | 1.75 |
| For width: | | |
| 17. For widths wider than listed: For each inch or fraction thereof over 12", to 12 in. price add $1.00. | | |
| 18. Specified fractional widths: Price as next wider standard width for which a price is provided and add the ripping charge. | | |
| For length: | | |
| 19. For lengths longer than listed: For each 2 ft. or fraction thereof over 20 ft.; to 20 ft. price add $1.00. | | |
| 20. Specified fractional lengths longer than 10 ft.: Price and compute footage as next longer standard length and add the crosscutting charge. | | |
| 21. Specified fractional lengths shorter than 10 ft.: Price as shortest multiple for which a price is provided and add the crosscutting charge. | | |
| For thickness: | | |
| 22. For 5/4 thickness: Use price for 1" of the same width and length. | | |
| 23. For 6/4 thickness: Use price for 1" of the same width and length. | | |
| For condition: | | |
| 24. Loaded on trucks from sticks or planing mill, deduct $1.00. | | |
| 25. On sticks, deduct $2.00. | | |
| 26. Loaded on trucks from pit, deduct $2.00. | | |
| For grade: | | |
| 27. "D" select and better, flat grain: Add to price of No. 1 Common $13.00. | | |
| 28. "D" select and better, vertical grain: Add to price of No. 1 common $18.00. | | |

TABLE 16—HEMLOCK DIMENSION—ROUGH—LOADED ON CARS (NEW ENGLAND AND CANADIAN)

[Dollars]

| Grade | Random length, 6' to 24' | Specified length, 8' to 14' | Specified length, 16' | Specified length, 18' | Specified length, 20' | Specified length, 22' | Specified length, 24' |
|---|---|---|---|---|---|---|---|
| No. 1: | | | | | | | |
| 2 x 3 | 40.00 | 40.00 | 42.00 | 43.00 | 44.00 | 45.00 | 46.00 |
| 4 | 40.00 | 40.00 | 42.00 | 43.00 | 44.00 | 45.00 | 46.00 |
| 5 | 40.00 | 40.00 | 42.00 | 43.00 | 44.00 | 45.00 | 46.00 |
| 6 | 42.00 | 42.00 | 44.00 | 45.00 | 46.00 | 47.00 | 48.00 |
| 7 | 42.00 | 42.00 | 44.00 | 45.00 | 46.00 | 47.00 | 48.00 |
| 8 | 42.00 | 42.00 | 44.00 | 45.00 | 46.00 | 47.00 | 48.00 |
| 9 | 42.00 | 42.00 | 44.00 | 45.00 | 46.00 | 47.00 | 48.00 |
| 10 | 42.00 | 42.00 | 44.00 | 45.00 | 46.00 | 47.00 | 48.00 |
| 12 | 44.00 | 44.00 | 46.00 | 47.00 | 48.00 | 49.00 | 50.00 |
| Merchantable: | | | | | | | |
| 2 x 3 | 37.00 | 37.00 | 39.00 | 40.00 | 41.00 | 42.00 | 43.00 |
| 4 | 37.00 | 37.00 | 39.00 | 40.00 | 41.00 | 42.00 | 43.00 |
| 5 | 37.00 | 37.00 | 39.00 | 40.00 | 41.00 | 42.00 | 43.00 |
| 6 | 39.00 | 39.00 | 41.00 | 42.00 | 43.00 | 44.00 | 45.00 |
| 7 | 39.00 | 39.00 | 41.00 | 42.00 | 43.00 | 44.00 | 45.00 |
| 8 | 39.00 | 39.00 | 41.00 | 42.00 | 43.00 | 44.00 | 45.00 |
| 9 | 39.00 | 39.00 | 41.00 | 42.00 | 43.00 | 44.00 | 45.00 |
| 10 | 39.00 | 39.00 | 41.00 | 42.00 | 43.00 | 44.00 | 45.00 |
| 12 | 41.00 | 41.00 | 43.00 | 44.00 | 45.00 | 46.00 | 47.00 |
| No. 2: | | | | | | | |
| 2 x 3 | 34.00 | 34.00 | 36.00 | 37.00 | 38.00 | 39.00 | 40.00 |
| 4 | 34.00 | 34.00 | 36.00 | 37.00 | 38.00 | 39.00 | 40.00 |
| 5 | 34.00 | 34.00 | 36.00 | 37.00 | 38.00 | 39.00 | 40.00 |
| 6 | 36.00 | 36.00 | 38.00 | 39.00 | 40.00 | 41.00 | 42.00 |
| 7 | 36.00 | 36.00 | 38.00 | 39.00 | 40.00 | 41.00 | 42.00 |
| 8 | 36.00 | 36.00 | 38.00 | 39.00 | 40.00 | 41.00 | 42.00 |
| 9 | 36.00 | 36.00 | 38.00 | 39.00 | 40.00 | 41.00 | 42.00 |
| 10 | 36.00 | 36.00 | 38.00 | 39.00 | 40.00 | 41.00 | 42.00 |
| 12 | 38.00 | 38.00 | 40.00 | 41.00 | 42.00 | 43.00 | 44.00 |
| No. 3: | | | | | | | |
| 2 x 3 | 29.00 | 29.00 | 31.00 | 32.00 | 33.00 | 34.00 | 35.00 |
| 4 | 29.00 | 29.00 | 31.00 | 32.00 | 33.00 | 34.00 | 35.00 |
| 5 | 29.00 | 29.00 | 31.00 | 32.00 | 33.00 | 34.00 | 35.00 |
| 6 | 31.00 | 31.00 | 33.00 | 34.00 | 35.00 | 36.00 | 37.00 |
| 7 | 31.00 | 31.00 | 33.00 | 34.00 | 35.00 | 36.00 | 37.00 |
| 8 | 31.00 | 31.00 | 33.00 | 34.00 | 35.00 | 36.00 | 37.00 |
| 9 | 31.00 | 31.00 | 33.00 | 34.00 | 35.00 | 36.00 | 37.00 |
| 10 | 31.00 | 31.00 | 33.00 | 34.00 | 35.00 | 36.00 | 37.00 |
| 12 | 33.00 | 33.00 | 35.00 | 36.00 | 37.00 | 38.00 | 39.00 |
| No. 4: | | | | | | | |
| 2 x 4 | 26.00 | 26.00 | 28.00 | 29.00 | 30.00 | 31.00 | 32.00 |
| 5 | 26.00 | 26.00 | 28.00 | 29.00 | 30.00 | 31.00 | 32.00 |
| 6 | 26.00 | 26.00 | 28.00 | 29.00 | 30.00 | 31.00 | 32.00 |
| 7 | 26.00 | 26.00 | 28.00 | 29.00 | 30.00 | 31.00 | 32.00 |
| 8 | 26.00 | 26.00 | 28.00 | 29.00 | 30.00 | 31.00 | 32.00 |
| 9 | 26.00 | 26.00 | 28.00 | 29.00 | 30.00 | 31.00 | 32.00 |
| 10 | 26.00 | 26.00 | 28.00 | 29.00 | 30.00 | 31.00 | 32.00 |
| 12 | 26.00 | 26.00 | 28.00 | 29.00 | 30.00 | 31.00 | 32.00 |
| No. 5: All widths and lengths $21.00. | | | | | | | |

ADDITIONS AND DEDUCTIONS PER M'BM TO ABOVE PRICES

| | 5,000 ft. B. M. or over, add— | 1000–4999 ft. B. M. |
|---|---|---|
| For working: | | |
| 1. Crosscutting, for one cut | $1.00 | $1.25 |
| Each additional cut | .50 | .75 |
| 2. Crosscutting square, to exact nonstandard length | 3.00 | 3.25 |
| 3. Ripping straight for one cut | 2.75 | 3.00 |
| Each additional cut | 2.75 | 3.00 |

ADDITIONS AND DEDUCTIONS PER M'BM TO ABOVE PRICES—continued

| | 5,000 ft. B. M. or over, add— | 1000-4999 ft. B. M. |
|---|---|---|
| For working—Continued. | | |
| 4. Saw sizing to exact width | $2.75 | $3.00 |
| 5. Resaw | 3.00 | 3.25 |
| 6. Resawing, each additional cut | 2.25 | 2.50 |
| 7. Dressing S1S, S2S, S1E, S2E | 4.00 | 4.25 |
| 8. Dressing S2S1E, S4S, S1S+M, S2S+M, S2S+SL, S2E1S | 5.00 | 5.25 |
| 9. Working to other standard patterns | 7.00 | 7.25 |
| For width: | | |
| 10. For widths wider than listed: For each inch or fraction thereof over 12"; to 12" price add $1.00. | | |
| 11. Specified fractional widths: Price as next wider standard width for which a price is provided and add the crosscutting charge. | | |
| For length: | | |
| 12. For lengths longer than listed: For each 2 ft. or fraction thereof over 24 ft. to 24 ft. price add $1.00. | | |
| 13. Specified fractional lengths longer than 12 ft.: Price and compute footage as next longer standard length and add the crosscutting charge. | | |
| 14. Specified fractional lengths shorter than 12 ft.: Price as shortest multiple for which a price is provided and add the crosscutting charge. | | |
| For grade: | | |
| 15. "D" select and better, flat grain: add to price of No. 1 common $13.00. | | |
| 16. "D" select and better, vertical grain: add to price of No. 1 common $18.00. | | |
| For condition: | | |
| 17. Loaded on trucks from sticks or planing mill, deduct $1.00. | | |
| 18. On sticks, deduct $2.00. | | |
| 19. Loaded on trucks from pit, deduct $2.00. | | |

TABLE 17—HEMLOCK TIMBERS—ROUGH—LOADED ON CARS (NEW ENGLAND AND CANADIAN)

[Dollars]

| Grade | Random length, 8' to 24' | Specified lengths, 8' to 14' | Specified lengths, 16' | Specified lengths, 18' | Specified lengths, 20' | Specified lengths, 22' | Specified lengths, 24' |
|---|---|---|---|---|---|---|---|
| No. 1: | | | | | | | |
| 3 x 4 | 44.00 | 44.00 | 46.00 | 47.00 | 48.00 | 49.00 | 50.00 |
| 6 | 44.00 | 44.00 | 46.00 | 47.00 | 48.00 | 49.00 | 50.00 |
| 8 | 44.00 | 44.00 | 46.00 | 47.00 | 48.00 | 49.00 | 50.00 |
| 10 | 45.00 | 45.00 | 47.00 | 48.00 | 49.00 | 50.00 | 51.00 |
| 12 | 47.00 | 47.00 | 49.00 | 50.00 | 51.00 | 52.00 | 53.00 |
| 4 x 4 | 44.00 | 44.00 | 46.00 | 47.00 | 48.00 | 49.00 | 50.00 |
| 6 | 44.00 | 44.00 | 46.00 | 47.00 | 48.00 | 49.00 | 50.00 |
| 8 | 44.00 | 44.00 | 46.00 | 47.00 | 48.00 | 49.00 | 50.00 |
| 10 | 45.00 | 45.00 | 47.00 | 48.00 | 49.00 | 50.00 | 51.00 |
| 12 | 47.00 | 47.00 | 49.00 | 50.00 | 51.00 | 52.00 | 53.00 |
| 6 x 6 | 44.00 | 44.00 | 46.00 | 47.00 | 48.00 | 49.00 | 50.00 |
| 8 | 44.00 | 44.00 | 46.00 | 47.00 | 48.00 | 49.00 | 50.00 |
| 10 | 45.00 | 45.00 | 47.00 | 48.00 | 49.00 | 50.00 | 51.00 |
| 12 | 47.00 | 47.00 | 49.00 | 50.00 | 51.00 | 52.00 | 53.00 |
| 8 x 8 | 44.00 | 44.00 | 46.00 | 47.00 | 48.00 | 49.00 | 50.00 |
| 10 | 45.00 | 45.00 | 47.00 | 48.00 | 49.00 | 50.00 | 51.00 |
| 12 | 47.00 | 47.00 | 49.00 | 50.00 | 51.00 | 52.00 | 53.00 |
| 10 x 10 | 45.00 | 45.00 | 47.00 | 48.00 | 49.00 | 50.00 | 51.00 |
| 12 | 47.00 | 47.00 | 49.00 | 50.00 | 51.00 | 52.00 | 53.00 |
| 12 x 12 | 47.00 | 47.00 | 49.00 | 50.00 | 51.00 | 52.00 | 53.00 |
| Merchantable: | | | | | | | |
| 3 x 4 | 41.00 | 41.00 | 43.00 | 44.00 | 45.00 | 46.00 | 47.00 |
| 6 | 41.00 | 41.00 | 43.00 | 44.00 | 45.00 | 46.00 | 47.00 |
| 8 | 41.00 | 41.00 | 43.00 | 44.00 | 45.00 | 46.00 | 47.00 |
| 10 | 42.00 | 42.00 | 44.00 | 45.00 | 46.00 | 47.00 | 48.00 |
| 12 | 44.00 | 44.00 | 46.00 | 47.00 | 48.00 | 49.00 | 50.00 |
| 4 x 4 | 41.00 | 41.00 | 43.00 | 44.00 | 45.00 | 46.00 | 47.00 |
| 6 | 41.00 | 41.00 | 43.00 | 44.00 | 45.00 | 46.00 | 47.00 |
| 8 | 41.00 | 41.00 | 43.00 | 44.00 | 45.00 | 46.00 | 47.00 |
| 10 | 42.00 | 42.00 | 44.00 | 45.00 | 46.00 | 47.00 | 48.00 |
| 12 | 44.00 | 44.00 | 46.00 | 47.00 | 48.00 | 49.00 | 50.00 |
| 6 x 6 | 41.00 | 41.00 | 43.00 | 44.00 | 45.00 | 46.00 | 47.00 |
| 8 | 41.00 | 41.00 | 43.00 | 44.00 | 45.00 | 46.00 | 47.00 |
| 10 | 42.00 | 42.00 | 44.00 | 45.00 | 46.00 | 47.00 | 48.00 |
| 12 | 44.00 | 44.00 | 46.00 | 47.00 | 48.00 | 49.00 | 50.00 |
| 8 x 8 | 41.00 | 41.00 | 43.00 | 44.00 | 45.00 | 46.00 | 47.00 |
| 10 | 42.00 | 42.00 | 44.00 | 45.00 | 46.00 | 47.00 | 48.00 |
| 12 | 44.00 | 44.00 | 46.00 | 47.00 | 48.00 | 49.00 | 50.00 |
| 10 x 10 | 42.00 | 42.00 | 44.00 | 45.00 | 46.00 | 47.00 | 48.00 |
| 12 | 44.00 | 44.00 | 46.00 | 47.00 | 48.00 | 49.00 | 50.00 |
| 12 x 12 | 44.00 | 44.00 | 46.00 | 47.00 | 48.00 | 49.00 | 50.00 |
| No. 2: | | | | | | | |
| 3 x 4 | 36.00 | 36.00 | 38.00 | 39.00 | 40.00 | 41.00 | 42.00 |
| 6 | 37.00 | 37.00 | 39.00 | 40.00 | 41.00 | 42.00 | 43.00 |
| 8 | 38.00 | 38.00 | 40.00 | 41.00 | 42.00 | 43.00 | 44.00 |
| 10 | 39.00 | 39.00 | 41.00 | 42.00 | 43.00 | 44.00 | 45.00 |
| 12 | 41.00 | 41.00 | 43.00 | 44.00 | 45.00 | 46.00 | 47.00 |
| 4 x 4 | 36.00 | 36.00 | 38.00 | 39.00 | 40.00 | 41.00 | 42.00 |
| 6 | 37.00 | 37.00 | 39.00 | 40.00 | 41.00 | 42.00 | 43.00 |
| 8 | 38.00 | 38.00 | 40.00 | 41.00 | 42.00 | 43.00 | 44.00 |
| 10 | 39.00 | 39.00 | 41.00 | 42.00 | 43.00 | 44.00 | 45.00 |
| 12 | 41.00 | 41.00 | 43.00 | 44.00 | 45.00 | 46.00 | 47.00 |

TABLE 17—HEMLOCK TIMBERS—ROUGH—LOADED ON CARS (NEW ENGLAND AND CANADIAN—Continued

[Dollars]

| Grade | Random length, 8' to 24' | Specified lengths, 8' to 14' | Specified lengths, 16' | Specified lengths, 18' | Specified lengths, 20' | Specified lengths, 22' | Specified lengths, 24' |
|---|---|---|---|---|---|---|---|
| No. 2—Con. | | | | | | | |
| 6 x 6 | 37.00 | 37.00 | 39.00 | 40.00 | 41.00 | 42.00 | 43.00 |
| 8 | 38.00 | 38.00 | 40.00 | 41.00 | 42.00 | 43.00 | 44.00 |
| 10 | 39.00 | 39.00 | 41.00 | 42.00 | 43.00 | 44.00 | 45.00 |
| 12 | 41.00 | 41.00 | 43.00 | 44.00 | 45.00 | 46.00 | 47.00 |
| 8 x 8 | 38.00 | 38.00 | 40.00 | 41.00 | 42.00 | 43.00 | 44.00 |
| 10 | 39.00 | 39.00 | 41.00 | 42.00 | 43.00 | 44.00 | 45.00 |
| 12 | 41.00 | 41.00 | 43.00 | 44.00 | 45.00 | 46.00 | 47.00 |
| 10 x 10 | 39.00 | 39.00 | 41.00 | 42.00 | 43.00 | 44.00 | 45.00 |
| 12 | 41.00 | 41.00 | 43.00 | 44.00 | 45.00 | 46.00 | 47.00 |
| 12 x 12 | 41.00 | 41.00 | 43.00 | 44.00 | 45.00 | 46.00 | 47.00 |

ADDITIONS AND DEDUCTIONS FOR M'BM TO THE ABOVE PRICES

| | 5,000 ft. B. M. or over, add— | 1,000-4,999 ft. B. M. |
|---|---|---|
| For working: | | |
| 1. Cross cutting, for one cut | $1.00 | $1.25 |
| Each additional cut | .50 | .75 |
| 2. Cross cutting square, to exact nonstandard length | 3.00 | 3.25 |
| 3. Ripping, straight, for one cut | 2.75 | 3.00 |
| Each additional cut | 2.75 | 3.00 |
| 4. Saw sizing to exact width | 2.75 | 3.00 |
| 5. Dressing S1S, S2S, S1E, S2E | 4.00 | 4.25 |
| 6. Dressing S2S1E, S4S, S1S&M, S2S&M, S2S&SL, S2E1S) | 5.00 | 5.25 |
| For width: | | |
| 7. For widths wider than listed: For each inch or fraction thereof over 12"; to 12" price add $1.00. | | |
| 8. Specified fractional widths: Price as next wider standard width for which a price is provided and add the ripping charge. | | |
| For length: | | |
| 9. For lengths longer than listed: For each 2 ft. or fraction thereof over 24 ft. to 24 ft. price add $1.00. | | |
| 10. Specified fractional lengths longer than 12 ft.: Price and compute footage as next longer standard length and add the cross-cutting charge. | | |
| 11. Specified fractional lengths shorter than 12 ft.: Price as shortest multiple for which a price is provided and add the cross-cutting charge. | | |
| For thickness: | | |
| 12. 2½" thick: Compute footage as 2½" and use 3" price. | | |
| 13. For thickness greater than listed: For each inch or fraction thereof over 12"; add to the 12" price $1.00. | | |
| For condition: | | |
| 14. Loaded on trucks from sticks or planing mill, deduct $1.00. | | |
| 15. On sticks, deduct $2.00. | | |
| 16. Loaded on trucks from pit, deduct $2.00. | | |

TABLE 18—ESTIMATED AVERAGE WEIGHTS FOR NEW ENGLAND AND IMPORTED HEMLOCK LUMBER

| Rough | Dressed |
|---|---|
| *Pounds per M'BM* | *Pounds per M'BM* |
| 4000 | 3000 |

SEC. 29. *Transportation addition on imported lumber (For domestic transportation addition, see section 5)*—(a) *General.* In the case of sales of imported Eastern hemlock lumber, the amount that may be added to the maximum base price for transportation is the railroad freight computed on the lowest through rate from the applicable basing point as prescribed below to the point of delivery in the United States.

(b) *Basing points.* Regardless of point of origin of shipments, the following basing points shall apply:

(1) For imported Eastern hemlock lumber delivered in the six New England States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, and Rhode Island, the basing point shall be Campbellton, New Brunswick.

(2) For imported Eastern hemlock lumber delivered in that part of the State of New York east of and including the Counties of St. Lawrence, Jefferson, Oswego, Onondaga, Cortland, and Broome, the basing point shall be Mont Laurier, Quebec.

(3) For imported hemlock lumber delivered in that part of the State of New York west of the Counties of Oswego, Onondaga, Cortland, and Broome, and in all other parts of the United States not covered above, the basing point shall be North Bay, Ontario.

(c) *Estimated weights.* The freight addition shall be computed on the basis of the estimated average weights set forth in Table 18 above, evened out to the nearest quarter of a dollar per M'BM.

(d) *Duty and import expenses.* No additions may be made to the maximum base price for duty or for any charges or fees incurred in importation.

ARTICLE VIII—APPENDIX E: NEW YORK, PENNSYLVANIA AND "APPALACHIAN" PRICE TABLES

SEC. 30. *Application of Appendix E.* This appendix applies to Eastern hemlock lumber which is shipped to the purchaser from mills located in the States of New York, Pennsylvania, Maryland, West Virginia, Kentucky, Virginia, Tennessee, North Carolina, South Carolina, and Georgia and sold on the specifications and on the grades designated in this section.

SEC. 31. *Grading rules.* Grade terms used herein have the meaning set forth in the "Official Grading Rules for Hemlock and Tamarack Lumber, and White Cedar Shingles" published by the Northern Hemlock and Hardwood Manufacturers' Association, effective June 27, 1941.

SEC. 32. *Maximum prices.* The maximum f. o. b. cars price per M'BM of Eastern Hemlock lumber in a rough air-dried condition produced in the States of New York, Pennsylvania, Maryland, West Virginia, Kentucky, Virginia, Tennessee, North Carolina, South Carolina and Georgia shall be as set forth below:

TABLE 19—HEMLOCK BOARDS—ROUGH—LOADED ON CARS (NEW YORK, PENNSYLVANIA, MARYLAND, WEST VIRGINIA, KENTUCKY, VIRGINIA, TENNESSEE, NORTH CAROLINA, SOUTH CAROLINA AND GEORGIA)

| Grade | Random lengths, 6' to 20' | Specified lengths, 8' to 14' | Specified lengths, 16' | Specified lengths, 18' | Specified lengths, 20' |
|---|---|---|---|---|---|
| No. 1: | | | | | |
| 1 x 2 | $45.00 | $45.00 | $47.00 | $48.00 | $49.00 |
| 3 | 45.00 | 45.00 | 47.00 | 48.00 | 49.00 |
| 4 | 45.00 | 45.00 | 47.00 | 48.00 | 49.00 |
| 5 | 45.00 | 45.00 | 47.00 | 48.00 | 49.00 |
| 6 | 47.00 | 47.00 | 49.00 | 50.00 | 51.00 |
| 7 | 47.00 | 47.00 | 49.00 | 50.00 | 51.00 |
| 8 | 47.00 | 47.00 | 49.00 | 50.00 | 51.00 |
| 9 | 47.00 | 47.00 | 49.00 | 50.00 | 51.00 |
| 10 | 48.00 | 48.00 | 50.00 | 51.00 | 52.00 |
| 12 | 50.00 | 50.00 | 52.00 | 53.00 | 54.00 |
| 1 x 5 and wider | 46.00 | 46.00 | 48.00 | 49.00 | 50.00 |
| 1 x 6 and wider | 47.00 | 47.00 | 49.00 | 50.00 | 51.00 |
| Merchantable: | | | | | |
| 1 x 2 | 42.00 | 42.00 | 44.00 | 45.00 | 46.00 |
| 3 | 42.00 | 42.00 | 44.00 | 45.00 | 46.00 |
| 4 | 42.00 | 42.00 | 44.00 | 45.00 | 46.00 |
| 5 | 42.00 | 42.00 | 44.00 | 45.00 | 46.00 |
| 6 | 44.00 | 44.00 | 46.00 | 47.00 | 48.00 |

TABLE 19—Continued

| Grade | Random lengths, 6' to 20' | Specified lengths, 8' to 14' | Specified lengths, 16' | Specified lengths, 18' | Specified lengths, 20' |
|---|---|---|---|---|---|
| Merchantable—Con. | | | | | |
| 1 x 7 | $44.00 | $44.00 | $46.00 | $47.00 | $48.00 |
| 8 | 44.00 | 44.00 | 46.00 | 47.00 | 48.00 |
| 9 | 44.00 | 44.00 | 46.00 | 47.00 | 48.00 |
| 10 | 45.00 | 45.00 | 47.00 | 48.00 | 49.00 |
| 12 | 47.00 | 47.00 | 49.00 | 50.00 | 51.00 |
| 1 x 5 and wider | 43.00 | 43.00 | 45.00 | 46.00 | 47.00 |
| 1 x 6 and wider | 44.00 | 44.00 | 46.00 | 47.00 | 48.00 |
| No. 2: | | | | | |
| 1 x 2 | 39.00 | 39.00 | 41.00 | 42.00 | 43.00 |
| 3 | 39.00 | 39.00 | 41.00 | 42.00 | 43.00 |
| 4 | 39.00 | 39.00 | 41.00 | 42.00 | 43.00 |
| 5 | 39.00 | 39.00 | 41.00 | 42.00 | 43.00 |
| 6 | 40.00 | 40.00 | 42.00 | 43.00 | 44.00 |
| 7 | 40.00 | 40.00 | 42.00 | 43.00 | 44.00 |
| 8 | 41.00 | 41.00 | 43.00 | 44.00 | 45.00 |
| 9 | 41.00 | 41.00 | 43.00 | 44.00 | 45.00 |
| 10 | 42.00 | 42.00 | 44.00 | 45.00 | 46.00 |
| 12 | 44.00 | 44.00 | 46.00 | 47.00 | 48.00 |
| 1 x 5 and wider | 40.00 | 40.00 | 42.00 | 43.00 | 44.00 |
| 1 x 6 and wider | 40.00 | 40.00 | 42.00 | 43.00 | 44.00 |
| No. 3: | | | | | |
| 1 x 2 | 36.00 | 36.00 | 38.00 | 39.00 | 40.00 |
| 3 | 36.00 | 36.00 | 38.00 | 39.00 | 40.00 |
| 4 | 36.00 | 36.00 | 38.00 | 39.00 | 40.00 |
| 5 | 36.00 | 36.00 | 38.00 | 39.00 | 40.00 |
| 6 | 38.00 | 38.00 | 40.00 | 41.00 | 42.00 |
| 7 | 38.00 | 38.00 | 40.00 | 41.00 | 42.00 |
| 8 | 38.00 | 38.00 | 40.00 | 41.00 | 42.00 |
| 9 | 38.00 | 38.00 | 40.00 | 41.00 | 42.00 |
| 10 | 39.00 | 39.00 | 41.00 | 42.00 | 43.00 |
| 12 | 41.00 | 41.00 | 43.00 | 44.00 | 45.00 |
| 1 x 5 and wider | 37.00 | 37.00 | 39.00 | 40.00 | 41.00 |
| 1 x 6 and wider | 38.00 | 38.00 | 40.00 | 41.00 | 42.00 |
| No. 4: | | | | | |
| 1 x 4 | 26.00 | 26.00 | 28.00 | 29.00 | 30.00 |
| 5 | 26.00 | 26.00 | 28.00 | 29.00 | 30.00 |
| 6 | 26.00 | 26.00 | 28.00 | 29.00 | 30.00 |
| 7 | 26.00 | 26.00 | 28.00 | 29.00 | 30.00 |
| 8 | 26.00 | 26.00 | 28.00 | 29.00 | 30.00 |
| 9 | 26.00 | 26.00 | 28.00 | 29.00 | 30.00 |
| 10 | 26.00 | 26.00 | 28.00 | 29.00 | 30.00 |
| 12 | 26.00 | 26.00 | 28.00 | 29.00 | 30.00 |
| No. 5: All widths and lengths $21.00. | | | | | |

ADDITIONS AND DEDUCTIONS PER M'BM TO THE ABOVE PRICES

| | 5,000 feet B. M. or over, add— | 1,000–4,999 feet B. M. |
|---|---|---|
| For working: | | |
| 1. Cross cutting, for one cut | $1.00 | $1.25 |
| Each additional cut | 1.00 | 1.25 |
| 2. Cross cutting square, to exact non-standard length | 3.00 | 3.25 |
| 3. Ripping straight for one cut | 2.75 | 3.00 |
| Each additional cut | 2.75 | 2.75 |
| 4. Saw sizing to exact width | 2.75 | 3.00 |
| 5. Resawing, 4" and narrower | 4.00 | 4.25 |
| 6. Resawing, wider than 4" | 3.00 | 3.25 |
| 7. Resawing, each additional cut | 2.25 | 2.50 |
| 8. Dressing S1S, S2S, S1E, S2E | 4.00 | 4.25 |
| 9. Dressing S2S1E, S4S, S1S+M, S2S+SL, S2E1S, S2S+M | 5.00 | 5.25 |
| 10. Any standard dressing and beading 1 side | 6.00 | 6.25 |
| 11. Any standard dressing and beading 2 sides | 6.50 | 6.75 |
| 12. Working to other standard patterns | 7.00 | 7.25 |
| 13. Any standard dressing and resawing | 6.50 | 6.75 |
| 14. Resawing one cut and dressing each piece | 7.50 | 7.75 |
| 15. Resawing one cut in center and bevel resawing each piece and bundling | 7.00 | 7.25 |
| 16. Bundling | 1.50 | 1.75 |

For width:
17. For widths wider than listed: For each inch or fraction thereof over 12 inches; to 12 inch price add $1.00.
18. Specified fractional widths: Price as next wider standard width for which a price is provided and add the ripping charge.

For length:
19. For lengths longer than listed: For each 2 ft. or fraction thereof over 20 ft.; to 20 ft. price add $1.00.
20. Specified fractional lengths longer than 10 ft.: Price and compute footage as next longer standard length and add the cross-cutting charge.
21. Specified fractional lengths shorter than 10 ft.: Price as shortest multiple for which a price is provided and add the cross-cutting charge.

For thickness:
22. For 5/4 thickness: Use price for 1" of the same width and length.
23. For 6/4 thickness: Use price for 1" of the same width and length.

For grade:
24. "D" select and better, flat grain: Add to price of No. 1 common $13.00.
25. "D" select and better, vertical grain: Add to price of No. 1 common $18.00.

For condition:
26. Loaded on trucks from sticks or planing mill, deduct $1.00.
27. On sticks, deduct $2.00.
28. Loaded on trucks from pit, deduct $2.00.

TABLE 20—HEMLOCK DIMENSION—ROUGH—LOADED ON CARS (NEW YORK, PENNSYLVANIA, MARYLAND, WEST VIRGINIA, KENTUCKY, VIRGINIA, TENNESSEE, NORTH CAROLINA, SOUTH CAROLINA AND GEORGIA)

| Grade | Random lengths, 6' to 24' | Specified lengths, 8' to 14' | Specified lengths, 16' | Specified lengths, 18' | Specified lengths 20' | Specified lengths, 22' | Specified lengths, 24' |
|---|---|---|---|---|---|---|---|
| No. 1: | | | | | | | |
| 2 x 3 | $43 | $43 | $45 | $46 | $47 | $48 | $49 |
| 4 | 43 | 43 | 45 | 46 | 47 | 48 | 49 |
| 5 | 43 | 43 | 45 | 46 | 47 | 48 | 49 |
| 6 | 45 | 45 | 47 | 48 | 49 | 50 | 51 |
| 7 | 45 | 45 | 47 | 48 | 49 | 50 | 51 |
| 8 | 45 | 45 | 47 | 48 | 49 | 50 | 51 |
| 9 | 45 | 45 | 47 | 48 | 49 | 50 | 51 |
| 10 | 45 | 45 | 47 | 48 | 49 | 50 | 51 |
| 12 | 47 | 47 | 49 | 50 | 51 | 52 | 53 |
| Merchantable: | | | | | | | |
| 2 x 3 | 40 | 40 | 42 | 43 | 44 | 45 | 46 |
| 4 | 40 | 40 | 42 | 43 | 44 | 45 | 46 |
| 5 | 40 | 40 | 42 | 43 | 44 | 45 | 46 |
| 6 | 42 | 42 | 44 | 45 | 46 | 47 | 48 |
| 7 | 42 | 42 | 44 | 45 | 46 | 47 | 48 |
| 8 | 42 | 42 | 44 | 45 | 46 | 47 | 48 |
| 9 | 42 | 42 | 44 | 45 | 46 | 47 | 48 |
| 10 | 42 | 42 | 44 | 45 | 46 | 47 | 48 |
| 12 | 44 | 44 | 46 | 47 | 48 | 49 | 50 |
| No. 2: | | | | | | | |
| 2 x 3 | 37 | 37 | 39 | 40 | 41 | 42 | 43 |
| 4 | 37 | 37 | 39 | 40 | 41 | 42 | 43 |
| 5 | 37 | 37 | 39 | 40 | 41 | 42 | 43 |
| 6 | 39 | 39 | 41 | 42 | 43 | 44 | 45 |
| 7 | 39 | 39 | 41 | 42 | 43 | 44 | 45 |
| 8 | 39 | 39 | 41 | 42 | 43 | 44 | 45 |
| 9 | 39 | 39 | 41 | 42 | 43 | 44 | 45 |
| 10 | 39 | 39 | 41 | 42 | 43 | 44 | 45 |
| 12 | 41 | 41 | 43 | 44 | 45 | 46 | 47 |
| No. 3: | | | | | | | |
| 2 x 3 | 32 | 32 | 34 | 35 | 36 | 37 | 38 |
| 4 | 32 | 32 | 34 | 35 | 36 | 37 | 38 |
| 5 | 32 | 32 | 34 | 35 | 36 | 37 | 38 |
| 6 | 34 | 34 | 36 | 37 | 38 | 39 | 40 |
| 7 | 34 | 34 | 36 | 37 | 38 | 39 | 40 |
| 8 | 34 | 34 | 36 | 37 | 38 | 39 | 40 |
| 9 | 34 | 34 | 36 | 37 | 38 | 39 | 40 |
| 10 | 34 | 34 | 36 | 37 | 38 | 39 | 40 |
| 12 | 36 | 36 | 38 | 39 | 40 | 41 | 42 |
| No. 4: | | | | | | | |
| 2 x 4 | 26 | 26 | 28 | 29 | 30 | 31 | 32 |
| 5 | 26 | 26 | 28 | 29 | 30 | 31 | 32 |
| 6 | 26 | 26 | 28 | 29 | 30 | 31 | 32 |
| 7 | 26 | 26 | 28 | 29 | 30 | 31 | 32 |
| 8 | 26 | 26 | 28 | 29 | 30 | 31 | 32 |
| 9 | 26 | 26 | 28 | 29 | 30 | 31 | 32 |
| 10 | 26 | 26 | 28 | 29 | 30 | 31 | 32 |
| 12 | 26 | 26 | 28 | 29 | 30 | 31 | 32 |
| No. 5: All widths and lengths $21. | | | | | | | |

ADDITIONS AND DEDUCTIONS PER M'BM TO THE ABOVE PRICES

| | 5,000 feet BM or over, add— | 1,000–4,999 feet BM |
|---|---|---|
| For working: | | |
| 1. Cross cutting for one cut | $1.00 | $1.25 |
| Each additional cut | .50 | .75 |
| 2. Cross cutting square, to exact nonstandard length | 3.00 | 3.25 |
| 3. Ripping straight for one cut | 2.75 | 3.00 |
| Each additional cut | 2.75 | 3.00 |
| 4. Saw sizing to exact width | 2.75 | 3.00 |
| 5. Resaw | 3.00 | 3.25 |
| Each additional cut | 2.25 | 2.50 |
| 6. Dressing S1S, S2S, S1E, S2E | 4.00 | 4.25 |
| 7. Dressing S2S1E, S4S, S1S+M S2S+SL, S2E1S, S2S+M | 5.00 | 5.25 |
| 8. Working to other standard patterns | 7.00 | 7.25 |

For width:
9. For widths wider than listed: For each inch or fraction thereof over 12"; to 12" price add $1.00.
10. Specified fractional widths: Price as next wider standard width for which a price is provided and add the crosscutting charge.

For length:
11. For lengths longer than listed: For each 2 ft. or fraction thereof over 24 ft.; to 24 ft. price add $1.00.
12. Specified fractional lengths longer than 12 ft.: Price and compute footage as next longer standard length and add the crosscutting charge.
13. Specified fractional lengths shorter than 12 ft.: Price as shortest multiple for which a price is provided and add the crosscutting charge.

For grade:
14. "D" select and better, flat grain: Add to price of No. 1 common $13.00.
15. "D" select and better, vertical grain: Add to price of No. 1 common $18.00.

For condition:
16. Loaded on trucks from sticks or planing mill, deduct $1.00.
17. On sticks, deduct $2.00.
18. Loaded on trucks from pit, deduct $2.00.

TABLE 21—HEMLOCK TIMBERS ROUGH—LOADED ON CARS (NEW YORK, PENNSYLVANIA, MARYLAND, WEST VIRGINIA, KENTUCKY, VIRGINIA, TENNESSEE, NORTH CAROLINA, SOUTH CAROLINA AND GEORGIA)

| Grade | Random lengths, 8' to 24' | Specified lengths, 8' to 14' | Specified lengths, 16' | Specified lengths, 18' | Specified lengths, 20' | Specified lengths, 22' | Specified lengths, 24' |
|---|---|---|---|---|---|---|---|
| No. 1: | | | | | | | |
| 3 x 4 | $47 | $47 | $49 | $50 | $51 | $52 | $53 |
| 6 | 47 | 47 | 49 | 50 | 51 | 52 | 53 |
| 8 | 47 | 47 | 49 | 50 | 51 | 52 | 53 |
| 10 | 48 | 48 | 50 | 51 | 52 | 53 | 54 |
| 12 | 50 | 50 | 52 | 53 | 54 | 55 | 56 |
| 4 x 4 | 47 | 47 | 49 | 50 | 51 | 52 | 53 |
| 6 | 47 | 47 | 49 | 50 | 51 | 52 | 53 |
| 8 | 47 | 47 | 49 | 50 | 51 | 52 | 53 |
| 10 | 48 | 48 | 50 | 51 | 52 | 53 | 54 |
| 12 | 50 | 50 | 52 | 53 | 54 | 55 | 56 |
| 6 x 6 | 47 | 47 | 49 | 50 | 51 | 52 | 53 |
| 8 | 47 | 47 | 49 | 50 | 51 | 52 | 53 |
| 10 | 48 | 48 | 50 | 51 | 52 | 53 | 54 |
| 12 | 50 | 50 | 52 | 53 | 54 | 55 | 56 |
| 8 x 8 | 47 | 47 | 49 | 50 | 51 | 52 | 53 |
| 10 | 48 | 48 | 50 | 51 | 52 | 53 | 54 |
| 12 | 50 | 50 | 52 | 53 | 54 | 55 | 56 |
| 10 x 10 | 48 | 48 | 50 | 51 | 52 | 53 | 54 |
| 12 | 50 | 50 | 52 | 53 | 54 | 55 | 56 |
| 12 x 12 | 50 | 50 | 52 | 53 | 54 | 55 | 56 |
| Merchantable: | | | | | | | |
| 3 x 4 | 44 | 44 | 46 | 47 | 48 | 49 | 50 |
| 6 | 44 | 44 | 46 | 47 | 48 | 49 | 50 |
| 8 | 44 | 44 | 46 | 47 | 48 | 49 | 50 |
| 10 | 45 | 45 | 47 | 48 | 49 | 50 | 51 |
| 12 | 47 | 47 | 49 | 50 | 51 | 52 | 53 |
| 4 x 4 | 44 | 44 | 46 | 47 | 48 | 49 | 50 |
| 6 | 44 | 44 | 46 | 47 | 48 | 49 | 50 |
| 8 | 44 | 44 | 46 | 47 | 48 | 49 | 50 |
| 10 | 45 | 45 | 47 | 48 | 49 | 50 | 51 |
| 12 | 47 | 47 | 49 | 50 | 51 | 52 | 53 |
| 6 x 6 | 44 | 44 | 46 | 47 | 48 | 49 | 50 |
| 8 | 44 | 44 | 46 | 47 | 48 | 49 | 50 |
| 10 | 45 | 45 | 47 | 48 | 49 | 50 | 51 |
| 12 | 47 | 47 | 49 | 50 | 51 | 52 | 53 |
| 8 x 8 | 44 | 44 | 46 | 47 | 48 | 49 | 50 |
| 10 | 45 | 45 | 47 | 48 | 49 | 50 | 51 |
| 12 | 47 | 47 | 49 | 50 | 51 | 52 | 53 |
| 10 x 10 | 45 | 45 | 47 | 48 | 49 | 50 | 51 |
| 12 | 47 | 47 | 49 | 50 | 51 | 52 | 53 |
| 12 x 12 | 47 | 47 | 49 | 50 | 51 | 52 | 53 |
| No. 2: | | | | | | | |
| 3 x 4 | 39 | 39 | 41 | 42 | 43 | 44 | 45 |
| 6 | 40 | 40 | 42 | 43 | 44 | 45 | 46 |
| 8 | 41 | 41 | 43 | 44 | 45 | 46 | 47 |
| 10 | 42 | 42 | 44 | 45 | 46 | 47 | 48 |
| 12 | 44 | 44 | 46 | 47 | 48 | 49 | 50 |
| 4 x 4 | 39 | 39 | 41 | 42 | 43 | 44 | 45 |
| 6 | 40 | 40 | 42 | 43 | 44 | 45 | 46 |
| 8 | 41 | 41 | 43 | 44 | 45 | 46 | 47 |
| 10 | 42 | 42 | 44 | 45 | 46 | 47 | 48 |
| 12 | 44 | 44 | 46 | 47 | 48 | 49 | 50 |
| 6 x 6 | 40 | 40 | 42 | 43 | 44 | 45 | 46 |
| 8 | 41 | 41 | 43 | 44 | 45 | 46 | 47 |
| 10 | 42 | 42 | 44 | 45 | 46 | 47 | 48 |
| 12 | 44 | 44 | 46 | 47 | 48 | 49 | 50 |
| 8 x 8 | 41 | 41 | 43 | 44 | 45 | 46 | 47 |
| 10 | 42 | 42 | 44 | 45 | 46 | 47 | 48 |
| 12 | 44 | 44 | 46 | 47 | 48 | 49 | 50 |
| 10 x 10 | 42 | 42 | 44 | 45 | 46 | 47 | 48 |
| 12 | 44 | 44 | 46 | 47 | 48 | 49 | 50 |
| 12 x 12 | 44 | 44 | 46 | 47 | 48 | 49 | 50 |

ADDITIONS AND DEDUCTIONS PER M′ BM TO THE ABOVE PRICES

| | 5,000 feet BM or over, add— | 1,000–4,999 feet BM |
|---|---|---|
| For working: | | |
| 1. Crosscutting for one cut | $1.00 | $1.25 |
| Each additional cut | .50 | .75 |
| 2. Crosscutting square to exact nonstandard length | 3.00 | 3.25 |
| 3. Ripping, straight for one cut | 2.75 | 3.00 |
| Each additional cut | 2.75 | 3.00 |
| 4. Saw sizing to exact width | 2.75 | 3.00 |
| 5. Dressing S1S, S2S, S1E, S2E | 4.00 | 4.25 |
| 6. Dressing S2S1E, S4S, S1S+M, S2S+SL, S2E1S | 5.00 | 5.25 |
| For width: | | |
| 7. For widths wider than listed: For each inch or fraction thereof over 12″, to 12″ price, add $1.00. | | |
| 8. Specified fractional widths: Price as next wider standard width for which a price is provided and add the ripping charge. | | |
| For length: | | |
| 9. For lengths longer than listed: For each 2 ft. or fraction thereof over 24 ft. to 24 ft. price, add $100. | | |
| 10. Specified fractional lengths longer than 12 ft.: Price and compute footage as next longer standard length and add the crosscutting charge. | | |
| 11. Specified fractional lengths shorter than 12 ft.: Price as shortest multiple for which a price is provided and add the crosscutting charge. | | |
| For thickness: | | |
| 12. 2½″ thick: Compute footage as 2½″ and use 3″ price. | | |
| 13. For thickness greater than listed: For each inch or fraction thereof over 12″, add to the 12″ price $1.00. | | |
| For condition: | | |
| 14. Loaded on trucks from sticks or planing mill, deduct $1.00. | | |
| 15. On sticks, deduct $2.00. | | |
| 16. Loaded on trucks from pit, deduct $2.00. | | |

TABLE 22—ESTIMATED AVERAGE WEIGHTS FOR NEW YORK, PENNSYLVANIA, MARYLAND, WEST VIRGINIA, KENTUCKY, VIRGINIA, TENNESSEE, NORTH CAROLINA, SOUTH CAROLINA AND GEORGIA HEMLOCK

LUMBER

| Rough | Dressed |
|---|---|
| *Pounds per M′BM* | *Pounds per M′BM* |
| 4000 | 3000 |

ARTICLE IX—APPENDIX F: OTTAWA VALLEY WHITE AND NORWAY PINE PRICE TABLES

SEC. 33. *Application of Appendix F.* This section applies to white and Norway pine lumber which is shipped to a purchaser in the United States from mills located in that part of the Province of Ontario, east of the 85th meridian, and sold on the specifications and on the grades designated below.

SEC. 34. *Grading rules.* Grade terms used herein have the meaning set forth in the "Official Grading Rules for White Pine and Red or Norway Pine" adopted by the members of the White Pine Bureau, Toronto, Ontario, published July, 1940.

SEC. 35. *Maximum prices.* The maximum price, f. o. b. Niagara Falls, N. Y., for 1,000 feet board measure of Ottawa Valley white and Norway pine lumber in a rough air-dried condition shall be as follows:

TABLE 23—WHITE PINE (OTTAWA VALLEY)

C SELECT AND BETTER

| Thickness (inches) | Width (inches) | Length (feet) | Price per MBM |
|---|---|---|---|
| 1 | 4/6 | 6/9 | $75.50 |
| 1 | 6 | 6/9 | 80.25 |
| 1 | 7 and wider | 6/9 | 89.25 |
| 1¼ | 4 and wider | 6/9 | 102.75 |
| 1½ | 4 and wider | 6/9 | 102.75 |
| 2 | 4 and wider | 6/9 | 102.75 |
| 1 | 4/6 | 10/16 | 87.50 |
| 1 | 6 | 10/16 | 92.00 |
| 1 | 7 and wider (av. 8″) | 10/16 | 105.50 |
| 1¼ | 4/6 | 10/16 | 112.00 |
| 1½ | 4/6 | 10/16 | 112.00 |
| 2 | 4/6 | 10/16 | 112.00 |
| 1¼ | 7 and wider (av. 8½) | 10/16 | 134.75 |
| 1½ | 7 and wider (av. 8½) | 10/16 | 134.75 |
| 2 | 7 and wider (av. 8½) | 10/16 | 134.75 |
| 3 | 6 and wider | 10/16 | 180.25 |

D SELECTS

| | | | |
|---|---|---|---|
| 1 | 4/6 | 6/9 | $68.25 |
| 1 | 7 and wider | 6/9 | 77.50 |
| 1¼ | 4 and wider | 6/9 | 77.50 |
| 1½ | 4 and wider | 6/9 | 77.50 |
| 2 | 4 and wider | 6/9 | 77.50 |
| 1 | 4 | 10/16 | 77.50 |
| 1 | 5 | 10/16 | 77.50 |
| 1 | 6 | 10/16 | 80.25 |
| 1 | 4/6 | 10/16 | 78.25 |
| 1 | 8 | 10/16 | 82.75 |
| 1 | 10 | 10/16 | 92.00 |
| 1 | 12 | 10/16 | 110.25 |
| 1 | 7 and wider | 10/16 | 84.75 |
| 1¼ | 4/6 | 10/16 | 85.50 |
| 1¼ | 7 and wider | 10/16 | 105.25 |
| 1½ | 4/6 | 10/16 | 85.50 |
| 1½ | 7 and wider | 10/16 | 105.25 |
| 2 | 4/6 | 10/16 | 89.25 |
| 2 | 7 and wider | 10/16 | 107.50 |
| 2½ | 6 and wider | 8/16 | 134.75 |
| 3 | 6 and wider | 8/16 | 139.25 |
| 4 | 6 and wider | 8/16 | 143.75 |

NO. 1 CUTS

| | | | |
|---|---|---|---|
| 1¼ | 6 and wider | 8/16 | $98.25 |
| 1½ | 6 and wider | 8/16 | 116.50 |
| 2 | 6 and wider | 8/16 | 116.50 |

NO. 2 CUTS

| | | | |
|---|---|---|---|
| 1¼ | 6 and wider | 8/16 | $80.25 |
| 1½ | 6 and wider | 8/16 | 96.50 |
| 2 | 6 and wider | 8/16 | 96.50 |

NO. 3 CUTS

| | | | |
|---|---|---|---|
| 1 | 6 and wider | 6/16 | $55.50 |
| 1¼ | 6 and wider | 6/16 | 62.00 |
| 1½ | 6 and wider | 6/16 | 70.25 |
| 2 | 6 and wider | 6/16 | 70.25 |
| 2½+3 | 6 and wider | 6/16 | 84.75 |

NO. 1 AND 2 CUTS

| | | | |
|---|---|---|---|
| 1 | 6 and wider | 8/16 | $71.00 |
| 1¼ | 6 and wider | 8/16 | 93.75 |
| 1½ | 6 and wider | 8/16 | 106.50 |
| 2 | 6 and wider | 8/16 | 106.50 |
| 2½ | 6 and wider | 8/16 | 122.75 |
| 3 | 6 andwider | 8/16 | 122.75 |

NO. 1, 2, AND 3 CUTS (⅓ EACH)

| | | | |
|---|---|---|---|
| 1 | 6 and wider | 8/16 | $66.50 |
| 1¼ | 6 and wider | 8/16 | 84.75 |
| 1½ | 6 and wider | 8/16 | 94.75 |
| 2 | 6 and wider | 8/16 | 94.75 |

NO. 1 AND 2 COMMON

| | | | |
|---|---|---|---|
| 1 | 4 and wider | 6/7 | $53.75 |
| 1 | 4 | 8/16 | 65.50 |
| 1 | 5 | 8/16 | 63.75 |
| 1 | 6 | 8/16 | 63.75 |
| 1 | 7 | 8/16 | 63.75 |
| 1 | 8 | 8/16 | 65.50 |
| 1 | 9 | 8/16 | 67.50 |
| 1 | 10 | 8/16 | 76.50 |
| 1 | 11 | 8/16 | 82.00 |
| 1 | 12 | 8/16 | 86.50 |
| 1¼, 1½, 2 | 4 and wider | 6/7 | 56.50 |

TABLE 23—WHITE PINE (OTTAWA VALLEY)—Continued.

NO. 1 AND 2 COMMON—con.

| Thickness (inches) | Width (inches) | Length (feet) | Price per M′BM |
|---|---|---|---|
| 1¼, 1½, 2 | 4 | 8/16 | $69.25 |
| 1¼, 1½, 2 | 5 | 8/16 | 67.50 |
| 1¼, 1½, 2 | 6 | 8/16 | 67.50 |
| 1¼, 1½, 2 | 7 | 8/16 | 67.50 |
| 1¼, 1½, 2 | 8 | 8/16 | 69.25 |
| 1¼, 1½, 2 | 9 | 8/16 | 71.00 |
| 1¼, 1½, 2 | 10 | 8/16 | 81.00 |
| 1¼, 1½, 2 | 11 | 8/16 | 88.25 |
| 1¼, 1½, 2 | 12 | 8/16 | 92.75 |
| 3 | 4 | 8/16 | 71.00 |
| 3 | 6 | 8/16 | 71.00 |
| 3 | 8 | 8/16 | 72.75 |
| 3 | 10 | 8/16 | 84.75 |
| 3 | 12 | 8/16 | 94.75 |
| 4 | 4 | 8/16 | 72.75 |
| 4 | 6 | 8/16 | 72.75 |
| 4 | 8 | 8/16 | 72.75 |
| 4 | 10 | 8/16 | 84.75 |
| 4 | 12 | 8/16 | 94.75 |
| 5 | 5 | 8/16 | 84.75 |
| 6 | 6 | 8/16 | 86.50 |

SELECTED NO. 3 COMMON (80% UPPER END NO. 3)

| | | | |
|---|---|---|---|
| 1 | 4 | 8/16 | $57.50 |
| 1 | 5 | 8/16 | 57.50 |
| 1 | 6 | 8/16 | 60.25 |
| 1 | 8 | 8/16 | 60.25 |
| 1 | 9 | 8/16 | 60.25 |
| 1 | 10 | 8/16 | 62.00 |
| 1 | 11 | 8/16 | 65.50 |
| 1 | 12 | 8/16 | 65.50 |
| 1¼, 1½, 2 | 4 | 8/16 | 59.25 |
| 1¼, 1½, 2 | 5 | 8/16 | 59.25 |
| 1¼, 1½, 2 | 6 | 8/16 | 62.00 |
| 1¼, 1½, 2 | 8 | 8/16 | 62.00 |
| 1¼, 1½, 2 | 9 | 8/16 | 62.00 |
| 1¼, 1½, 2 | 10 | 8/16 | 63.75 |
| 1¼, 1½, 2 | 11 | 8/16 | 67.50 |
| 1¼, 1½, 2 | 12 | 8/16 | 67.50 |

NO. 3 COMMON

| | | | |
|---|---|---|---|
| 1 | 4 | 6/16 | $52.75 |
| 1 | 5 | 6/16 | 52.75 |
| 1 | 6 | 6/16 | 55.50 |
| 1 | 7 | 6/16 | 55.50 |
| 1 | 8 | 6/16 | 55.50 |
| 1 | 9 | 6/16 | 55.50 |
| 1 | 10 | 6/16 | 57.50 |
| 1 | 11 | 6/16 | 60.25 |
| 1 | 12 | 6/16 | 60.25 |
| 1¼, 1½, 2 | 4 | 6/16 | 54.75 |
| 1¼, 1½, 2 | 5 | 6/16 | 54.75 |
| 1¼, 1½, 2 | 6 | 6/16 | 57.50 |
| 1¼, 1½, 2 | 7 | 6/16 | 57.50 |
| 1¼, 1½, 2 | 8 | 6/16 | 57.50 |
| 1¼, 1½, 2 | 9 | 6/16 | 57.50 |
| 1¼, 1½, 2 | 10 | 6/16 | 59.25 |
| 1¼, 1½, 2 | 11 | 6/16 | 62.00 |
| 1¼, 1½, 2 | 12 | 6/16 | 62.00 |
| 3 | 4 | 10/16 | 57.50 |
| 3 | 5 | 10/16 | 57.50 |
| 3 | 6 | 10/16 | 59.25 |
| 3 | 7 | 10/16 | 59.25 |
| 3 | 8 | 10/16 | 59.25 |
| 3 | 9 | 10/16 | 60.25 |
| 3 | 10 | 10/16 | 61.00 |
| 3 | 11 | 10/16 | 62.75 |
| 3 | 12 | 10/16 | 62.75 |

NO. 4 COMMON

| | | | |
|---|---|---|---|
| 1 | 4/9 | 6/16 | $50.25 |
| 1 | 4 | 6/16 | 49.25 |
| 1 | 5 | 6/16 | 50.25 |
| 1 | 6 | 6/16 | 51.00 |
| 1 | 7 | 6/16 | 51.00 |
| 1 | 8 | 6/16 | 52.75 |
| 1 | 9 | 6/16 | 52.75 |
| 1 | 10 | 6/16 | 53.75 |
| 1 | 11 | 6/16 | 53.75 |
| 1 | 12 | 6/16 | 55.50 |
| 1¼, 1½, 2, 3 | 4/9 | 6/16 | 52.00 |
| 1¼, 1½, 2, 3 | 4 | 6/16 | 51.00 |
| 1¼, 1½, 2, 3 | 5 | 6/16 | 52.00 |
| 1¼, 1½, 2, 3 | 6 | 6/16 | 52.75 |
| 1¼, 1½, 2, 3 | 7 | 6/16 | 52.75 |
| 1¼, 1½, 2, 3 | 8 | 6/16 | 54.75 |
| 1¼, 1½, 2, 3 | 9 | 6/16 | 54.75 |
| 1¼, 1½, 2, 3 | 10 | 6/16 | 55.50 |
| 1¼, 1½, 2, 3 | 11 | 6/16 | 55.50 |
| 1¼, 1½, 2, 3 | 12 | 6/16 | 57.50 |

TABLE 23—WHITE PINE (OTTAWA VALLEY)—Continued.

NO. 5 COMMON

| Thickness (inches) | Width (inches) | Length (feet) | Price per M'BM |
|---|---|---|---|
| 1 | 4/9 | 6/16 | $46.50 |
| 1 | 10/12 | 6/16 | 50.25 |
| 1¼, 1½, 2, 3 | 4/9 | 6/16 | 46.50 |
| 1¼, 1½, 2, 3 | 10/12 | 6/16 | 50.25 |

TABLE 23—WHITE PINE (OTTAWA VALLEY)—Continued.

NO. 6 COMMON

| Thickness (inches) | Width (inches) | Length (feet) | Price Per M'BM |
|---|---|---|---|
| 1 | 4/9 | 6/16 | $37.50 |
| 1 | 4 and wider | 6/16 | 38.25 |
| 1 | 10 and wider | 6/16 | 39.25 |
| 1¼ | 4 and wider | 6/16 | 35.50 |
| 1½ | 4 and wider | 6/16 | 38.25 |
| 2 | 4 and wider | 6/16 | 41.00 |
| 3 | 4 and wider | 6/16 | 41.00 |

TABLE 24—NORWAY PINE—ROUGH (OTTAWA VALLEY)

CLEAR AND CLEAR FACE

| Thickness (inches) | Width (inches) | Length (feet) | Price per M'BM |
|---|---|---|---|
| 1 | 4/6 | 6 and up | $68.50 |
| 1 | 7 and up | 6 and up | 77.50 |
| 1¼ | 4/6 | 6 and up | 73.00 |
| 1½ | 4/6 | 6 and up | 73.00 |
| 2 | 4/6 | 6 and up | 73.00 |
| 1¼ | 7 and up | 6 and up | 82.00 |
| 1½ | 7 and up | 6 and up | 82.00 |
| 2 | 7 and up | 6 and up | 82.00 |

GRADE: MERCHANTABLE

| Thickness (inches) | Length | Width | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | | 4″ | 5″ | 6″ | 7″ | 8″ | 9″ | 10″ | 11″ | 12″ |
| 1 | R/L | $50.25 | $50.25 | $51.25 | ..... | $52.00 | ..... | $53.75 | ..... | $57.50 |
| 1¼, 1½, 2 | R/L | 52.00 | 50.25 | 53.00 | $53.75 | 53.75 | $55.75 | 55.75 | $59.25 | 59.25 |
| 3 | R/L | 53.00 | ..... | 53.75 | 55.75 | 55.75 | 59.25 | 59.25 | 61.25 | 61.25 |
| 4 | R/L | 54.75 | ..... | 55.75 | 57.50 | 57.50 | 61.25 | 61.25 | 63.00 | 63.00 |

GRADE: NO. 1 AND NO. 2 CULLS

| Thickness (inches) | Length | Width | | | | | |
|---|---|---|---|---|---|---|---|
| | | 4″ | 5″ | 6″ | 8″ | 10″ | 12″ |
| 1 | R/L | $42.00 | $42.00 | $43.75 | $44.75 | $45.75 | $45.75 |
| 1¼, 1½, 2 | R/L | 43.75 | 43.75 | 43.75 | 44.75 | 45.75 | 45.75 |
| 3 | R/L | 43.75 | ..... | 44.75 | 46.50 | 47.50 | 47.50 |
| 4 | R/L | 43.75 | ..... | 44.75 | 46.50 | 47.50 | 47.50 |

ADDITIONS AND DEDUCTIONS PER M'BM TO THE ABOVE PRICES

| | 5,000 feet BM | 4,999 feet or less |
|---|---|---|
| For working: | | |
| 1. Cross cutting, for one cut, add | $1.00 | $1.25 |
| Each additional cut, add | 1.00 | 1.25 |
| 2. Cross cutting square to exact non-standard length, add | 3.00 | 3.25 |
| 3. Ripping, straight for one cut, add | 2.75 | 3.00 |
| Each additional cut, add | 2.75 | 3.00 |
| 4. Saw sizing to exact width, add | 2.75 | 3.00 |
| 5. Resawing, 4″ and narrower, add | 4.00 | 4.25 |
| 6. Resawing, 4″ and wider, add | 3.00 | 3.25 |
| Each additional cut, add | 2.25 | 2.50 |
| 7. Dressing S1S, S2S, S1E, S2E, add | 4.00 | 4.25 |
| 8. Dressing, S2S1E, S4S, S1S+M, S2S+SL, S2E1S, S2S+M, add | 5.00 | 5.25 |
| 9. Any standard dressing and beading one side, add | 6.00 | 6.25 |
| 10. Any standard dressing and beading two sides, add | 6.50 | 6.75 |
| 11. Working to other standard patterns, add | 7.00 | 7.25 |
| 12. Any standard dressing and resawing, add | 6.50 | 6.75 |
| 13. Resawing one cut and dressing each piece, add | 7.50 | 7.75 |
| 14. Resawing one cut in center, bevel resawing each piece, and bundling, add | 7.00 | 7.25 |
| 15. Bundling, add | 1.50 | 1.75 |
| 16. Bundling, exact specified lengths shorter than 8′, add | 2.00 | 2.25 |
| For width: (white pine only): | | |
| 17. 1 x 7 and wider 10/16 C select and better; for each one inch over 8 inches in average width, add $3.00. | | |
| 18. 1¼ x 7 and wider 10/16 C select and better; 1½ x 7 and wider 10/16 C select and better; 2 x 7 and wider 10/16 C select and better; for each one inch over 8½ inches in average width, add $5.00. | | |
| For grade: (white pine only): | | |
| 19. B & better: for 4/4, to the price of C & better add $10.00. | | |
| B & better: for 5/4 and thicker, to the price of C & better add $15.00. | | |
| For thickness: (Norway pine only): | | |
| 20. Scant thickness: 8/4 scant thickness deduct $2.00. | | |
| For length: | | |
| 21. Specified lengths, one length add $1.00. | | |

TABLE 25—ESTIMATED AVERAGE WEIGHTS FOR OTTAAW VALLEY WHITE AND NORWAY PINE LUMBER

| | Rough, pounds per M'BM | Dressed, pounds per M'BM |
|---|---|---|
| White pine | 2,500 | 2,000 |
| Norway | 3,000 | 2,500 |

SEC. 36. *Transportation adjustment.* In the case of shipments of Ottawa Valley white or Norway pine to destinations in the United States other than Niagara Falls, N. Y., the maximum delivered price shall be computed as follows: From the maximum price, f. o. b. Niagara Falls, N. Y., deduct railroad freight from the point of shipment to Niagara Falls, N. Y., and add freight from point of shipment to destination. Freight shall be calculated on the lowest through rate and on the applicable estimated average weights set forth in Table 25 above. The final amount shall be evened out to the nearest quarter of a dollar per M'BM. No additions may be made in the maximum prices for the duty or for any charge or fees incurred in importation.

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.

*Effective date.* This regulation shall become effective July 17, 1944, except that:

(a) If lumber has been received before July 17, 1944, by a carrier other than one owned or controlled by the seller, for shipment to a buyer, that shipment is not subject to this revised regulation. It remains subject to the terms of the earlier regulation, Second Revised Maximum Price Regulation 219.

(b) If this regulation lowers any maximum price below that fixed in the earlier regulation, contracts that were in existence before the date of issuance of this revised regulation at lawful prices may be completed according to their terms, if delivery is made on or before August 17, 1944.

NOTE: The mere fact that this revised regulation increases some maximum prices does not of itself allow any seller to apply the higher prices to existing uncompleted contracts without the consent of the buyer. The regulation permits the making of certain adjustable pricing agreements to cover such situations. Apart from that, increasing prices in existing uncompleted contracts to the level of increased maximum prices in the regulation is purely a matter of agreement between buyer and seller.

Issued this 17th day of July 1944.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 44-10586; Filed, July 17, 1944; 11:56 a. m.]

## PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 14A,[1] Amdt. 2]

### FIREWOOD AND COAL IN THE PACIFIC NORTHWEST

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

Ration Order 14A is amended in the following respects:

1. Section 7 (a) is amended to read as follows:

(a) No dealer may deliver firewood or coal to a consumer and no consumer may receive such delivery, unless at or before the time of delivery the consumer has placed an order with the dealer for the fuel and furnished him with a signed statement bearing the date it is furnished and giving the following information:

(1) The kinds of fuel the consumer uses (such as firewood, coal, gas, electricity, fuel oil, etc.), the purposes for which they are used, and the address of the premises where they are to be used.

(2) The amount of each kind of fuel (except fuel oil, gas or electricity) the consumer has on hand and his estimated annual fuel needs for each kind of fuel (except fuel oil, gas or electricity) for each purpose for which he uses such fuel.

(3) That the consumer has no other order outstanding with another dealer for a delivery of firewood or coal to be used for heat, domestic hot water, or domestic cooking, except as permitted by this order or an appropriate Regional Administrative Exception Order.

2. Section 7 (b) is amended to read as follows:

(b) A consumer may, at the election of the dealer, comply with the following requirements instead of furnishing him, at or before each delivery, with the statement required by paragraph (a).

(1) Before the first delivery is made or received the consumer shall furnish the dealer with a signed master statement bearing the date it is furnished and giving all the information required by paragraph (a).

(2) Thereafter, further deliveries may be made by the dealer and received by the consumer if the consumer, at or before the time of delivery, furnishes the dealer with the information required by paragraph (a), either orally or in writing. If the notice is given orally, the dealer shall make a record of the information thus received. However, if the information given in the master statement is no longer current with respect to the purposes for which the fuels are used, the address of the premises where they are to be used, or the consumer's estimated annual fuel needs for any kind of fuel (except fuel oil, gas or electricity), no further deliveries may be made or received until the consumer has furnished the dealer with a new signed master statement bearing the date it is furnished and giving all the information required by paragraph (a).

If a dealer permits one consumer to comply with the requirements of this paragraph (b) instead of furnishing, at or before each delivery, the statement required by paragraph (a), he shall permit all consumers to do so.

3. Paragraphs (c), (d), (e), and (f) of section 7 are redesignated (d), (e), (f), and (g), respectively.

4. Section 7 (c) is added to read as follows:

(c) The dealer shall keep a record showing for each consumer, the date of each order, the priority given to it under section 8, and the amount and date of each delivery. No dealer may deliver firewood or coal to a consumer if he knows or has reason to believe that the information furnished him by the consumer under this section is not correct.

5. Section 7 (f) is amended to read as follows:

(f) Each dealer shall retain at his place of business each statement or notice he receives from a consumer, and all records required to be kept, under this section, for at least one year and must keep them available for inspection by authorized representatives or agents of the Office of Price Administration.

This amendment shall become effective July 20, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.; Pub. Law 421, 77th Cong.; WPB Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1-U, 8 F.R. 1835; E.O. 9125, 7 F.R. 2719)

Issued this 17th day of July 1944.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 44-10593; Filed, July 17, 1944; 11:58 a. m.]

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## PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[1] Amdt. 136]

### MILEAGE RATIONING: GASOLINE REGULATIONS

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

Ration Order 5C is amended in the following respects:

Section 1394.8102 (h) (2) is amended by adding to the present text the following sentences:

No transferee who acquires a motor vehicle for the purpose of resale may act as agent of the transferor in surrendering a ration to obtain a receipt on Form OPA R-569, and no receipt shall be issued to such transferee unless he obtains from the transferor at the time such vehicle is acquired a certification executed in accordance with the provisions of this subparagraph and surrenders it to the Board with the ration. Such certification shall be dated as of the date of its execution and shall be signed by the transferor and transferee. In such certification the transferor shall state the number and type of coupons and the gallonage value of any ration check or other ration evidence surrendered to the transferee and the transferee shall acknowledge receipt of such ration evidences and shall state that he undertakes to deliver them to the appropriate Board. The following form or like form will be sufficient as such certification:

This is to certify that I, _____, (transferor) _____, (address) have this the _____ day of _____, 19___, transferred to _____, (transferee) _____, (address) one motor vehicle described as follows:

Make _____
Body style _____
Motor number _____
Registration number _____
State _____

and that I have surrendered to the transferee the following gasoline rations issued for use with such vehicle:

Number and type of coupons _____
Total gallonage value:
Gasoline purchase permits _____
Ration check _____

The transferor herewith certifies that the rations listed herein are the total outstanding rations issued for use with such vehicle and the transferee acknowledges the receipt of such rations and undertakes to deliver them to the appropriate local War Price and Rationing Board.

Executed this _____ day of _____ 19___.

_____ (signed)
Transferor

_____ (signed)
Transferee

This amendment shall become effective July 21, 1944.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507, 77th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, E.O. 9125, 7 F.R. 2719)

Issued this 17th day of July 1944.

CHESTER BOWLES,
*Administrator.*

[F. R. Doc. 44-10594; Filed, July 17, 1944; 11:53 a. m.]

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## PART 1408—GLASS AND GLASS CONTAINERS

[MPR 175[1], Amdt. 2]

### ROUGH ROLLED, FIGURED, WIRE AND HEAT ABSORBING ROLLED GLASS

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

Maximum Price Regulation No. 175 is amended in the following respects:

1. Section 1408.9 is amended to read as follows:

§ 1408.9 *General Maximum Price Regulation superseded.* The provisions of this Maximum Price Regulation No. 175 supersede the provisions of the General Maximum Price Regulation with respect

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

[1] 8 F.R. 12808, 14345.

[1] 8 F.R. 15937.

[1] 7 F.R. 5188, 5310, 8948; 8 F.R. 12128.

to sales and deliveries by manufacturers for which maximum prices are established by this regulation. In any case wherein it is found necessary to adjust maximum prices for jobbers or dealers by reason of an adjustment in the maximum prices of manufacturers under this regulation, such adjustment may be made under this regulation. To that extent, this regulation shall also supersede the General Maximum Price Regulation.

2. Paragraph (e) of § 1408.12 is amended to read:

(e) *Discounts.* On all of the prices and charges set forth under paragraphs (c) and (d) of this Appendix A, a discount of 6 percent shall be given by the manufacturer to all purchasers, and such discount shall be prominently set forth on any and all price lists issued by the manufacturer as an integral part thereof.

3. Paragraph (f) of § 1408.12 is amended to read:

(f) *Maximum prices for all rolled and wire glass not expressly listed in Tables 1–5 of this Appendix A.* The maximum price for rolled and wire glass not expressly listed above in Tables 1 to 5 of paragraph (c) of this Appendix A shall be such that the cost to the purchaser from the manufacturer shall not exceed by more than 4.4 percent what it was or would have been to such purchaser on October 1, 1941 (upon the basis of the prices, trade, quantity, and cash discounts, charges, deposits and allowances whether published or unpublished then listed or quoted by the manufacturer) for the quantities, thicknesses, patterns, grades, qualities, classes, types, kinds, shapes or sizes (bracket, cut, etc.) of such rolled and wire glass exclusive of any premium or charges or any other inducement that may then have been offered by the purchaser or demanded by the manufacturer to negotiate the sale.

4. Paragraph (h) of § 1408.12 is deleted and a new paragraph is substituted in its place to read as follows:

(h) *Additional charges allowed.* No additional charges other than those listed herein shall be allowed.

1. Paper packing: (Other than corrugated or indented) ½ cent per square foot additional.

2. Boxing.

| Standard cases | Glass measurement | |
|---|---|---|
| | Up to and including 60 united inches | Over 60 united inches |
| Rough rolled, figured, and wire glass less than 3/8" thick | $3.25 | $4.30 |
| Heat absorbing glass | 3.25 | 4.30 |
| Polished figured and polished wire | 4.30 | 5.40 |

| | 3/8" thick | 7/16" to 5/8" thick | 3/4" to 7/8" |
|---|---|---|---|
| Heavy figured and wire glass (not polished): | | | |
| Up to and including 100 square feet | $2.70 | $3.25 | $3.80 |
| 101 to and including 275 square feet | 4.30 | ---- | ---- |
| Minimum cases: | | | |
| Up to and including 40 united inches (glass measurement) | $0.55 | | |
| 41 to and including 60 united inches (glass measurement) | .80 | | |
| 61 to and including 100 united inches (glass measurement) | 1.35 | | |
| Over 100 united inches (glass measurement) | 3.25 | | |

SPECIAL BOXING ON ORDERS LESS THAN STANDARD BUT OVER MINIMUM CASE[1]

| | *Boxing charge per sq. ft. of glass packed* |
|---|---|
| Rough rolled, figured, wire and heat absorbing rolled glass: | |
| Up to and including 1/4" thickness | $0.02 |
| 3/8" thickness | .02½ |
| 7/16", 1/2", and 5/8" thickness | .03 |
| 3/4" and 7/8" thickness | .04 |
| Polished figured and polished wire glass: | |
| 7/32", 1/4", and 3/8" thickness | .02½ |
| 7/16", 1/2", and 5/8" thickness | .03 |
| 3/4" thickness | .04 |

[1] 8 percent may be added to the per square foot charges listed above.

3. Grinding, cutting and sandblasting.

| | Up to and including 1/2" thickness | 5/8" to 7/8" inclusive |
|---|---|---|
| Rounding corners—per lineal inch | $0.00½ | $0.00¾ |
| Grinding edges—per lineal inch | .00½ | .00¾ |
| Cutting circles—per inch of diameter | .01¼ | .01¾ |
| | Up to 2,000 sq. ft. | 2,000 sq. ft. and over |
| Sandblasting: | | |
| Full face only—per sq. ft. | $0.05 | $0.04 |
| Both sides—per sq. ft. | .10 | .08 |

Where the charge for grinding, cutting or sandblasting does not equal as much as ten cents per light, a charge of ten cents per light may be made for each operation.

For cutting to pattern the manufacturer may make the same charges which he would have made on October 1, 1941.

4. *Miscellaneous packaging.* Stock sheets (except polished wire) of more than one pattern, 1 cent per square foot over stock sheet price.

Stock sheets (except polished wire) or more than one width, 1 cent per square foot over stock sheet prices.

Stock sheets (except polished wire) of limited lengths, 1 cent per square foot over stock sheet prices.

Stock sheets (except polished wire) of less than 300 square feet, 1 cent per square foot over stock sheet prices.

5. LCL and LTL stock cases may be charged at 2 cents per square foot additional where shipment is to other than a jobber's own warehouse.

5. Paragraph (c) of § 1408.13 is amended so that that portion of the paragraph immediately preceding Tables 1 to 5 shall read:

(c) *Maximum prices for certain standard items of rolled and wire glass.* Manufacturers may add to the prices listed in the following tables not more than 4.4 percent.

6. Paragraph (d) of § 1408.13 is amended to read:

(d) *Maximum prices for rolled and wire glass not expressly listed above in Tables 1–5 of this Appendix B.* The maximum prices for rolled and wire glass not expressly listed above in Tables 1 to 5 of paragraph (c) of this Appendix B shall be such that the cost to the purchaser from a manufacturer shall not exceed by more than 4.4 percent what it was or would have been to such purchaser on October 1, 1941, (upon the basis of the prices, trade, quantity, and cash discounts, charges, deposits and allowances whether published or unpublished then listed or quoted by the manufacturer and upon the basis of the freight and delivery practices recognized by the manufacturer on October 1, 1941) for like quantities, thicknesses, patterns, grades, qualities, classes, types, kinds, shapes or sizes (bracket, cut, etc.) of such rolled and wire glass exclusive of any premium or charges or any other inducement that may then have been offered by the purchaser or demanded by the manufacturer to negotiate the sale.

7. A new § 1408.14 is added to read:

§ 1408.14 *Appendix C: Maximum prices for sales and deliveries of rolled and wire glass by jobbers and dealers.* The maximum prices for sales and deliveries of rolled and wire glass by jobbers and dealers shall be established in accordance with the provisions of §§ 1499.2, 1499.3, and 1499.18 of the General Maximum Price Regulation, except that any person purchasing rolled and wire glass for resale in the same form may add to his maximum price established on or prior to July 22, 1944, an amount not exceeding the actual dollars-and-cents increased cost incurred by him by reason of the increase in maximum prices permitted manufacturers by paragraphs (e), (f), and (h) of § 1408.12 and paragraphs (c) and (d) of § 1408.13 of this regulation, as amended.

This Amendment No. 2 shall become effective July 22, 1944.

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

Issued this 17th day of July 1944.

JAMES G. ROGERS, Jr.,
*Acting Administrator.*

[F. R. Doc. 44-10600; Filed, July 17, 1944; 11:52 a. m.]

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## PART 1418—TERRITORIES AND POSSESSIONS

[MPR 288,[1] Amdt. 27]

### CANNED FRUITS AND VEGETABLES IN ALASKA

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

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

[1] 7 F.R. 10581, 11012; 8 F.R. 23, 567, 2158, 2445, 6964, 3844, 8184, 12549, 13166, 13305, 16514, 16626, 16627, 16865, 16986, 16793; 9 F.R. 301, 849, 1715, 2035, 2409, 4029, 4199, 4245, 4985, 5168, 5485, 7523.

Maximum Price Regulation 288 is amended in the following respects:

1. Section 1418.363 (j) Table X is amended by changing the prices of several items to read as follows:

| Brand | Description | Container size or net weight | Ketchikan | Wrangell | Petersburg | Juneau-Douglas | Skagway-Haines | Sitka | Cordova | Valdez | Seward | Kodiak | Anchorage | Palmer | Fairbanks | Nome |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Apple juice—glass: | | | | | | | | | | | | | | | | |
| S & W | Fancy | 12 oz | $0.20 | $0.20 | $0.20 | $0.20 | $0.20 | $0.20 | $0.21 | $0.21 | $0.21 | $0.21 | $0.23 | $0.23 | $0.25 | $0.22 |
| S & W | Fancy | 32 oz | .45 | .45 | .45 | .46 | .46 | .46 | .47 | .47 | .47 | .49 | .52 | .53 | .58 | .51 |
| Grape juice—glass: | | | | | | | | | | | | | | | | |
| Church | Stubby bottle | 16 oz | .22 | .22 | .22 | .22 | .22 | .22 | .22 | .22 | .22 | .23 | .25 | .25 | .28 | .24 |
| Church | Stubby bottle | 32 oz | .39 | .39 | .39 | .40 | .40 | .40 | .41 | .41 | .41 | .43 | .46 | .47 | .52 | .45 |
| Island Belle | | 32 oz | .45 | .45 | .45 | .46 | .47 | .47 | .48 | .48 | .48 | .50 | .51 | .53 | .58 | .53 |
| Island Belle | Stubby with dextrose | 32 oz | .46 | .46 | .46 | .46 | .46 | .47 | .48 | .48 | .48 | .49 | .52 | .54 | .58 | .51 |
| Grapefruit juice—tin: Wesco | Grade A | 46 oz | .39 | .39 | .39 | .40 | .41 | .41 | .41 | .42 | .41 | .43 | .46 | .48 | .53 | .46 |
| Orange juice—tin: Old South | Sweet | 1 pt. 2 oz | .26 | .25 | .25 | .26 | .26 | .26 | .26 | .27 | .26 | .27 | .28 | .29 | .31 | .28 |
| Orange and grapefruit juice—tin: Old South. | | 46 oz | .55 | .55 | .55 | .56 | .56 | .57 | .58 | .58 | .58 | .59 | .62 | .64 | .69 | .62 |
| Miscellaneous juices: | | | | | | | | | | | | | | | | |
| Here's Health | Vegetable | 1 pt. 2 oz | .21 | .21 | .21 | .21 | .21 | .21 | .22 | .22 | .22 | .22 | .22 | .23 | .24 | .23 |
| Here's Health | Vegetable | 46 oz | .42 | .42 | .42 | .42 | .43 | .43 | .44 | .44 | .44 | .46 | .48 | .50 | .55 | .48 |

2. Section 1418.363 (k) Table XI is amended by changing the prices of several items to read as follows:

| Brand | Description | Container size or net weight | Ketchikan | Wrangell | Petersburg | Juneau-Douglas | Skagway-Haines | Sitka | Cordova | Valdez | Seward | Kodiak | Anchorage | Palmer | Fairbanks | Nome |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Campbell's | Asparagus Soup | 10½ oz | $0.15 | $0.15 | $0.15 | $0.15 | $0.15 | $0.15 | $0.15 | $0.15 | $0.15 | $0.16 | $0.17 | $0.17 | $0.18 | $0.16 |
| Campbell's | Beef Soup | 10½ oz | .18 | .18 | .18 | .18 | .19 | .19 | .19 | .19 | .19 | .19 | .20 | .20 | .22 | .20 |
| Campbell's | Bouillon | 10½ oz | .18 | .18 | .18 | .18 | .19 | .19 | .19 | .19 | .19 | .19 | .20 | .20 | .22 | .20 |
| Campbell's | Chicken Soup | 10½ oz | .20 | .20 | .20 | .21 | .21 | .21 | .21 | .21 | .21 | .22 | .22 | .22 | .24 | .22 |
| Campbell's | Chicken Gumbo Soup | 10½ oz | .18 | .18 | .18 | .18 | .19 | .19 | .19 | .19 | .19 | .19 | .20 | .20 | .22 | .20 |
| Campbell's | Chicken Noodle Soup | 10½ oz | .18 | .18 | .18 | .18 | .19 | .19 | .19 | .19 | .19 | .19 | .20 | .20 | .22 | .20 |
| Campbell's | Clam Chowder | 10½ oz | .15 | .15 | .15 | .15 | .15 | .15 | .15 | .15 | .15 | .16 | .17 | .17 | .18 | .16 |
| Campbell's | Consomme | 10½ oz | .18 | .18 | .18 | .18 | .19 | .19 | .19 | .19 | .19 | .19 | .20 | .20 | .22 | .20 |
| Campbell's | Mock Turtle Soup | 10½ oz | .15 | .15 | .15 | .15 | .15 | .15 | .15 | .15 | .15 | .16 | .17 | .17 | .18 | .16 |
| Campbell's | Mushroom Soup | 10½ oz | .20 | .20 | .20 | .21 | .21 | .21 | .21 | .21 | .21 | .22 | .22 | .22 | .24 | .22 |
| Campbell's | Oxtail Soup | 10½ oz | .15 | .15 | .15 | .15 | .15 | .15 | .15 | .15 | .15 | .16 | .17 | .17 | .18 | .16 |
| Campbell's | Pea Soup | 10½ oz | .15 | .15 | .15 | .15 | .15 | .15 | .15 | .15 | .15 | .16 | .17 | .17 | .18 | .16 |
| Campbell's | Pepper Pot Soup | 10½ oz | .15 | .15 | .15 | .15 | .15 | .15 | .15 | .15 | .15 | .16 | .17 | .17 | .18 | .16 |
| Campbell's | Scotch Broth | 10½ oz | .15 | .15 | .15 | .15 | .15 | .15 | .15 | .15 | .15 | .16 | .17 | .17 | .18 | .16 |
| Campbell's | Tomato Soup | 10½ oz | .12 | .12 | .12 | .12 | .12 | .12 | .12 | .12 | .12 | .13 | .13 | .14 | .15 | .13 |
| Campbell's | Vegetable Soup | 10½ oz | .17 | .17 | .17 | .17 | .17 | .17 | .17 | .17 | .17 | .18 | .19 | .19 | .20 | .18 |
| Campbell's | Vegetable Beef Soup | 10½ oz | .18 | .18 | .18 | .18 | .19 | .19 | .19 | .19 | .19 | .19 | .20 | .20 | .22 | .20 |

3. Section 1418.363 (l) Table XII is amended by changing the prices of several items to read as follows:

| Brand | Description | Container size or net weight | Ketchikan | Wrangell | Petersburg | Juneau-Douglas | Skagway-Haines | Sitka | Cordova | Valdez | Seward | Kodiak | Anchorage | Palmer | Fairbanks | Nome |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Peaches—tin: | | | | | | | | | | | | | | | | |
| Happy Home | Fancy, yellow cling | 1 lb. 14 oz | $0.37 | $0.37 | $0.37 | $0.38 | $0.38 | $0.38 | $0.39 | $0.39 | $0.39 | $0.40 | $0.42 | $0.43 | $0.46 | $0.41 |
| Happy Home | Fancy, sliced | 1 lb. 14 oz | .37 | .37 | .37 | .38 | .38 | .38 | .39 | .39 | .39 | .40 | .42 | .43 | .46 | .41 |
| Pears—tin: | | | | | | | | | | | | | | | | |
| Del Monte | Bartlett halves | 1 lb. 14 oz | .41 | .41 | .41 | .41 | .41 | .42 | .42 | .42 | .42 | .43 | .45 | .46 | .49 | .45 |
| Fernbrook | Standard | 1 lb. 14 oz | .35 | .35 | .35 | .35 | .36 | .36 | .37 | .37 | .37 | .38 | .40 | .41 | .44 | .39 |
| Happy Home | Fancy | 1 lb. 14 oz | .43 | .42 | .42 | .43 | .43 | .43 | .44 | .44 | .44 | .45 | .47 | .48 | .52 | .47 |
| Reliance | Banquet | 1 lb. 14 oz | .40 | .40 | .40 | .41 | .41 | .41 | .42 | .42 | .42 | .43 | .45 | .46 | .49 | .44 |
| S & W | Fancy, Bartlett | 1 lb. 14 oz | .44 | .44 | .44 | .44 | .44 | .45 | .45 | .45 | .45 | .46 | .48 | .49 | .53 | .48 |

This amendment shall become effective July 22, 1944.

Issued this 17th day of July 1944.

JAMES G. ROGERS, Jr.,
*Acting Administrator.*

[F. R. Doc. 44-10592; Filed, July 17, 1944; 11:52 a. m.]

## PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 152]

### POTASSIUM CHLORATE

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

Section 4.11 is amended to read as follows:

SEC. 4.11 *Potassium chlorate*—(a) *Applicability.* This section applies to sales and deliveries by new manufacturers thereof of potassium chlorate other than potassium chlorate meeting United States Army Specification No. 50-11-11B and Navy Specification O. S. No. 831.

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

(b) *Maximum prices.* (1) Maximum prices for potassium chlorate containing at least 99.5 per cent $KClO_3$ by weight are established as follows: (*Provided, however,* That the maximum prices hereinafter established for International Minerals and Chemical Corp. shall be applicable only until December 31, 1944, or such earlier date as the Administrator may determine.)

(i) Contract sales, per 100 lbs., containers included, f. o. b. manufacturer's shipping point:

| | International Minerals and Chemical Corporation | All other new manufacturers |
|---|---|---|
| 20 tons or more | $15.75 | $10.75 |
| 10 to, but not including, 20 tons | 15.90 | 10.90 |
| 1 to, but not including, 10 tons | 16.50 | 11.50 |
| Less than 1 ton | 17.00 | 12.00 |

(ii) *Spot sales.* For spot sales $1.00 per hundred pounds may be added to the maximum prices for contract sales established in subdivision (i) above.

(2) The maximum prices for potassium chlorate containing less than 99.5 per cent $KClO_3$ by weight shall be the prices computed by multiplying the maximum prices established in subparagraph (1) above for potassium chlorate containing at least 99.5 per cent $KClO_3$ by weight by the figure obtained by dividing by 99.5 the percentage by weight of $KClO_3$ in the potassium chlorate being priced. If the percentage by weight is less than 99.5 percent, the seller shall furnish the buyer with an invoice showing the percentage by weight of $KClO_3$ in the potassium chlorate delivered.

(c) *Definitions.* As used in this section, the term:

(1) "New manufacturer" means a manufacturer of commercial grade potassium chlorate who did not manufacture this commodity for sale prior to January 1, 1941.

(2) "Contract sale" means a sale to a single agency of the United States under a contract to purchase at least fifty tons of potassium chlorate or a sale to any other person under a contract to purchase at least fifty tons of potassium chlorate in approximately equal monthly installments over a period of one year from the date of such contract.

(3) "Spot sale" means a sale other than a contract sale.

(d) *Report.* Each new manufacturer of potassium chlorate shall file with the Office of Price Administration in Washington, D. C., on or before December 31, 1944 a report with respect to production and sales of potassium chlorate other than potassium chlorate meeting United States Army Specification No. 50–11–11B and Navy Specification O. S. No. 831 which shall include the following.

(1) Production of potassium chlorate in pounds, by months, during the six month period ending November 30, 1944.

(2) A statement of the cost of manufacturing potassium chlorate, by months, for the same period, showing material, labor, power, and factory overhead, in the detail, and broken down in the manner in which such statements are customarily prepared for management purposes by the company. In the event that allocations of packaging, outbound transportation, and general administrative and selling expense are made to the product, show the amount, and explain the method employed in making such allocation. If the cost figures submitted include amounts arising from the amortization of plant facilities at emergency rates, the amount of such emergency amortization shall be shown separately.

(3) Total number of pounds of potassium chlorate sold and total net dollar sales less all discounts paid and all transportation costs incurred by the seller, by months for the same period.

This amendment shall become effective July 22, 1944.

NOTE: The reporting requirement of this amendment has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 17th day of July 1944.

JAMES G. ROGERS, Jr.,
*Acting Administrator.*

[F. R. Doc. 44–10602; Filed, July 17, 1944; 11:52 a. m.]

## PART 1499—COMMODITIES AND SERVICES

[MPR 188, Amdt. 7 to Order 1052]

### HOUSEHOLD FURNITURE

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Order Nos. 9250 and 9328, Order No. 1052 under Maximum Price Regulation No. 188 is amended in the following respect:

1. Paragraph (b) is amended to read as follows:

(b) *What this order covers.* This order covers sales of articles of movable wood household furniture, including upholstered furniture, with the exception of certain articles mentioned in paragraph (c). As used in this order, household furniture means furniture which is primarily designed for and generally used in homes, such as living room, dining room, bedroom (including wood and fabric folding cots and cedar chests), kitchen, porch, outdoor and juvenile furniture (including cribs, high chairs and wooden bassinettes, bathinettes, play pens, porch and stair gates and infants' toilet seats). Articles of this type are covered by the order even though they are sold for use in places other than households, such as hotels, clubs, institutions and ships. This order also covers dining room, dinette, breakfast room, kitchen and bedroom chair frames, bedroom bench frames, and frames for upholstered furniture. Furniture known in the trade as unpainted furniture, which is ultimately sold to the consumer in that form is also covered.

2. Paragraph (c) (9) is deleted.

This amendment shall become effective July 18, 1944.

Issued this 17th day of July 1944.

JAMES G. ROGERS, Jr.,
*Acting Administrator.*

[F. R. Doc. 44–10591; Filed, July 17, 1944; 11:53 a. m.]

## TITLE 33—NAVIGATION AND NAVIGABLE WATERS

### Chapter II—Corps of Engineers, War Department

### PART 204—DANGER ZONE REGULATIONS

### ST. JOSEPH PENINSULA, FLA., AREA

Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U. S. C. 1), the following regulations are hereby prescribed to govern the use and navigation of waters of the Gulf of Mexico and St. Joseph Bay, in the vicinity of St. Joseph Peninsula, Florida, comprising an air to ground target range of the Army Air Forces Flexible Gunnery School, Tyndall Field, Panama City, Florida:

§ 204.89c *Waters of Gulf of Mexico and St. Joseph Bay, in vicinity of St. Joseph Peninsula, Fla.: Air to Ground Target Range, Army Air Forces Flexible Gunnery School, Tyndall Field, Panama City, Fla*—(a) *The danger zone.* An area in the Gulf of Mexico west of St. Joseph Peninsula and in St. Joseph Bay east of St. Joseph Peninsula, Florida, bounded as follows: Beginning at St. Joseph Point, Lat. 29°52′24″, Long. 85°23′24″; thence southeasterly approximately 12 nautical miles to Cape San Blas, Lat. 29°40′00″, Long. 85°21′36″; thence southwesterly approximately 8 nautical miles to Lat. 29°38′54″, Long. 85°30′42″; thence northwesterly approximately 10 nautical miles to Lat. 29°48′36″, Long. 85°32′12″; thence northeasterly approximately 8 nautical miles to the point of beginning. Firing will be in a southwesterly direction from St. Joseph Bay toward the Gulf of Mexico and across St. Joseph Peninsula.

(b) *The regulations.* (1) Firing will be conducted daily from 7:00 a. m. to 11:00 a. m. and 1:00 p. m. to 5:00 p. m., weather permitting, and no vessel or other craft shall enter or remain within the area during those hours.

(2) The fact that aerial target practice is to take place over the designated area will be advertised to the public through the usual media for the dissemination of information. Inasmuch as such practice is to be conducted throughout the year, without regard to season, such advertising will be repeated at frequent intervals not exceeding three months, and at more frequent intervals when, in the opinion of the Commanding Officer responsible for the use of the area, such frequent reptition is advisable in the interests of public safety.

(3) Prior to the conducting of each target practice the area will be patrolled by Army aircraft to insure that no watercraft are within the area, and any watercraft in the area will be warned by means of signals that target practice is about to take place. The patrol aircraft will employ the method of warning known as "buzzing" which consists of low flight by the airplane and repeated opening and closing of the throttle.

(4) Any such watercraft shall, upon being so warned, immediately leave the area and shall remain outside the area until the conclusion of the practice.

(5) No marking of the area is proposed, and all aircraft and watercraft shall be presumed to know their location by distance and direction from land marks or other topographical features along the shore.

(6) These regulations shall be enforced by the Commanding Officer, Army Air Forces Flexible Gunnery School, Tyndall Field, Panama City, Florida, and such agencies as he may designate. (Sec. 7, River and Harbor Act Aug 8, 1917; 40 Stat. 266; 33 U.S.C. 1) [Regs. 6 July 1944 (CE 800.2121 (Mexico, Gulf of)–SPEWR)]

[SEAL] J. A. ULIO,
*Major General,*
*The Adjutant General.*

[F. R. Doc. 44-10489; Filed, July 14, 1944; 4:53 p. m.]

## TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

### Chapter I—Veterans' Administration

PART 2—ADJUDICATION: VETERANS' CLAIMS

PART 4—ADJUDICATION: VETERANS' CLAIMS, CENTRAL OFFICE SECTION

PART 10—INSURANCE

*Correction*

In Federal Register documents numbered 44-10205 and 44-10206, appearing at page 7835 of the issue for Thursday, July 13, 1944, the signature of Frank T. Hines, Administrator, should be inserted at the end thereof.

## TITLE 46—SHIPPING

### Chapter III—War Shipping Administration

PART 302—CONTRACTS WITH VESSEL OWNERS AND RATES OF COMPENSATION RELATING THERETO

[G. O. 37, Supp. 3]

VALUES AND RATES OF CHARTER HIRE

Section 302.107 *Values and rates* is amended as follows:

The introductory paragraph is amended to read:

§ 302.107 *Values and rates.* With respect to a collier built during the period 1914–1928 (both inclusive) the values shall be determined in accordance with the provisions of paragraph (a) of this section, and the rates of hire shall be determined in accordance with the provisions of paragraph (b) or (c) of this section, subject to the adjustments provided in § 302.108 of this order. The rates of time charter hire provided in paragraph (c) of this section shall apply only while the vessel is operated in the coal trade; for the period, if any, during which the vessel is operated in a service other than the coal trade, the rate of time charter hire shall be as specially determined by the Administrator. With respect to a collier built after 1928, the value and rate of hire shall be determined specially by the Administrator.

Paragraph (b) is amended to read:

(b) *Rate of bareboat charter hire.* The basic rate of bareboat charter hire shall be $1.15 per deadweight ton per month. In cases where a vessel is, or was, delivered in a "where is, as is" condition the basic rate of bareboat charter hire shall not exceed $1.00 per deadweight ton per month, unless otherwise specifically agreed.

The table appearing in paragraph (c) (2) is amended to read:

| Tonnage | Rate per deadweight ton per month | But the aggregate monthly service rate shall not exceed |
|---|---|---|
| 14,500–14,999 | $1.275 | $18,785 |
| 14,000–14,499 | 1.30 | 18,485 |
| 9,000–9,999 | 1.85 | 16,800 |
| 8,500–8,999 | 1.95 | 16,650 |
| 8,000–8,499 | 2.05 | 16,575 |
| 7,500–7,999 | 2.15 | 16,400 |
| 7,000–7,499 | 2.25 | 16,125 |
| 6,500–6,999 | 2.35 | 15,750 |
| 6,000–6,499 | 2.50 | 15,275 |
| 5,500–5,999 | 2.70 | 15,000 |
| 5,000–5,499 | 2.90 | 14,850 |
| 4,500–4,999 | 3.10 | 14,500 |
| 4,000–4,499 | 3.30 | 13,950 |

Paragraph (a) of § 302.108 *Adjustments for speed, equipment, upkeep, and other considerations* is amended to read:

(a) *Speed.* With respect to vessels built during the period 1914–1934 (both inclusive), the values and the rates of bareboat and time charter hire shall be subject to the adjustments provided in subparagraphs (1) or (2) of this paragraph.

(1) *Allowances for speeds of 11 knots or over.* With respect to vessels having a speed of 11 knots or over there shall be added to the basic values provided in §§ 302.104 (a), 302.106 (a), and 302.107 (a), and to the rates of hire provided in §§ 302.104 (b), 302.106 (b), and 302.107 (b), the following amounts: (Since the bareboat rate is a component part of the time charter rate, the allowance will be reflected in the time charter rate.)

| Speed | | Additional value per deadweight ton | Additional hire per deadweight ton per month |
|---|---|---|---|
| Equal to or in excess of | But under | | |
| 11 knots | 12 knots | $2.25 | $0.03 |
| 12 knots | 13 knots | 5.00 | .06 |
| 13 knots | 14 knots | 8.25 | .10 |
| 14 knots | 15 knots | 12.00 | .15 |
| 15 knots | 16 knots | 16.50 | .20 |

(2) *Deductions for speeds of less than 9 knots.* With respect to a vessel having a speed equal to or in excess of 8 knots but under 9 knots, $5.00 per deadweight ton shall be deducted from the basic values provided in §§ 302.104 (a), 302.106 (a), and 302.107 (a), and $0.06 per deadweight ton per month shall be deducted from the rates of bareboat charter hire provided in §§ 302.104 (b), 302.106 (b), and 302.107 (b). (Since the bareboat rate is a component part of the time charter rate, the deductions will be reflected in the time charter rate.)

(E.O. 9054, 7 F.R. 837)

[SEAL] E. S. LAND,
*Administrator.*

JULY 14, 1944.

[F. R. Doc. 44-10523; Filed, July 15, 1944; 1:50 p. m.]

## TITLE 49—TRANSPORTATION AND RAILROADS

### Chapter I—Interstate Commerce Commission

[No. 3666]

PARTS 71–85—TRANSPORTATION OF EXPLOSIVES [1]

MISCELLANEOUS AMENDMENTS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 7th day of July, A. D. 1944.

In the matter of regulations for transportation of explosives and other dangerous articles.

It appearing, that pursuant to section 233 of the Transportation of Explosives Act approved March 4, 1921 (41 Stat. 1445), and Part II of the Interstate Commerce Act, the Commission has formulated and published certain regulations for transportation of explosives and other dangerous articles;

It further appearing, that in applications received we are asked to amend the aforesaid regulations as set forth in provisions made part hereof;

And it further appearing, that amendments involved in said applications, having been considered and found to be in accord with the best-known practicable means for securing safety in transit and with the need therefor for promoting safety of operation and standards of equipment used in the transportation of said dangerous articles:

*It is ordered,* That the aforesaid regulations for transportation of explosives and other dangerous articles be, and they are hereby, amended as follows:

*Part 3—Regulations Applying to Shippers*

Superseding and amending paragraphs (g) and (h), section 346, orders Dec. 12, 1942, and Feb. 10, 1943, to read as follows (packing methyl bromide):

(g) *Spec. 5A.* Metal drums not exceeding 30 gallons capacity or metal drums of bilge type not exceeding 33 gallons capacity. Use of these containers will be permitted because of the present emergency and until further order of the Commission.

*It is further ordered,* That this order amending the aforesaid regulations shall be effective on and after July 7, 1944, and shall remain in full force and effect and be observed until further order of the Commission;

*And it is further ordered,* That a copy of this order be served upon all the parties of record herein; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 233, 41 Stat. 1445, sec. 204, 49 Stat. 546, sec. 4, 52 Stat. 1232, sec. 20, 54 Stat. 922, 56 Stat. 176; 18 U.S.C. 383, 49 U.S.C. 304)

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
*Secretary.*

[F. R. Doc 44-10405; Filed, July 14, 1944; 10:55 a. m.]

[1] Part 3 in this order appears in CFR as Part 75.

[S. O. 189, Amdt. 3]

PART 97—ROUTING OF TRAFFIC

EMBARGO OF ROUTES AND TRANSIT ARRANGEMENTS ON GRAIN AND RELATED ARTICLES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 14th day of July, A. D. 1944.

Upon further consideration of Service Order No. 189 (9 F.R. 3357) of March 23, 1944, as amended and good cause appearing therefor: *It is ordered*, That:

Service Order No. 189 (9 F.R. 3357) of March 23, 1944, 49 CFR, § 97.12, *Embargo of routes and transit arrangements on grain and related articles*, and Appendix A thereof, be, and it is hereby, further amended in the following respects:

Sheet 6, paragraph 10, Chicago, Rock Island & Pacific Railway tariff I.C.C. No. C–12812, Item 2940 is eliminated.

The Chicago, Rock Island and Pacific Railway, 5 days before the effective date of this order shall publish, file, and post a supplement to its tariff affected hereby announcing the change in the embargo of routes and transit arrangements herein provided. (40 Stat. 101, secs. 402, 418, 41 Stat. 476, 485, secs. 4, 10, 54 Stat. 901, 912; 49 U.S.C 1 (10)–(17), 15 (4))

*It is further ordered*, That this amendment shall become effective at 12:01 a. m., July 26, 1944; that a copy of this amendment shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this amendment be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
*Secretary.*

[F. R. Doc. 44–10521; Filed, July 15, 1944; 11:33 a. m.]

## *Notices*

## DEPARTMENT OF LABOR.

### Office of the Secretary.

[WLD–28]

ALLIED MARINE CONTRACTORS ASSN., INC., ET AL.

FINDINGS AS TO CONTRACTS IN PROSECUTION OF THE WAR

In the matter of Allied Marine Contractors Association, Inc., Bruce Electric Company, Jos. Harper & Son Company, Conlan Electric Company, Hose-McCann Corporation, Smith-Meeker Engineering Company, Arnessen Electric Company, Holmberg Electric Company, Ray Electric Company, H. A. Fraser, Norse Electric Company, Brandon Electric Company, William Shepard, Elkan Electric Company, New York, New York, and Electrical Engineers, Hoboken, New Jersey; Case No. S–1059.

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. No. 89, 78th Cong., 1st sess.) and the Directive of the President dated August 10, 1943 and published in the FEDERAL REGISTER August 14, 1943, and

Having been advised of the existence of a labor dispute involving the Bruce Electric Company, Jos. Harper & Son Company, Conlan Electric Company, Hose-McCann Corporation, Smith-Meeker Engineering Company, Arnessen Electric Company, Holmberg Electric Company, Ray Electric Company, H. A. Fraser, Norse Electric Company, Brandon Electric Company, William Shepard, and Elkan Electric Company of New York, New York, and Electrical Engineers of Hoboken, New Jersey, members of the Allied Marine Contractors Association, Inc., New York, New York;

I find that the installation and repair of electrical equipment in vessels by the above companies, pursuant to contracts with ship construction and ship repair companies in the Port of New York, are contracted for the in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C., this 14th day of July, 1944.

D. W. TRACY,
*Acting Secretary of Labor.*

[F. R. Doc. 44–10522; Filed, July 15, 1944; 11:54 a. m.]

### Wage and Hour Division.

ERIE RESISTOR CORP.

NOTICE OF EXCEPTION FROM RECORD-KEEPING REQUIREMENTS

Notice of granting of exception to the Erie Resistor Corporation of Erie, Pennsylvania, from certain record keeping requirements of the Fair Labor Standards Act of 1938 and the regulations issued thereunder.

Pursuant to section 11 (c) of the Fair Labor Standards Act of 1938 and § 516.18 of the record keeping regulations, Part 516, as amended, notice is hereby given of the granting of an exception to the Erie Resistor Corporation, Erie, Pennsylvania, relieving it of the requirement of preserving its employees' job cards (containing records of the number of pieces completed by the employees) for the period required by § 516.15 (a) (1) of the record keeping regulations, subject to the following conditions: (1) That these job cards be preserved for not less than 30 days; (2) that the information contained on the job cards be transferred to tabulating machine-punched cards which shall be preserved for the remainder of such periods as the original records are required to be preserved under §§ 516.14 and 516.15 of the record keeping regulations; and (3) that the company will make any transcriptions of the information contained on the punched cards which may be required.

This authority is granted on the representations of the petitioner and is subject to revocation for cause.

Signed at New York, New York, this 13th day of July 1944.

L. METCALFE WALLING,
*Administrator.*

[F. R. Doc. 44–10524; Filed, July 15, 1944; 3:03 p. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the act are issued under section 14 thereof and § 522.5 (b) of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective as of the date specified in each listed item below.

The employment of learners under these certificates is limited to the terms and conditions as designated opposite the employer's name. These certificates are issued upon the employers' representations that experienced workers for the learner occupation are not available for employment and that they are actually in need of learners at subminium rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided for in the regulations and as indicated on the certificate. Any person aggrieved by the issuance of the certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATION, EXPIRATION DATE

Red Cape Leather Products Corporation, of Cabo Rojo, Puerto Rico, to employ forty-one learners in the Wallet and Leather Novelties Industry distributed among the following operations: Cutting leather, hand creasing, machine creasing, gold stamping, cementing, turning and folding, pasting, skinning, sewing, cutting out, snap fastening at 20 cents an hour for the first 340 hours, 24 cents an hour for the second 340 hours, and for every hour thereafter the minimum established by any applicable wage order that may be in effect at the time of the termination of the learning period. If, however, no applicable wage order is in effect at the time of the termination of the learning period, the statutory minimum required by section 6 of the Fair Labor Standards Act must be paid to each employee who has completed his learning period. For all hours over forty worked in any one workweek, one and one-half times the applicable piece rate or the rate established herein whichever is the higher, shall be paid. This Special Certificate shall become effective on May 1st, 1944 and shall remain in effect for a period not exceeding six months thereafter.

Signed at New York, New York, this 15th day of July 1944.

PAULINE C. GILBERT,
*Authorized Representative of the Administrator.*

[F. R. Doc. 44–10589; Filed, July 17, 1944; 12:00 p. m.]

### LEARNER EMPLOYMENT CERTIFICATES

#### ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Division of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079), and Administrative Order June 7, 1943 (8 F.R. 7890).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3748), and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions therein contained and to the provisions of the applicable determination and order or regulations cited above. The applicable determination and order or regulations, and the effective and expiration dates of the certificates issued to each employer is listed below. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates, may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EFFECTIVE DATES

SINGLE PANTS, SHIRTS, AND ALLIED GARMENTS, WOMEN'S APPAREL, SPORTSWEAR, RAINWEAR, ROBES AND LEATHER AND SHEEP-LINED GARMENTS DIVISIONS OF THE APPAREL INDUSTRY

Elder Manufacturing Company, McLeansboro, Illinois; dress shirts; 10 percent (T); effective July 10, 1944, expiring July 9, 1945.

Elder Manufacturing Company, Dexter, Missouri; boys' pants; 10 percent (T); effective July 10, 1944, expiring July 9, 1945.

Esskay Manufacturing Company, P. O. Box 411, Fredericksburg, Texas; boys' clothing; 10 learners (T); effective July 8, 1944, expiring July 7, 1945.

Great Lakes Garment Manufacturing Company, Onaway, Michigan; cotton trousers, children's shorts and longies; 10 learners (T); effective July 18, 1944, expiring July 17, 1945.

The Industrial Garment Manufacturing Company, Middleport, Ohio; one piece working suits, white trousers; 10 learners (T); effective July 15, 1944, expiring July 14, 1945.

Lustberg, Nast & Company, Inc., First Street, Warwick, New York; men's rain-jackets; 10 learners (7); effective July 14, 1944, expiring July 13, 1945.

Marmon Sportswear Company, Mine & Lewis Streets, Brockton, Pennsylvania; ladies sportswear, nurses uniforms; 10 learners (T); effective July 15, 1944, expiring July 14, 1945.

Well Styled Shirt Company, Inc., 422 Park Avenue, Perth Amboy, New Jersey; men's shirts; 5 learners (T); effective July 13, 1944, expiring July 12, 1945.

HOSIERY INDUSTRY

Climax Hosiery Mill, Athens, Georgia; seamless hosiery; 5 percent (T); effective July 8, 1944, expiring July 7, 1945.

J. H. Kissinger Knitting Company, Inc., P. O. Box 328, Millersburg, Pennsylvania; 5 learners (T); seamless hosiery; effective July 9, 1944, expiring July 8, 1945.

Murray Hosiery Mills, Inc., 501 South 4th Street, Murray, Kentucky; seamless hosiery; 35 learners (AT); effective July 5, 1944, expiring January 4, 1945.

Phoenix Hosiery Company, 110 Rowell Street, Beaver Dam, Wisconsin; seamless hosiery; 40 learners (E); effective July 15, 1944, expiring January 14, 1945.

TELEPHONE INDUSTRY

Public Utilities Company, Crossett, Arkansas; to employ learners as commercial switchboard operators at its Crossett Exchange, located at Crossett, Arkansas; effective July 18, 1944, expiring July 17, 1945.

TEXTILE INDUSTRY

Marietta Silk Company, Inc., 533 Broad Street, Waverly, New York; rayon textiles; 3 learners (T); effective July 10, 1944, expiring July 9, 1945.

Signed at New York, N. Y., this 15th day of July 1944.

PAULINE C. GILBERT,
*Authorized Representative of the Administrator.*

[F. R. Doc. 44-10590; Filed, July 17, 1944; 12:00 m.]

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## FEDERAL POWER COMMISSION.

[Docket No. G-556]

### UNITED GAS PIPE LINE COMPANY

#### NOTICE OF APPLICATION

JULY 14, 1944.

Notice is hereby given that on July 5, 1944, an application was filed with the Federal Power Commission by United Gas Pipe Line Company ("Applicant"), a Delaware corporation doing business in the States of Alabama, Florida, Louisiana, Mississippi and Texas, with its principal business office at Shreveport, Louisiana, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, to authorize Applicant to operate certain facilities owned by Interstate Natural Gas Company, Inc., for the transportation and sale for resale of natural gas, insofar as the same are subject to the jurisdiction of the Commission. The facilities which Applicant seeks authorization to operate include natural-gas pipe lines (referred to in the application as "field lines" and "tap lines") and appurtenant facilities in the State of Louisiana extending between Applicant's Scotland (Baton Rouge)-New Orleans main transmission pipe line and various gas wells and fields and customers' lines and premises adjacent to said main transmission line, which said pipe lines and appurtenant facilities are more particularly designated as follows:

(1) Natural-gas pipe lines extending to Applicant's said main transmission line respectively from the University Field, the LaPice Gas Field, the St. James Gas Field, the LaPlace Gas Field, the Prairieville Gas Field and the Hester Gas Field;

(2) Natural-gas pipe lines extending from Applicant's said main transmission line, and meter settings, by which natural gas is transported and sold (a) to Norco Gas & Fuel Company, Inc., for resale and delivery to consumers in the communities of Norco, Goodhope, Destrehan, New Sarpy, Lutcher, Paulina and Gramercy, Louisiana; (b) to The LaPlace Gas & Fuel Company, Inc., for resale and delivery to consumers in LaPlace, Louisiana; (c) to Village of Gonzales, Louisiana, for resale and delivery to consumers in said village; (d) to Reserve Public Utilities Corporation, for resale and delivery to consumers in Reserve, Louisiana; and (e) to Suburban Utilities, Inc., for resale and delivery to consumers in a portion of East Baton Rouge Parish, Louisiana;

(3) Natural-gas pipe lines extending from Applicant's said main transmission line to the following industrial customers: Colonial Sugars Company, Gramercy, Louisiana; Godchaux Sugars, Inc., Reserve, Louisiana; Mexican Petroleum Corporation, Destrehan, Louisiana; De-Haas-Eby Lumber Company, Inc., Sorrento, Louisiana; General American Transportation Company, Goodhope, Louisiana; Grass Products Company, Inc., Kleinpeter, Louisiana.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 31st day of July, 1944, file with the Federal Power Commission a petition or protest in accordance with the Commission's rules of practice and regulations under the Natural Gas Act.

LEON M. FUQUAY,
*Secretary.*

[F. R. Doc. 44-10490; Filed, July 15, 1944; 9:37 a. m.]

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[Docket No. G-103]

### UNITED GAS CORPORATION

#### NOTICE OF APPLICATION

JULY 15, 1944.

Notice is hereby given that on June 28, 1944, an application was filed with the Federal Power Commission by United Gas Corporation ("Applicant"), a Delaware corporation authorized to do business in the State of Texas, and having its

operating division office at Houston, Texas, seeking an order granting a renewal of authorization, pursuant to section 3 of the Natural Gas Act, for the exportation of natural gas from Laredo, Texas, to the Republic of Mexico, for distribution in the City of Nuevo Laredo, State of Tamaulipas, and adjoining environs.

Applicant has heretofore been operating and maintaining facilities for the exportation of natural gas, and has been exporting natural gas, to the Republic of Mexico at Laredo, Texas, for distribution in said City of Nuevo Laredo and environs pursuant to a Presidential Permit issued on September 5, 1940, to United Gas Corporation, under Executive Order No. 8202, for the operation, maintenance and connection at the border of the United States of facilities for the exportation of natural gas to the Republic of Mexico, and an order of the Commission dated September 10, 1940, authorizing the exportation of natural gas from the United States to a foreign country. Said Presidential Permit authorized United Gas Corporation to operate and maintain two four-inch natural gas pipe lines, one extending from a point on the American shore in the City of Laredo, Texas, and thence on and along The Texas Mexican Railway Company's railroad bridge across the Rio Grande River to the International Boundary Line of the United States and the Republic of Mexico, and the other extending from Applicant's distribution system in the City of Laredo, Texas, and thence along Salinas and Water Streets in said city to a point on the north bank of the Rio Grande, and authorized a physical connection at the border of the United States and Mexico with pipe lines of the Compania de Gas de Nuevo Laredo, S. A., a Mexican corporation domiciled in the City of Nuevo Laredo, Mexico. Said Presidential Permit and order of the Commission respectively authorized the operation, maintenance and connection of facilities for the exportation of natural gas, and the exportation of natural gas, in accordance with the terms of an original contract for the purchase and sale of natural gas dated September 30, 1931, between Texas Border Gas Company (predecessor of Applicant) as seller and Compania de Gas de Nuevo Laredo, S. A., as buyer, as amended by letter dated October 10, 1934, to Compania de Gas de Nuevo Laredo, S. A., from United Gas Public Service Company (predecessor of Applicant).

The application recites that Applicant has negotiated and executed with Compania de Gas de Nuevo Laredo, S. A., a new contract which is to replace and supersede its previous contract; that the present facilities are inadequate to supply the present and the increased loads expected to be added by the Compania de Gas de Nuevo Laredo, S. A.; and that Applicant desires to replace that portion of the four-inch line extending from a point at Lincoln and Vidaurri Streets in the City of Laredo with a six-inch line extending from the same point to The Texas Mexican Railway Company's railroad bridge and thence paralleling the present four-inch line on and along the bridge to the International Boundary. Applicant further requests that if, in the opinion of the Commission, the Presidential Permit will not cover the proposed six-inch line, such revisions in the Presidential Permit be made as may be required in the light of the contemplated construction.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 1st day of August, 1944, file with the Federal Power Commission a petition or protest in accordance with the provisional rules of practice and regulations under the Natural Gas Act.

[SEAL] LEON M. FUQUAY,
*Secretary.*

[F. R. Doc. 44-10542; Filed, July 17, 1944; 9:40 a. m.]

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[Docket No. G-559]

KANSAS-NEBRASKA NATURAL GAS CO., INC.

NOTICE OF APPLICATION

JULY 17, 1944.

Notice is hereby given that on July 3, 1944, an application was filed with the Federal Power Commission by Kansas-Nebraska Natural Gas Company, Inc. ("Applicant"), a Kansas corporation having its principal business office at Phillipsburg, Kansas, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, to authorize Applicant to construct and operate a natural-gas pipe line of 12¾-inch outside diameter, approximately 16 miles in length, to extend from Applicant's compressor station west of Stockton, in Rooks County, Kansas, northwardly along or adjoining the route of Applicant's existing 6⅝-inch O. D. line extending northwardly from said compressor station to replace approximately 16 miles of said 6⅝-inch pipe line, which is to be removed.

The application recites that one of the primary purposes of the proposed construction is to assure the maintenance of efficient natural gas service for war, defense and essential civilian requirements in the areas in the States of Kansas and Nebraska served by Applicant.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 1st day of August, 1944, file with the Federal Power Commission a petition or protest in accordance with the Commission's provisional rules of practice and regulations under the Natural Gas Act.

[SEAL] LEON M. FUQUAY,
*Secretary.*

[F. R. Doc. 44-10583; Filed, July 17, 1944; 11:30 a. m.]

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## FEDERAL TRADE COMMISSION.

[Docket No. 5158]

KNOW YOUR BIBLE CO., ET AL.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 15th day of July, A. D. 1944.

In the matter of Roy E. Castetter, Margaret H. Castetter, Robert C. Castetter and Rosemary C. Steffens, individuals and copartners trading as Know Your Bible Company, and Bert Ray, an individual trading and doing business as R & R Furniture Company and R & R Sales Company.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

*It is ordered,* That John W. Addison, a Trial Examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

*It is further ordered,* That the taking of testimony in this proceeding begin on Friday, August 4, 1944, at ten o'clock in the forenoon of that day (eastern standard time) in Room 712, Federal Building, Cincinnati, Ohio.

Upon completion of testimony for the Federal Trade Commission, the Trial Examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The Trial Examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
*Secretary.*

[F. R. Doc. 44-10544; Filed, July 17, 1944; 10:03 a. m.]

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[Docket No. 5154]

ARTHUR VON SENDEN CO., INC.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 15th day of July, A. D. 1944.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

*It is ordered,* That John W. Addison, a Trial Examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

*It is further ordered,* That the taking of testimony in this proceeding begin on Wednesday, August 2, 1944, at ten o'clock in the forenoon of that day (eastern standard time) in Court Room No. 4, 6th Floor, Post Office Building, Pittsburgh, Pennsylvania.

Upon completion of testimony for the Federal Trade Commission, the Trial Examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The Trial Examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recom-

mendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
*Secretary.*

[F. R. Doc. 44-10546; Filed, July 17, 1944; 10:03 a. m.]

## INTERSTATE COMMERCE COMMISSION.

### STEAM RAILROADS

### UNIFORM SYSTEM OF ACCOUNTS

At a session of the Interstate Commerce Commission Division 1, held at its office in Washington, D. C., on the 5th day of July, A. D. 1944.

In the matter of uniform system of accounts to be kept by steam railroads.

The "Uniform System of Accounts for Steam Railroads, Issue of 1943 (8 F.R. 15386), being under consideration by the division, pursuant to authority of section 20 of the Interstate Commerce Act, and the division having found need for modifications and amendments of the "Uniform System of Accounts for Steam Railroads, Issue of 1943," the modifications and amendments attached hereto and made a part hereof [1] being found necessary for administration of the provisions of Part I of the act, are hereby approved; and

*It is ordered,* That all carriers by railroad (except those independently operated as electric lines), herein referred to as steam railroads, subject to the provisions of the Interstate Commerce Act, and every trustee, executor, administrator, or assignee of any such carrier, be, and they are hereby, required to comply with the "Uniform System of Accounts for Steam Railroads, Issue of 1943," as hereby modified and amended.

*It is further ordered,* That this order shall become effective September 1, 1944.

*And it is further ordered,* That a copy of this order shall be served upon every steam railroad subject to the Act and upon every trustee, executor, administrator, or assignee of any such steam railroad, and that notice of this order be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

By the Commission, Division 1.

[SEAL] W. P. BARTEL,
*Secretary.*

[F. R. Doc. 44-10408; Filed, July 14, 1944; 10:55 a. m.]

[S. O. 70-A, Special Permit 370]

### RECONSIGNMENT OF PEAS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, not later than July 12, 1944, by Illinois Central Railroad, of car PFE 80131, peas, to Yeches Eichenbaum Company, New York, New York (I. C.-B. & O.), account railroad error.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 12th day of July, 1944.

V. C. CLINGER,
*Director,*
*Bureau of Service.*

[F. R. Doc. 44-10514; Filed, July 15, 1944; 11:33 a. m.]

[S. O. 70-A, Special Permit 371]

### RECONSIGNMENT OF POTATOES AT KANSAS CITY, MO.-KANS.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri-Kansas, July 12, 1944, by L. S. Taube Company of car NWX 70206, potatoes, now on the A. T. & S. F. Railway, to Paducah, Kentucky (Burlington), account necessary to recondition contents.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 12th day of July 1944.

V. C. CLINGER,
*Director,*
*Bureau of Service.*

[F. R. Doc. 44-10515; Filed, July 15, 1944; 11:33 a. m.]

[S. O. 70-A, Special Permit 372]

### RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, July 12, 1944, by National Produce Company of car SFRD 26432, potatoes, now on the Chicago Produce Terminal to Di Novo Brothers, Delaware, Ohio, (NKP-C&O).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 12th day of July 1944.

V. C. CLINGER,
*Director,*
*Bureau of Service.*

[F. R. Doc. 44-10516; Filed, July 15, 1944; 11:33 a. m.]

[S. O. 200, Gen. Permit 13]

### REICING OF POTATOES FROM NEBRASKA

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95,337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

On any refrigerator car loaded with potatoes originating at any point or points in the State of Nebraska, to reice in transit one time only and to accord the reicing at stations designated by shippers or, at the carriers' option, at the first icing station on either side of such designated station. This general permit shall apply to all such cars billed or moving on the effective date hereof.

This general permit shall become effective at 12:01 a. m., July 15, 1944, and shall expire at 12:01 a. m., September 1, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 13th day of July 1944.

V. C. CLINGER,
*Director,*
*Bureau of Service.*

[F. R. Doc. 44-10517; Filed, July 17, 1944; 11:34 a. m.]

[1] Filed with the Division of the Federal Register. Copies may be obtained from the Interstate Commerce Commission.

[S. O. 200, Special Permit 129]

REICING OF POTATOES AT BIRMINGHAM, ALA.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice in transit, one time only, at Birmingham, Alabama (Frisco), as ordered by U. S. Army Quarter Master Corps, car MDT 17661, potatoes, moving July 11, 1944, from Midwest Cold Storage Company, Kansas City, Kansas, to Charleston, South Carolina (Frisco-C. of Ga.-A. C. L.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 11th day of July 1944.

V. C. CLINGER,
*Director,*
*Bureau of Service.*

[F. R. Doc. 44-10518; Filed, July 15, 1944; 11:34 a. m.]

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[S. O. 200, Special Permit 130]

REICING OF POTATOES AT KANSAS CITY, MO.-KANS.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice, one time only, at Kansas City, Missouri-Kansas, July 11, 1944, as ordered by Cochrane Brokerage Company, cars NWX 1350 and IC 58237, California potatoes, now on the Union Pacific Railroad, destined to Burlington, Iowa (Burlington), account bunkers now dry.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 11th day of July 1944.

V. C. CLINGER,
*Director,*
*Bureau of Service.*

[F. R. Doc. 44-10519; Filed, July 15, 1944; 11:34 a. m.]

[S. O. 200, Special Permit 131]

REICING OF POTATOES AT KANSAS CITY, MO.-KANS.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice, one time only, at Kansas City, Missouri-Kansas, July 12, 1944, as ordered by Cochrane Brokerage Company, cars of potatoes, SFRD 38500 on the Union Pacific Railroad destined Sioux City, Iowa (Burlington), and SFRD 31769 on the A. T. & S. F. Railway, destined Sioux Falls, South Dakota (Burlington).

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 12th day of July 1944.

V. C. CLINGER,
*Director,*
*Bureau of Service.*

[F. R. Doc. 44-10520; Filed, July 15, 1944; 11:34 a. m.]

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[S. O. 219]

UNLOADING OF SCRAP PAPER AT BALTIMORE, OHIO

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 14th day of July, A. D. 1944.

It appearing that cars PRR 76247 and 48294, containing scrap paper at Baltimore, Ohio, on the New York Central Railroad Company, have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action; *It is ordered,* That:

*Scrap paper at Baltimore, Ohio, to be unloaded.* (a) The New York Central Railroad Company, its agents or employees, shall unload forthwith cars PRR 76247 and 48294, containing scrap paper, on hand at Baltimore, Ohio, consigned to Fairfield Paper Company.

(b) Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when such carloads of scrap paper have been completely unloaded. Upon receipt of such notice this order shall expire. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17), 15 (2))

*It is further ordered,* That this order shall become effective immediately, and that a copy of this order and direction shall be served upon the New York Central Railroad Company and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
*Secretary.*

[F. R. Doc. 44-10513; Filed, July 15, 1944; 11:33 a. m.]

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## OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 14, Supp. Order 1]

SPUR DISTRIBUTING CO., INC.

Under the authority of the Trading with the Enemy Act, as amended, and the authority vested by the President in the Alien Property Custodian, and pursuant to law, the Alien Property Custodian:

*First.* (a) On June 4, 1942, issued Vesting Order Number 14 (7 F.R. 4399) finding that 73,039 shares of the common stock of Spur Distributing Co., Inc., (a Delaware corporation) registered in the name of Houvis & Co., and deposited with American National Bank, Nashville, Tennessee, as collateral for a loan made to Fritz von Opel, was the property of Nationals of a Foreign Country, as defined in Executive Order No. 8389, as amended, and declaring that such property including any and all interest therein was vested in the Alien Property Custodian;

(b) Hereby amends Vesting Order Number 14 as follows and not otherwise by finding and determining that the "Nationals of a Foreign Country" therein mentioned were at the time of the vesting and now are Wilhelm von Opel, Marta von Opel, Uebersee Finanz-Korporation, Aktien Gesellschaft, Fritz von Opel, Elinor von Opel Sachs and the issue of Elinor von Opel Sachs, and that they were and are nationals of a foreign country, namely Germany.

*Second.* (a) To the extent, if any, that any of the property listed in section First hereof, and full, complete and unqualified legal and equitable title, therein and thereto, was not vested in the Alien Property Custodian on June 4, 1942, by Vesting Order Number 14, the undersigned under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, and after investigation, finding:

1. That in accordance with an agreement dated October 5, 1931, signed by Wilhelm von Opel, Marta von Open and Fritz von Opel, a usufrucht estate was created for Wilhelm and Marta von Opel with contingent interests in Fritz von Open and Elinor von Opel Sachs, including their issue, with a further interest in Fritz von Opel of twenty percent of the dividends and interest of the usufrucht estate;

2. That in accordance with the aforesaid agreement, dated October 5, 1931, all of the capital stock of Uebersee Finanz-Korpora-

tion, Aktien Gesellschaft, a corporation organized under the laws of Switzerland, is a part of said usufrucht estate and is therefore beneficially owned by Wilhelm and Marta von Opel, with contingent interests in Fritz von Opel, Elinor von Opel Sachs and their issue;

3. That of the total outstanding capital stock of Spur Distributing Co., Inc., a corporation organized under the laws of the State of Delaware and a business enterprise within the United States, consisting of 139,000 shares of no par value common stock, 73,039 shares (52%) registered in the name of Houvis & Co., are also a part of said usufrucht estate and are held by Uebersee Finanz-Korporation, Aktien Gesellschaft, for the benefit of said Wilhelm and Marta von Opel, Fritz von Opel, Elinor von Opel Sachs and their issue, and are evidence of control of said business enterprise;

4. That Uebersee Finanz-Korporation, Aktien Gesellschaft, is acting for or on behalf of and is controlled by Wilhelm and Marta von Opel;

5. That Wilhelm von Opel and Marta von Opel, whose last known addresses are Ruesselsheim, Germany, are nationals of a designated enemy country (Germany);

6. That Fritz von Opel, a subject of Germany and a citizen of Liechtenstein, has been interned by order of the Attorney-General of the United States and is acting directly or indirectly for the benefit or on behalf of a designated enemy country (Germany) or persons within such country, and that said Fritz von Opel has no issue;

7. That Elinor von Opel Sachs, whose last known address was Germany, is a national of a designated enemy country (Germany);

8. That the issue of Elinor von Opel Sachs, whose last known addresses are Schweinfurt, Germany, are nationals of a designated enemy country (Germany);

and determining:

9. That Uberesee Finanz-Korporation, Aktien Gesellschaft is controlled by or acting for on on behalf of Wilhelm von Opel and Marta von Opel and is a national of a designated enemy country (Germany);

10. That Fritz von Opel is acting for or on behalf of a designated enemy country (Germany) or persons within such country and is a national of a designated enemy country (Germany);

11. That Spur Distributing Co., Inc., is controlled by or acting for or on behalf of Wilhelm von Opel and Marta von Opel and is a national of a designated enemy country (Germany);

12. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

and having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the 73,039 shares of no par value common stock of Spur Distributing Co., Inc., registered in the name of Houvis & Co., including any and all interest therein, together with any declared and unpaid dividends thereon, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

(b) Such property so vested by paragraph (a) of this section Second and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

(c) Any person except a national of a designated enemy country, asserting any claim arising as a result of this amendatory and supplemental order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

(d) The terms "national", "designated enemy country" and "business enterprise within the United States", as used herein, shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

*Third.* This amendatory and supplemental order is corrective of and supplemental to, and in no way diminishes, restricts or limits the force and effect of, said Vesting Order Number 14, (7 F.R. 4399) and nothing herein contained shall diminish, restrict or limit any rights, titles or interests vested in the undersigned, as Alien Property Custodian, pursuant to said Vesting Order Number 14.

Executed at Washington, D. C., on July 11, 1944.

[SEAL] JAMES E. MARKHAM,
*Alien Property Custodian.*

[F. R. Doc. 44–10576; Filed, July 17, 1944; 10:54 a. m.]

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[Divesting Order 94]

MAURICE STERN

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian:

1. Having, on September 19, 1942, by Vesting Order No. 155 (7 F. R. 7764) vested certain securities listed and particularly described in Exhibit A attached hereto and made a part hereof, herein sometimes termed "the said property";

2. Having vested the said property, then the subject of litigation in the New York Courts, as property payable or deliverable to, or claimed by A. J. Stern & Cie, en liquidation, described in said order as a French corporation, which was determined in said order to be a national of a designated enemy country (Germany);

3. Having received thereafter a notice of claim (No. 367) pursuant to General Order No. 4 (7 F. R. 5539) which claim asserted that the claimant, Maurice Stern, had a right to the ownership and possession of the property described in Exhibit A attached hereto;

4. Having received no other claim or notice of claim on Form APC–1 or otherwise to the said property or to any interest therein, or arising as a result of said vesting order, and having no knowledge of any other interest in such property of any national of any foreign country;

5. Having transmitted the said claim (No. 367) to the Vested Property Claims Committee and a hearing on the claim having been held pursuant to notice (8 F. R. 13690) and opportunity to be heard having been afforded to any person desiring to be heard; and having received and examined the record of said hearing;

6. Finding on the basis of said record that:

(a) The said property vested by Vesting Order No. 155 was owned at the date of vesting by Maurice Stern;

(b) Maurice Stern was at the date of vesting a citizen and national of France and was at that date and is now a resident of the United States;

(c) Maurice Stern was not at the date of vesting and is not now and has not been at any intervening time acting for or on behalf of an enemy country (including a designated enemy country within the purview of Executive Order No. 9095, as amended) or a person within any such country, and that the national interest of the United States does not require that he be treated as a national of a designated enemy country, and

(d) The aforesaid vesting resulted from mistakes of fact.

7. Having neither assigned, transferred, or conveyed to any one the said property or any part thereof or any interest therein, nor in any manner created any right or interest therein in any person whomsoever; and

8. Determining that the error committed in vesting the said property should be corrected by assigning and conveying the said property to said claimant;

Having made all determinations and taken all action required by law; and determining that under the aforesaid circumstances the disposition hereinafter effected is in the interest of and for the benefit of the United States and necessary and appropriate in the national interest.

Now, therefore, the Alien Property Custodian assigns, transfers, and conveys to the claimant, Maurice Stern, all the right, title, and interest of the Alien Property Custodian in and to the property described in Exhibit A attached hereto.

This Divesting Order shall not bar any person from the prosecution of any suit at law or in equity against the said claimant to establish any right, title, or interest which such person may have in said property. Nor shall the vesting and divesting by the Custodian be construed to diminish the interest which such person may have had, or to enlarge the interest which the claimant may have had, in said property at the time of vesting.

Executed at Washington, D. C., on July 11, 1944.

[SEAL] JAMES E. MARKHAM,
*Alien Property Custodian.*

EXHIBIT A

*Corporations, Certificate Numbers, and Number of Shares*

| | |
|---|---|
| General Aniline & Film Corporation, A 452 to A468, inclusive, for 100 shares each; and AO 1332 for 34 shares; of common stock | 1,734 |
| General Electric Company, NYC 836001, NYC 836002, NYC 728231 and NYC 569798, for 100 shares each | 400 |
| Kennecott Copper Corp., c 400655 to 400660, inclusive, for 100 shares each | 600 |
| Minneapolis, St. Paul & Sault Ste. Marie Ry. Co., 17920 to 17923, inclusive, for 100 shares each of common stock | 400 |
| U. S. Steel Corp., N 107433 to N 107437, inclusive, for 100 shares each of common stock | 500 |

EXHIBIT A—Continued

*Corporations, Certificate Numbers, and Number of Shares*—Continued

| | |
|---|---|
| Pennsylvania Railroad Co., N 995109 to N 995113, inclusive, for 100 shares each | 500 |
| Canadian Pacific Railway Company, Ordinary stock | 4,549 |
| International Nickel Company of Canada, Ltd., Common stock | 77 |
| Standard Oil Company of New Jersey | 2 |
| Standard Oil Company of California | 624 |

[F. R. Doc. 44–10578; Filed, July 17, 1944; 10:53 a. m.]

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[Vesting Order 3835]

GERHARD ABRAMS

In re: Real property, an insurance policy, and a bank account owned by Gerhard Abrams.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Gerhard Abrams is Kieler and Market Streets, Wilhelmshaven, Germany, and that he is a resident of Germany and a national of a designated enemy country (Germany);

2. That Gerhard Abrams is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Real property situated in Charleston, South Carolina, particularly described in Exhibit A, attached hereto and by reference made a part hereof, and identified as that property conveyed by Wm. McG. Morrison to Clarence B. Schachte by a certain deed recorded in the Register Mesne Conveyance Office of Charleston County State of South Carolina, in Book Y–36 at Page 389, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the beneficial interest in and the ownership of such property.

b. All right, title, interest and estate of Gerhard Abrams in and to the Fire and Windstorm Insurance Policy No. 14675 issued by the Insurance Company of the State of Pennsylvania, insuring the premises described in Exhibit A, attached hereto and by reference made a part hereof, and

c. The sum of $500, constituting a portion of a certain bank account in the Citizens and Southern National Bank of South Carolina, Charleston, South Carolina, which is due and owing to and held for Gerhard Abrams in the name of "Clarence B. Schachte for the account of Gerhard Abrams, a national of Germany," including but not limited to all security rights in and to any and all collateral for any or all of such account or portion thereof, and the right to enforce and collect the same.

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that the property described in subparagraphs 3–b and 3–c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3–a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3–a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3–b and 3–c hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 19, 1944.

[SEAL] JAMES E. MARKHAM,
*Alien Property Custodian.*

EXHIBIT A

All that certain piece, parcel or lot of land, with the buildings thereon, situate, lying and being on the northwest corner of Washington and Calhoun Streets, in the City of Charleston, and State aforesaid, in that part of the City formerly known as Mazyckboro. Measuring and Containing in front on Calhoun Street Forty (40) feet, six (6) inches more or less, on Washington Street ninety-nine (99) feet, two (2) inches more or less, on the north line one hundred and twenty-one (121) feet, six and one-half (6½) inches more or less, on the west line commencing on Calhoun Street eighty (80) feet more or less, then on the line running from east to west eighty-one (81) feet, six and one-half (6½) inches, more or less, then on the line running from south to north to the western extremity of the said northern boundary line of said premises, nineteen (19) feet and two (2) inches, be the said dimensions more or less. Butting and Bounding to the south partly on Calhoun Street and partly on lands now or late of James Carroll and Elizabeth Christian, to the east on Washington Street, to the north on land now or formerly of Henry Mooney, and to the west on land now or formerly of the estate of E. Englemann and James Carroll.

Being the premises conveyed to Gerhard Abrams by Otto Tiedemann by deed dated 23rd January 1904, and recorded in the R. M. C. Office for Charleston County in Book "E"–24, page 347.

[F. R. Doc. 44–10577; Filed, July 17, 1944; 10:53 a. m.]

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## OFFICE OF PRICE ADMINISTRATION.

[MPR 120, Corr. to Order 276]

NEW RIVER COMPANY

ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MAXIMUM PRICES

Correction to Order No. 276 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant.

For the reasons given in the opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered,* That Order No. 276 under Maximum Price Regulation No. 120 be corrected as follows:

(a) On page 1 of Order No. 276, between the line on which appear the size group numbers and the line on which appear the maximum prices for rail shipment, the phrase "price classifications" and the letters under each size group number are inserted as follows:

| | Size groups | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| Price classifications | A | A | A | A | A | A | A | B | B | B |

This correction to Order No. 276 shall become effective as of October 27, 1943.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.)

Issued this 14th day of July 1944.

JAMES G. ROGERS, Jr.,
*Acting Administrator.*

[F. R. Doc. 44–10448; Filed, July 14, 1944; 11:59 a. m.]

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[MPR 120, Order 857]

R. S. WILLIAMS COAL CO.

ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MAXIMUM PRICES

Order No. 857 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant.

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

(a) The Keystone Mine of R. S. Williams Coal Company, Oak Hill, Ohio, is hereby assigned Mine Index No. 4051 and is classified in Jackson Freight Origin District and Railroad Fuel Price Group No. 101.

(b) Coals produced at the Keystone Mine, Mine Index No. 4051 in District

No. 4, may be purchased and sold at per net ton prices, in cents per net ton, not exceeding the following:

| | Size group | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 12 |
| Rail shipments (including railroad fuel) | 350 | 345 | 305 | 305 | 305 | 275 | 255 | 245 | 275 | 275 |
| Truck shipments | 380 | 370 | 360 | 335 | 330 | 265 | 240 | 230 | --- | --- |

(c) The prices established herein are f. o. b. the mine for truck shipments, and f. o. b. the rail shipping point for rail shipments and for railroad fuel.

(d) All prayers of applicant not granted herein are hereby denied.

(e) This order may be revoked or amended at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1340.-208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

This order shall become effective July 15, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 14th day of July 1944.

JAMES G. ROGERS, Jr.,
*Acting Administrator.*

[F. R. Doc. 44–10449; Filed, July 14, 1944; 12:00 p. m.]

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[MPR 134, Amdt. 1 to Order 18]

## CONSTRUCTION AND ROAD MAINTENANCE EQUIPMENT

### RENTAL PRICES AND CHARGES FOR OPERATING AND MAINTENANCE REPAIR AND REBUILDING SERVICES

An opinion accompanying this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Item (k) in paragraph (a) 1. of Order No. 18 under Maximum Price Regulation 134 is amended to read as follows:

| Cubic yards capacity | | Rate per day for first 8-hour shift |
|---|---|---|
| From— | To— | |
| (k) 18.00 cu. yds | Over | $55.00 |

Plus $3.00 for the first 8-hour shift for each full cubic yard capacity over 18.00.

This amendment shall become effective July 15, 1944.

Issued this 14th day of July 1944.

JAMES G. ROGERS, Jr.,
*Acting Administrator.*

[F. R. Doc. 44–10446; Filed, July 14, 1944; 12:00 p. m.]

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[MPR 64, Order 151]

## JACOBS MFG. CO.

### ADJUSTMENT OF MAXIMUM PRICES

Order No. 151 under Maximum Price Regulation No. 64. Domestic cooking and heating stoves. Approval of maximum prices for sales of a new model magazine feed coal heater manufactured by Jacobs Manufacturing Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended and Executive Orders Nos. 9250 and 9328, and in accordance with sections 7 and 11 of Maximum Price Regulation No. 64, *It is ordered:*

(a) Jacobs Manufacturing Company, Bridgeport, Alabama, may sell and deliver the new model No. 44–20W magazine feed coal circulating heater which it manufactures at prices no higher than the following:

| | *Each* |
|---|---|
| To wholesale distributors | $43.87 |
| To "large dealers" | 43.87 |
| To "small dealers" | 49.36 |

These prices are f. o. b. Bridgeport, Alabama, and are subject to terms, discounts, and allowances no less favorable than those in effect with respect to the comparable model No. 38–24W coal circulating heater.

(b) Any wholesale distributor may sell and deliver to retailers the model No. 44–20W magazine feed coal circulating heater manufactured by Jacobs Manufacturing Company, at a price no higher than $56.25 each, f. o. b. distributor's city.

(c) Any person may sell and deliver at retail the model No. 44–20W magazine feed coal circulating heater manufactured by Jacobs Manufacturing Company, at a price no higher than $89.95 each.

(d) At the time of or prior to the first invoice, after the effective date of this order for the sale of the model No. 44–20W coal heater described above to each purchaser for resale, Jacobs Manufacturing Company and every wholesale distributor shall notify the purchaser of the maximum prices and conditions set by this order for resales by the purchaser. This notice may be given in any convenient form. In addition, Jacobs Manufacturing Company shall, before delivering the model No. 44–20W coal heater, attach securely to each heater a tag or label which plainly states the retail ceiling price established by this order. This tag or label shall be attached to the front of the heater.

(e) The maximum prices established by this order are for sales and deliveries in the 48 states and the District of Columbia.

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

This order shall become effective on July 15, 1944.

Issued this 14th day of July 1944.

JAMES G. ROGERS, Jr.,
*Acting Administrator.*

[F. R. Doc. 44–10475; Filed, July 14, 1944; 4:25 p. m.]

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[MPR 188, Order 1873]

## VISCHER PRODUCTS CO.

### ADJUSTMENT OF MAXIMUM PRICES

Order No. 1873 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a new pressure canner manufactured by the Vischer Products Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergeny Price Control Act of 1942, as amended, the Stablization Act of 1942, as amended and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales of a new pressure canner manufactured by the Vischer Products Company, 412 Orleans Street, Chicago, Illinois, and described in its application as Model No. 7.

(1) For sales and deliveries by the manufacturer on and after June 22, 1944, the maximum prices are those set forth below:

| | *Model No. 7 pressure canner with rack, jar lifter, and cook book.* |
|---|---|
| To jobbers | $7.95 |
| To retailers: | |
| In quantities of 2,000 or more | 8.75 |
| In quantities of 100 to 1,999 | 9.54 |
| In quantities of less than 100 | 10.60 |

These prices are f. o. b. Chicago, Illinois, and are subject to a cash discount of 2% for payment within ten days, net thirty days.

(2) For sales and deliveries by jobbers to all purchasers for resale, on and after the effective date of this order, the maximum prices are those set forth below:

| | *Model No. 7 pressure canner with rack, jar lifter, and cook book* |
|---|---|
| In Eastern Zone | $10.00 |
| In Western Zone | 11.00 |

These prices are f. o. b. seller's city, and are subject to terms, discounts, and allowances no less favorable than those customarily granted by the seller.

(3) For sales and deliveries at retail by any person on and after the effective date of this order, the maximum prices are those set forth below:

| | *Model No. 7 pressure canner with rack, jar lifter, and cook book* |
|---|---|
| In Eastern Zone | $15.90 |
| In Western Zone | 16.50 |

(b) The manufacturer shall attach a tag or label to every pressure canner for which a maximum price is established by this order, which is shipped to a purchaser for resale on and after the effective date of this order. That tag or label must contain the following statement:

| | |
|---|---|
| Eastern Zone O. P. A. retail ceiling price | $15.90 |
| Western Zone O. P. A. retail ceiling price | 16.50 |

This tag may not be removed until after delivery to the consumer.

(c) At the time of or prior to the first invoice to a purchaser for resale on and after the effective date of this order, the manufacturer and every jobber shall notify the purchaser in writing of the maximum prices and conditions established by this order for resales by the purchaser. This notice may be given in any convenient form.

(d) For purposes of this order the Western Zone includes the states of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, Wyoming, and the following counties in Texas: El Paso, Hudspeth, Culberson, Jeff Davis, Presidio, Brewster, Terrell, Pecos and Reeves. The rest of the United States and the District of Columbia are in the Eastern Zone.

(e) Unless the context otherwise requires, the definitions set forth in § 1499.-20 of the General Maximum Price Regulation shall apply to the terms used herein.

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

This Order No. 1873 shall become effective on the 17th day of July 1944.

Issued this 15th day of July 1944.

JAMES G. ROGERS, Jr.,
*Acting Administrator.*

[F. R. Doc. 44–10509; Filed, July 15, 1944; 11:21 a. m.]

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[MPR 188, Order 1874]

## DAY BROTHERS MFG. CO.

### ADJUSTMENT OF MAXIMUM PRICES

Order No. 1874, under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a wooden step stool manufactured by Day Brothers Manufacturing Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a wooden step stool manufactured by Day Bros. Mfg. Co., East Academy Street, Canisteo, New York.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

| Article | Model no. | Maximum price to persons, other than retailers, who resell from manufacturer's stock | Maximum price to retailers |
|---|---|---|---|
| Step stool | #4A | $1.87 each | $2.20 each. |

These prices are f. o. b. factory and are subject to a cash discount of two percent for payment within ten days, net 30 days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subparagraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

| Article | Model No. | Maximum price to retailers |
|---|---|---|
| Step stool | #4A | $2.20 each. |

This price is subject to a cash discount of two percent for payment within ten days, net 30 days.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 17th day of July 1944.

Issued this 15th day of July 1944.

JAMES G. ROGERS, Jr.,
*Acting Administrator.*

[F. R. Doc. 44–10508; Filed, July 15, 1944; 11:21 a. m.]

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[RMPR 506, Order 30]

## NATIONAL MITTEN WORKS ET AL.

### ADJUSTMENT OF MAXIMUM PRICES

Order No. 30 under section 4 (b) of Revised Maximum Price Regulation 506. Maximum prices for staple work gloves. Granting maximum prices to the National Mitten Works and other sellers. Docket No. N6657–506–56–7.

For the reasons set forth in an opinion issued simultaneously herewith; *It is ordered:*

(a) On and after July 14, 1944, The National Mitten Works, Kokomo, Indiana, may sell and deliver to any purchaser, and such purchaser may buy from it, the staple work glove number enumerated in the following table at or below the prices set forth in Column A of this table. Wholesalers who purchase this number from the National Mitten Works may make "regular sales" at wholesale of such gloves, at or below the price set forth in Column B of the table. Ceiling prices for "special sales" at wholesale shall be determined in accordance with section 3 (b) of Revised Maximum Price Regulation 506.

| Style No. | Glove description | Column A—Manufacturers' prices | | Column B—Wholesalers' prices |
|---|---|---|---|---|
| | | Group I ceiling | Group II ceiling | |
| Special American Art Alloys safety glove. | Men's jumbo clute cut, processed 24 ounce nap out canton flannel material palm, thumb and forefinger, 12 ounce canton flannel back, 1½" 12" ounce flannel band, 5" single (1-ply thickness) gauntlet cuff. | $3.60 | $3.92½ | $4.35 |

(b) The maximum prices authorized in paragraph (a) are subject to the following:

(1) The instructions for manufacturers and wholesalers which preface the tables in Appendix A of RMPR 506;

(2) The provisions in section 4 (a) of RMPR 506 with respect to a manufacturers' "wholesale percentage," and the quota of deliveries which must be made at Group I prices;

(3) The marking and informational requirements of Section 6 of RMPR 506. In addition to these requirements, the National Mitten Works, on all deliveries of the style number listed in paragraph (a), made pursuant to this order, on and after September 15, 1944, must place the letter "S" following the lot number or brand name stated on the label, ticket, or other device used to mark the gloves.

(c) The definitions in RMPR 506 shall apply to this order.

(d) The National Mitten Works must furnish each of its customers, who, on or after July 14, 1944, purchases the style number listed in paragraph (a) for purposes of resale, a notice in the form set forth below. The National Mitten Works must also notify each such customer (other than a seller at retail) that he is

required in turn to transmit to his customers a copy of the notice set forth below. The notice may be attached to the invoice or may be stamped or printed on the invoice.

This notice is sent to you as required by Order No. 30 under section 4 (b) of Revised Maximum Price Regulation 506 issued by the Office of Price Administration. It lists ceiling prices fixed by OPA for the work glove number enumerated in the table below, manufactured by the National Mitten Works.

OPA has ruled that the National Mitten Works may sell this number at or below the prices listed in Column A below, subject to the provisions of section 4 (a) of RMPR 506 with respect to the quota of deliveries which must be made at Group I prices. Wholesalers in turn are authorized to make regular sales at wholesale of this number at or below the prices listed in Column B. Retailers will determine their ceiling prices on this number in accordance with section 2 of RMPR 506.

| Style No. | Column A Manufacturers' prices | | Column B |
|---|---|---|---|
| | Group I ceiling | Group II ceiling | Wholesalers' prices |
| Special American art alloys safety glove—S | $3.60 | $3.92½ | $4.35 |

You will note that the letter "S" follows the manufacturers' lot number or brand name. This letter indicates that these gloves have been specially priced by OPA under section 4 (b).

(e) This Order No. 30 under Revised Maximum Price Regulation 506 may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 14, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 14th day of July 1944.

JAMES G. ROGERS, Jr.,
*Acting Administrator.*

[F. R. Doc. 44-10476; Filed, July 14, 1944; 4:25 p. m.]

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[RMPR 506, Order 31]

## MORRIS MFG. CO.

### ADJUSTMENT OF MAXIMUM PRICES

Order No. 31 under section 4 (b) of Revised Maximum Price Regulation 506. Maximum prices for staple work gloves. Granting maximum prices to the Morris Manufacturing Company and other sellers. Docket No. N6657-506-21-7.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

(a) On and after July 15, 1944, the Morris Manufacturing Company, Newbern, Tennessee, may sell and deliver to any purchaser, and such purchaser may buy from it, the staple work glove numbers enumerated in the following table at or below the prices set forth in Column A of this table. Wholesalers who purchase these numbers from the Morris Manufacturing Company may make "regular sales" at wholesale of such gloves, at or below the prices set forth in Column B of the table. Ceiling prices for "special sales" at wholesale shall be determined in accordance with section 3 (b) of Revised Maximum Price Regulation 506.

| Style No. | Glove description | Column A Manufacturers' prices | | Column B |
|---|---|---|---|---|
| | | Group I ceiling | Group II ceiling | Wholesalers' prices |
| 666 | Men's clute cut split leather palm, full leather thumb and fingerbacks, leather pull, leather knuckle strap, 10 ounce flannel back, 6 ounce flannel palm lining, 2¼" waterproofed double (2 ply thickness) safety cuff. | $6.25 | $6.80 | $7.52½ |
| 85 | Men's clute cut heavy side split leather palm, full leather thumb and fingerback, 10 ounce flannel back, 6 ounce flannel palm lining 2½" waterproofed double (2 ply thickness) safety cuff. | 6.85 | 7.50 | 8.25 |
| 100 | Men's clute cut split leather palm, full leather thumb and fingerbacks, leather pull, leather knuckle strap, 10 ounce flannel back, 6 ounce flannel palm lining, 2¼" waterproofed double (2 ply thickness) safety cuff. | 6.25 | 6.80 | 7.52½ |

(b) The maximum prices authorized in paragraph (a) are subject to the following:

(1) The instructions for manufacturers and wholesalers which preface the tables in Appendix A of RMPR 506;

(2) The provisions in section 4 (a) of RMPR 506 with respect to a manufacturers' "wholesale percentage", and the quota of deliveries which must be made at Group I prices;

(3) The marking and informational requirements of section 6 of RMPR 506. In addition to these requirements, the Morris Manufacturing Company, on all deliveries of the style numbers listed in paragraph (a), made pursuant to this order, on and after September 15, 1944, must place the letter "S" following the lot number or brand name stated on the label, ticket, or other device used to mark the gloves.

(c) The definitions in RMPR 506 shall apply to this order.

(d) The Morris Manufacturing Company must furnish each of its customers, who, on or after July 15, 1944, purchases the style numbers listed in paragraph (a) for purposes of resale, a notice in the form set forth below. The Morris Manufacturing Company must also notify each such customer (other than a seller at retail) that he is required in turn to transmit to his customers a copy of the notice set forth below. The notice may be attached to the invoice or may be stamped or printed on the invoice.

This notice is sent to you as required by Order No. 31 under section 4 (b) of Revised Maximum Price Regulation 506 issued by the Office of Price Administration. It lists ceiling prices fixed by OPA for the work glove numbers enumerated in the table below, manufactured by the Morris Manufacturing Company.

OPA has ruled that the Morris Manufacturing Company may sell these numbers at or below the prices listed in Column A below, subject to the provisions of section 4 (a) of RMPR 506 with respect to the quota of deliveries which must be made at Group I prices. Wholesalers in turn are authorized to make regular sales at wholesale of these numbers at or below the prices listed in Column B. Retailers will determine their ceiling prices on these numbers in accordance with section 2 of RMPR 506.

| Style No. | Column A Manufacturer's prices | | Column B Wholesalers' prices |
|---|---|---|---|
| | Group I ceiling | Group II ceiling | |
| 666S | $6.25 | $6.80 | $7.52½ |
| 85S | 6.85 | 7.50 | 8.25 |
| 100S | 6.25 | 6.80 | 7.52½ |

You will note that the letter "S" follows the manufacturers' lot number or brand name. This letter indicates that these gloves have been specially priced by OPA under section 4 (b).

(e) This Order No. 31 under Revised Maximum Price Regulation 506 may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 15, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of July 1944.

JAMES G. ROGERS, Jr.,
*Acting Administrator.*

[F. R. Doc. 44-10539; Filed, July 15, 1944; 4:36 p. m.]

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[RMPR 506, Order 32]

## RIEGEL TEXTILE CORPORATION

### ADJUSTMENT OF MAXIMUM PRICES

Order No. 32 under section 4 (b) of Revised Maximum Price Regulation 506. Maximum prices for staple work gloves. Granting maximum prices to the Riegel Textile Corporation and other sellers. Docket No. N6657-506-6-7.

For the reasons set forth in an opinion issued simultaneously herewith; *It is ordered:*

(a) On and after July 15, 1944, the Riegel Textile Corporation, 342 Madison Avenue, New York, New York may sell and deliver to any purchaser, and such purchaser may buy from it, the staple work glove numbers enumerated in the following table at or below the prices set forth in Column A of this table. Wholesalers who purchase these

numbers from the Riegel Textile Corporation may make "regular sales" at wholesale of such gloves, at or below the prices set forth in Column B of the table. Ceiling prices for "special sales" at wholesale shall be determined in accordance with section 3 (b) of Revised Maximum Price Regulation 506.

| Style No. | Glove description | Column A Manufacturer's prices | | Column B Wholesalers' prices |
|---|---|---|---|---|
| | | Group I ceiling | Group II ceiling | |
| 2287 | Men's 15 ounce quilted material double throughout, nap out flannel "chore" glove knit wrist. | $2.37½ | $2.57½ | $2.85 |
| 76 | Men's 13 ounce quilted material, double throughout nap out flannel "chore" mitten. Knit wrist. | 2.05 | 2.22½ | 2.47½ |
| 477 | Men's clute cut split leather palm, continuous thumb, leather fingertips, 8 ounce canton flannel back, 5 ounce palm lining, knit wrist. | 3.75 | 4.10 | 4.52½ |
| 8123 | Men's clute cut split leather palm, continuous thumb, leather fingertips, 8 ounce canton flannel back, 5 ounce palm lining double (2 ply thickness) safety cuff. | 3.90 | 4.25 | 4.70 |
| 9123 | Men's clute cut split leather palm, continuous thumb, leather fingertips, 8 ounce canton flannel back, 5 ounce palm lining, 4½" double (2 ply thickness) gauntlet cuff. | 4.25 | 4.65 | 5.12½ |

(b) The maximum prices authorized in paragraph (a) are subject to the following:

(1) The instructions for manufacturers and wholesalers which preface the tables in Appendix A of RMPR 506.

(2) The provisions in section 4 (a) of RMPR 506 with respect to a manufacturer's "wholesale percentage," and the quota of deliveries which must be made at Group I prices.

(3) The marking and informational requirements of section 6 of RMPR 506. In addition to these requirements, the Riegel Textile Corporation on all deliveries of the style numbers listed in paragraph (a), made pursuant to this order, on and after September 15, 1944, must place the letter "S" following the lot number or brand name stated on the label, ticket, or other device used to mark the gloves.

(c) The definitions in RMPR 506 shall apply to this order.

(d) The Riegel Textile Corporation must furnish each of its customers, who, on or after February 19, 1944, purchased or purchases the style numbers listed in paragraph (a) for purposes of resale, a notice in the form set forth below. The Riegel Textile Corporation must also notify each such customer (other than a seller at retail) that he is required in turn to transmit to his customers a copy of the notice set forth below. The notice may be attached to the invoice or may be stamped or printed on the invoice.

This notice is sent to you as required by Order No. 32 under section 4 (b) of Revised Maximum Price Regulation 506 issued by the Office of Price Administration. It lists ceiling prices fixed by OPA for work glove numbers enumerated in the table below, manufactured by the Riegel Textile Corporation.

OPA has ruled that the Riegel Textile Corporation may sell these numbers at or below the prices listed in Column A below, subject to the provisions of section 4 (a) of RMPR 506 with respect to the quota of deliveries which must be made at Group I prices. Wholesalers in turn are authorized to make regular sales at wholesale of these numbers at or below the prices listed in Column B. Retailers will determine their ceiling prices on these numbers in accordance with section 2 of RMPR 506.

| Style No. | Column A Manufacturer's prices | | Column B Wholesalers' prices |
|---|---|---|---|
| | Group I ceiling | Group II ceiling | |
| 2287S | $2.37½ | $2.57½ | $2.85 |
| 76S | 2.05 | 2.22½ | 2.47½ |
| 477S | 3.75 | 4.10 | 4.52½ |
| 8123S | 3.90 | 4.25 | 4.70 |
| 9123S | 4.25 | 4.65 | 5.12½ |

You will note that the letter "S" follows the manufacturers' lot number or brand name. This letter indicates that these gloves have been specially priced by OPA under section 4 (b).

(e) This Order No. 32 under Revised Maximum Price Regulation 506 may be revoked or amended by the Price Administrator at any time.

(f) On all deliveries of the work glove numbers listed in paragraph (a) since February 10, 1944 pursuant to OPA adjustable pricing authorizations, the Riegel Textile Corporation must refund to its customers any monies collected in excess of the ceiling prices authorized in this order. Within thirty days from the effective date of this order, the Riegel Textile Corporation shall send to OPA, Washington, D. C., a notification of the steps it has taken to comply with the provisions of this paragraph (f) of this order.

This order shall become effective July 15, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of July 1944.

JAMES G. ROGERS, Jr.,
*Acting Administrator.*

[F. R. Doc. 44-10540; Filed, July 15, 1944; 4:36 p. m.]

[MPR 188, Order 1849]

## UPHOLSTERED DUAL PURPOSE SLEEPING EQUIPMENT

### APPROVAL OF MAXIMUM PRICES

Order No. 1849 under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Maximum prices for sales of inner-constructions for sofa beds, studio couches, and other upholstered dual purpose sleeping equipment.

For the reasons set forth in the opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Order No. 9250 and 9328 it is ordered:

(a) *Purpose of this order.* The purpose of this order is to establish maximum prices for the sale of inner-constructions for sofa beds, studio couches, and other upholstered dual purpose sleeping equipment.

(b) *What this order covers.* This order covers all sales of inner-constructions for sofa beds, studio couches, and other upholstered dual purpose sleeping equipment.

*Definitions of inner-constructions covered by this order.* An inner-construction covered by this order is any combination of steel angles, flats, spring coils, wire, helicals, clips and other hardware which serves as the sleeping and sitting foundations for upholstered dual-purpose sleeping equipment. This order does not cover hinges or wood parts unless they are an integral part of the inner-construction.

(c) *Relationship of this order to other maximum price regulations.* This order replaces the pricing provisions (§§ 1499.153, 1499.154, 1499.155, 1499.156, 1499.157, 1499.158 and 1499.159) of Maximum Price Regulation No. 188 as to manufacturers and the pricing provisions (§§ 1499.2 and 1499.3) of the General Maximum Price Regulation for all sales and deliveries of articles covered by this order after the effective date of this order.

(d) *Maximum prices for basic models of inner-constructions for sofa beds, studio couches and other upholstered dual purpose sleeping equipment.* The table below lists the specifications and the manufacturer's f. o. b. factory l. c. l. maximum prices for certain basic models of inner-constructions for sofa beds and studio couches. These prices shall be subject to the discounts, allowances and other price differentials and the terms of sale which the manufacturer made from his regularly quoted f. o. b. factory l. c. l. prices to his customers on sales of the most comparable inner-construction or innerspring unit during March 1942. The term "most comparable"

means that inner-construction or unit for which the manufacturer's regularly quoted f. o. b. factory l. c. l. price to his customers in March 1942 is nearest in amount to the manufacturer's f. o. b. factory l. c. l. maximum price established under this order for the inner-construction being priced. "Regularly quoted f. o. b. factory l. c. l. price" is the highest price at which a manufacturer made a substantial number of sales or deliveries during March 1942.

(1) *Sofa bed construction, innerspring type.*

Hinged or 2 piece type ---------- 2.65 each

Coils—Seat—90 double cone #13 ga. high carbon wire 5" or higher min. wt. 7 lb.
Back—72 double cone #13 ga. high carbon wire 5" or higher min. wt. 6 lb.
Top ties—Screw coils #18 ga. high carbon wire or equivalent
Top border wire—#7 ga. low carbon wire or #9 ga. high carbon wire, or 12 ga. high carbon wire inserted in a screw coil
Minimum steel weight 18 lb.

(2) *Sofa bed construction, single cone wire bottom type.*

Hinged or 2 piece type ---------- 2.95 each

Coils—Seat section 40 single cone, #11 high carbon wire 5" or higher min. wt. 7 lb.
Back section 30 single cone, #11 high carbon wire 5" or higher min. wt. 6 lb.
Top ties—Crimp—15 ga. low carbon wire or Helical—#17 ga. high carbon wire
Border wire—Crimp top—#9 low carbon wire. Helical top—#7 high carbon wire
Cross braces—Helical top only—4 #11 ga. high carbon wire or equiv.
Bottom crimps—#10 ga. high carbon wire 1 way. #9 ga. low carbon wire 1 way
Minimum total steel weight 22 lbs.
Minor changes may be made in wire gauge, number and gauge of coils, and other construction details which will not:
1. Reduce the cost more than 3%
2. Lower the minimum steel weights
3. Impair the serviceability of the unit provided that within 30 days of first shipment of such item a detailed report of such changes be filed with the Office of Price Administration, Washington, D. C.

(3) *Studio couch construction, coil base and flat spring under-section or drop back,* $4.85 ea.

Seat section:
Rear rail—1¼" x 1¼" x ⅛" rail angle or equivalent
Rear legs—1¼" x 1¼" x ⅛" rail angle or equivalent
Corner braces—⅞" x 12 ga. band
Cross slats—⅞" x 12 ga. band stock under each row of coils or 3—¾" x ¾" x ⅛" rail angle all others #9 Bessemer wire or 3—1" x ⅛" bands, all others #9 Bessemer wire
Front legs—1⅜" x 1⅛" x ⅛" rail angle
Front corner brackets—⅛" x 3" band steel
Casters
Coils—40 #11½ ga. high carbon spring wire min. wt. 5½ lb.
Top crimps—#14 ga. low carbon steel wire
Border wire—#3 ga. Bessemer
Border crimps—#14 ga.
Long bottom crimps—#11 ga. low carbon wire
Back section or under-section:
Rim—1¼" x 1¼" x ⅛" rail angle
Back rail—1¼" x 1¼" x ⅛" rail angle
Legs—¾" x ¾" x ⅛"
Fabric—Standard 2" x 4" link attached by helicals or equivalent or band and helical—bands ⅝" x .020" (Min. 6 long bands, 4 cross bands)
Back section or under-section—Continued.
Finish—oil base paint
Minimum total steel weight 42 lb.
Minor changes may be made in wire gauge, number and gauge of coils, and other construction details which will not:
1. Reduce the cost more than 5%
2. Lower the minimum steel weights
3. Impair the serviceability provided that within 30 days of first shipment a detailed report of such changes be filed with the Office of Price Administration, Washington, D. C.

(e) *Maximum prices which cannot be established under paragraph (d).* The maximum price for any or delivery of an inner-construction which cannot be determined under paragraph (d) of this order (for example, for a different model or a new class of purchaser) shall be a price fixed by order of the Price Administrator, in line with the level of maximum prices established by this order. No person may sell, offer to sell or deliver an article for which a maximum price must be established under this paragraph until a price has been specifically authorized by order of the Office of Price Administration. If in violation of this provision, a sale, offer to sell, or delivery of an article is made before the issuance of an order by the Price Administrator specifically authorizing a maximum price for the article, the maximum price applicable to the sale, offer to sell or delivery shall be such maximum price as the Price Administrator may establish for the article by subsequent order. An application by a manufacturer for the establishment of a maximum price under this paragraph shall be made to the Office of Price Administration, Washington, D. C., and shall contain the following information:

(1) Identifying number or trade name of article to be priced.

(2) The reasons why the article cannot be priced under paragraph (d) of this order.

(3) Detailed specifications and illustration of the article to be priced.

(4) An itemized breakdown of the manufacturer's current unit direct cost of the article to be priced, showing separately according to his own system of accounts or regularly prepared operating statements all major component unit direct cost factors. For the purpose of this order, unit direct costs include direct labor and direct material costs but do not include factory burden (sometimes called factory overhead or indirect manufacturing expenses), packaging and crating costs, royalties and patterns, tool and die cost and items of administrative, general and selling expenses. Also, state the number of units of production upon which the unit direct costs were based.

(5) An itemized breakdown of the manufacturer's current unit direct cost (as described in (4) above) of the basic model in paragraph (d) of this order which is most nearly comparable to the article being priced.

(6) Price lists in effect during March 1942 showing: The article most nearly comparable to the article being priced, with illustrations; the article most nearly comparable to the basic model mentioned in (4) with illustrations; all price differentials covering variations in these constructions. If the manufacturer was not making and selling inner-constructions in March 1942, send the first price list which was in effect after March 1942, together with illustrations.

(7) A statement of the manufacturer's customary discounts, allowances, price differentials and terms of sale to different classes of purchasers in effect for sales of inner-constructions during March 1942; or if the manufacturer was not making and selling inner-constructions during March 1942, the same information for the first period after March 1942 during which the manufacturer was engaged in this business.

(8) Requested maximum price of the article to be priced.

(f) *Sales slips, receipts, and invoices.* After the effective date of this order, every seller making a sale of an article covered by this order shall furnish the purchaser with a sales slip, receipt, invoice or other similar written evidence of purchase showing:
(1) Date of sale
(2) Name and address of buyer
(3) Terms of sale
(4) Quantities sold of each item
(5) Identification of each item
(6) Price for each item
(7) Nature and amount of any additional charges

This sales slip, receipt or invoice or other written evidence of purchase shall be kept by the purchaser and a copy of it kept by the seller for inspection by the Office of Price Administration.

This order shall become effective on the 20th day of July 1944.

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

Issued this 15th day of July 1944.

JAMES G. ROGERS, Jr.,
*Acting Administrator.*

[F. R. Doc. 44-10541; Filed, July 15, 1944; 4:41 p. m.]

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## Regional and District Office Orders.

[Portland Order G-5 Under 18 (c)]

### FIREWOOD IN DESIGNATED COUNTIES IN OREGON

Order No. G-5 under § 1499.18 (c), as amended, of the General Maximum Price Regulation. Adjusted maximum prices for firewood in certain areas in Lincoln, Yamhill, and Marion Counties in the State of Oregon.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Office of Price Administration by § 1499.18 (c), as amended, of the General Maximum Price Regulation: *It is hereby ordered:*

(a) The maximum prices as established by section 2 and 3 of the General Maximum Price Regulation or by any

order issued pursuant to such regulation, or by any supplementary regulation thereto, for the sale and delivery of the types of firewood specified below, are hereby adjusted so that the maximum prices therefor shall be:

| Area | Type of firewood | Maximum price per cord delivered to premises of buyer |
|---|---|---|
| That portion of Lincoln County in the State of Oregon included in the election precincts of Ocean Lake, Devils Lake, Taft, and that part of Kern north of a line running due east from the coast through a point three miles south of the City of Depoe Bay. This area includes such cities as: Otis, Neotsu, Oceanlake, DeLake, Nelscott Beach, Taft, Cutler City, Kernville, Gleneden Beach, Lincoln Beach and Depoe Bay. | 12" and 16" old growth fir | 11.00 |
| That portion of Yamhill County in the State of Oregon bounded by a line three miles west of and running parallel to U. S. Highway No. 99W, the south bounds of Yamhill County, the Willamette River and State Highway No. 219 and that portion of Marion County in the State of Oregon bounded by the Willamette River, State Highway No. 219 and a road running due east from Fairfield to State Highway No. 219 excluding the City of Newberg, but including the cities of Amity, Whiteson, McMinnville, Lafayette, Dundee, Dayton, and St. Paul. | 4' #1 old growth fir cordwood | 8.75 |
| | 12"-16" #1 old growth fir cordwood. | 10.00 |
| | 4' #2 old growth and 2d growth cordwood. | 8.25 |
| | 12"-16" #2 old growth and 2d growth cordwood. | 9.50 |
| | 4' oak cordwood | 10.00 |
| | 12"-16" oak cordwood | 11.75 |

(b) No seller shall evade any of the provisions of this Order No. G-5 by changing the customary allowances, discounts, or other price differentials unless such change results in a lower price.

(c) *Invoices and records.* Every person making a sale of firewood for which a maximum price is set by this order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale, which shall show:

(1) The date of sale.

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

(3) The quantity of firewood sold.

(4) Description of firewood sold, in the same manner as it is described in this order. (This shall include the kind of wood, i. e., hard, soft, or mixed, and length of pieces of wood.)

(5) Place of sale. (If the price is dependent on place of delivery, then the place of delivery shall be stated.)

(6) The total price of the wood. On the invoice or memorandum, a separate statement shall be made of any discounts and of each service rendered such as delivery, carrying, and stacking, and the charge made for each such service.

The seller shall keep an exact copy of such invoice or memorandum for a period of two years and such copy shall be available for inspection by the Office of Price Administration.

(d) This order may be revoked, amended, or corrected at any time.

This district Order G-5, which supersedes regional Order G-38, shall become effective July 6, 1944.

NOTE: The record keeping provision of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 6th day of July 1944.

WM. CONNELL BROWN,
*District Director.*

[F. R. Doc. 44-10467; Filed, July 14, 1944; 12:04 p. m.]

[Region II Order G-21 Under 18 (c)]

## GARMENT BOXES IN NEW YORK METROPOLITAN AREA

Order No. G-21 under § 1499.18 (c) of the General Maximum Price Regulation. Sales of one-piece corrugated garment boxes by jobbers having an established place of business in the County of New York, and distributing such boxes in the New York metropolitan area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation, *It is ordered:*

1. That on and after July 1, 1944, jobbers having a place of business established in the County of New York, State of New York, are hereby authorized to sell the following one-piece corrugated garment boxes at wholesale at a price not in excess of the maximum prices listed:

| *Style and area* | *Prices per 100 boxes* |
|---|---|
| Non-test construction: | |
| PP—630 | $10.00 |
| Single—785 | 11.00 |
| 302—1127 | 15.00 |
| 303—1188 | 16.00 |
| 304—1249 | 18.00 |
| 306—1371 | 20.00 |
| 309—1554 | 23.00 |
| 200 test construction: | |
| 3012—1736 | 26.00 |
| 363—1365 | 18.00 |
| 364—1435 | 20.00 |
| 366—1575 | 23.00 |
| 369—1785 | 26.00 |
| 3613—2065 | 32.00 |
| 3617—2317 | 35.00 |
| 424—1608 | 21.00 |
| 426—1764 | 25.00 |
| 429—2000 | 28.00 |
| 4213—2313 | 35.00 |
| 4217—2627 | 38.00 |
| 4220—2862 | 40.00 |

2. The maximum prices determined above for sizes 3012 to 4220 inclusive are based on the use of 200 test paper. Where any size 3012 to 4220 inclusive is sold in non-test construction, the prices set forth above shall be discounted by 10 percent.

3. The area listed for each size number is the minimum area. Each jobber shall continue to sell each size number in the area and inside dimensions in which he sold it in March 1942, but not containing less than the minimum area above set forth. In the event that he reduces the inside dimensions, then the price established above shall be reduced in proportion to the extent of the reduction in cost.

4. The prices listed are subject to the discounts or terms customarily extended by each jobber. No jobber shall change his customary discounts or terms unless such change will result in prices lower than the prices authorized in paragraph (1) of this order.

5. No charge shall be made for delivery to any point within the Borough of Manhattan, City of New York. For deliveries outside of Manhattan, no purchaser shall be required to pay and no purchaser may pay a greater share of the cost of delivery than was charged by the seller during March 1942 to a purchase of the same class.

6. The term "jobber" as used herein shall mean a person who purchases one-piece corrugated garment boxes for the purpose of resale in substantially the same form. It shall not include any distributor subject to Maximum Price Regulation 349; nor any jobber not established in business in the County of New York as of the effective date of this order.

7. The term "200 test paper" as used herein shall mean paper which when submitted to a bursting test has proved a tensile strength of not less than 200 pounds per square inch.

8. Any person affected by this order may file a protest in the manner provided in Article V of Revised Procedural Regulation #1.

9. This order may be revoked, amended or corrected by the Regional Administrator or the Price Administrator through the issuance at any time hereafter of any order or Price Regulation or amendment or supplement thereto.

10. A copy of this order has been filed today with this Office where it is available for inspection by the public.

11. This order shall become effective immediately.

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

Issued this 5th day of July 1944.

DANIEL P. WOOLLEY,
*Regional Administrator.*

[F. R. Doc. 44-10481; Filed, July 14, 1944; 4:30 p. m.]

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[Region II 2d Rev. Order G-26 Under RMPR 122]

## SOLID FUELS IN NEW YORK REGION

Second Revised Order No. G-26 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Permitted increases in maxi-

mum prices for "Silver Brook", "Salem Hill", and other specified anthracite sold subject to designated area dollars-and-cents orders.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, *It is ordered:*

(a) Dealers making sales of the anthracite specified in subparagraph (1) hereunder, in communities subject to the area dollars-and-cents orders listed in paragraph (c) of this order, may redetermine the maximum price for sales of such anthracite in accordance with the following provisions:

(1) There may be added to the maximum per net ton prices for designated sizes of anthracite established in those orders, for sales and deliveries within the territorial limits of those orders, an amount not to exceed the following:

FOR SALES OF "SILVER BROOK" ANTHRACITE

*Permitted per net town increase above applicable area ceiling price for anthracite*

| Size: | |
|---|---|
| Broken, egg, stove, nut, pea and Buckwheat | $0.45 |
| Rice | .35 |

FOR SALES OF COAL MARKETED AS "THE ONLY GENUINE FRANKLIN COAL OF LYKENS VALLEY"

| Size: | |
|---|---|
| Broken | $0.75 |
| Egg | 1.00 |
| Stove | 1.25 |
| Nut | .30 |
| Rice | .10 |

FOR SAES OF "SALEM HILL" ANTHRACITE

| Size: | |
|---|---|
| Egg and stove | $0.85 |
| Nut | .45 |
| Pea | .40 |
| Rice | .20 |

FOR SALES OF ANTHRACITE PRODUCED AND PREPARED BY PENN COLLIERIES COMPANY

| Size: | |
|---|---|
| Broken, egg, stove, nut and pea | $0.35 |
| Buckwheat | .20 |
| Rice | .10 |

FOR SALES OF ANTHRACITE PREPARED BY DRAGONDALE COAL CORPORATION AT ITS DRAGONDALE BREAKER (FOR TRUCK SHIPMENTS ONLY)

| Size: | |
|---|---|
| Broken, egg, stove, nut, pea and buckwheat | $0.50 |
| Rice | .40 |
| Barley | .05 |
| Buckwheat #4 | .10 |

(2) For sales of fractions of a net ton, but not less than ¼ ton, dealers may take a proportionate increase based upon the per net ton increase in the preceding subparagraph.

(3) *Conditions and limitations; commingling.* To be eligible for the increases authorized by paragraph (a) of this order, the dealer must keep each kind of anthracite specified herein separate, in storage and delivery, from any other kind of solid fuel, and sell and invoice it under the name herein designated, except that a dealer, if he satisfies the following conditions, may commingle different kinds of fuel including those herein specified, and price as indicated.

Where a purchaser expressly requests that any kind or size of anthracite specified herein be commingled in one delivery with another kind or size of anthracite specified herein, or with any other kind or size of solid fuel, then, and in that event, if those kinds and sizes are separately weighed at the point of loading, the dealer may commingle those kinds and sizes in the truck or other vehicle in which the delivery is made. The maximum price for solid fuels so commingled shall be the weighted average of the maximum prices for each element in the combination. The invoice shall separately state the maximum price for the quantity of each kind and size in the combination.

Where anthracite specified herein is commingled under conditions other than above defined, the maximum price for the combination shall be the maximum price established by regulation or order for the least expensive kind or size of fuel in the combination.

(b) *Alternative pricing provision; application for a price.* Dealers making sales of the anthracite specified in paragraph (a) (1), in communities subject to the area dollars-and-cents orders listed in paragraph (d), who prefer to commingle such anthracite with other anthracite and not to keep it separate in storage and delivery, and who would thereby not be eligible to take the automatic increases permitted under paragraph (a) hereof, may apply to the New York Regional Office of the Office of Price Administration for adjustment of their maximum prices for all anthracite sales to compensate for the increased cost of such specified anthracite.

An application may be filed between the first and tenth day of each month based upon the proportions of anthracite having different mine costs received during the previous calendar month and should request an adjusted price for a one-month period. Such application shall be in writing and set forth the following:

(i) Total tonnage of all anthracite received by the dealer during the previous calendar month.

(ii) Tonnage of anthracite specified in paragraph (a) (1) received during the previous calendar month.

(iii) State separately the tonnage of any higher cost anthracite received during the previous calendar month and subject to Regional Order No. G–34 (or any revisions thereof) under Revised Maximum Price Regulation No. 122, identifying such in the manner described therein.

(iv) Proposed increase above area ceiling price.

(v) Any other pertinent information the Regional Administrator may request.

The Regional Administrator will either grant or deny the application, in whole or in part, in the light of the estimated average increase in supplier's maximum prices for anthracite, based on dealer's total anthracite receipts during the previous calendar month, as compared with supplier's maximum prices established by § 1340.200 (a) (1) of Maximum Price Regulation No. 112. The order may incorporate appropriate provisions for recalculation of the permitted increase based upon changing mine costs.

(c) *Records.* Every dealer making sales of solid fuels subject to this order shall preserve, keep, and make available for examination by the Office of Price Administration complete and accurate records of the quantities of the specified anthracite purchased and sold hereunder, and a record of every sale of such fuel, showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. Where such fuel is sold in combination with solid fuels not subject to this order, the latter shall be identified in the manner described in the regulation or order governing their sale by dealers. The record shall also state separately each service rendered and the charge made for it.

(d) *Area dollars-and-cents orders subject to increases set out in paragraph (a) herein:*

*The following orders and any subsequent revisions thereof:*

*Second Revised Order No. G–1* under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

*Revised Order No. G–3* under § 1340.260 of Revised Maximum Price Regulation No. 122.

*Order No. G–5* under § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122.

*Order No. G–6* under § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122.

*Revised Order No. G–7* under § 1340.260 of Revised Maximum Price Regulation No. 122.

*Revised Order No. G–8* under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

*Order No. G–9* under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

*Revised Order No. G–11* under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

*Revised Order No. G–12* under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

*Revised Order No. G–13* under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

*Revised Order No. G–14* under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

*Revised Order No. G–15* under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

*Revised Order No. G–16* under § 1340.260 of Revised Maximum Price Regulation No. 122.

*Revised Order No. G–17* under § 1340.260 of Revised Maximum Price Regulation No. 122.

*Revised Order No. G–18* under § 1340.259 (a) (1 and 1340.260 of Revised Maximum Price Regulation No. 122.

*Revised Order No. G–19* under § 1340.260 of Revised Maximum Price Regulation No. 122.

*Order No. G–20* under § 1340.260 of Revised Maximum Price Regulation No. 122.

*Order No. G–22* under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

*Order No. G–24* under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

*Order No. G–25* under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

*Order No. G–27* under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

*Order No. G–29* under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

*Order No. G–32* under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

*Order No. G–35* under § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122.

*Order No. G–36* under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

*Order No. G–37* under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

*Order No. G–38* under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

*Order No. G–39* under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

*Order No. G–40* under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

*Order No. G–41* under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

*Order No. G–42* under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

*Order No. G–44* under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

*Order No. 50* under Revised Maximum Price Regulation No. 122. (Issued by the National Office.)

(e) *Definitions and explanations.* When used in this Second Revised Order No. G–26, the term:

(1) "Silver Brook" anthracite means anthracite produced by the Haddock Mining Company of Wilkes-Barre, Pennsylvania, at the Deringer Colliery, Fern Glen, Luzerne County, Pennsylvania, and the Tomhicken Colliery, Sugar Loaf Township, Luzerne County, Pennsylvania, which is shipped to the Beaver Meadow Breaker, Beaver Meadows, Carbon County, Pennsylvania, for preparation, and which is marketed under the trade name "Silver Brook".

(2) "Salem Hill" anthracite means anthracite produced by the Haddock Mining Company at the Salem Hill Colliery, Schuylkill County, near Pottsville, Pennsylvania, and marketed under the trade name "Salem Hill."

(3) "The Only Genuine Franklin Coal of Lykens Valley" means anthracite prepared at the Williamstown Breaker of the Franklin-Lykens Coal Company, Ashland, Pennsylvania, and marketed under the trade name "The Only Genuine Franklin Coal of Lykens Valley."

(4) "Anthracite produced and prepared by Penn Collieries Company" refers to anthracite taken from mines now operated by said company in Lackawanna County, Pennsylvania, and prepared by it at the Von Storch Colliery. "Penn Collieries Company" refers to the company by that name whose principal office is in Scranton, Pennsylvania.

(5) "Anthracite prepared by Dragondale Coal Corporation, etc." refers to anthracite prepared by that corporation at its Dragondale Breaker, Mount Carmel, Pennsylvania, for truck shipments only.

(6) The sizes of anthracite described herein as broken, egg, stove, nut, pea, buckwheat, rice, barley, and buckwheat #4 shall refer to the same sizes of the same fuel as were sold and delivered with such designation during December 1941.

(7) 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.

(f) *Right of amendment or revocation.* The Regional Administrator or the Price Administrator may amend, revoke, or rescind this Second Revised Order, or any provision hereof, at any time.

(g) Revised Order No. G–26 under Revised Maximum Price Regulation No. 122, as issued on March 11, 1944, and as thereafter amended, is hereby revoked in full as of the effective date of this order.

This Second Revised Order No. G–26 shall become effective July 5, 1944.

NOTE: The record-keeping and reporting requirements of the 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. and E.O. 9328, 8 F.R. 4681)

Issued this 5th day of July 1944.

DANIEL P. WOOLLEY,
*Regional Administrator.*

[F. R. Doc. 44–10478; Filed, July 14, 1944; 4:29 p. m.]

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[Region II Rev. Order G–34 Under RMPR 122]

## SOLID FUELS IN NEW YORK REGION

Revised Order No. G–34 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Permitted increases in maximum price for Pennsylvania anthracite sold subject to area dollars-and-cents orders, based on higher mine costs for specified anthracite.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administrattion by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, it is ordered:

(a) *Who may take the increase provided by this order.* Any dealer subject to the area dollars-and-cents orders enumerated in paragraph (d) who, during the previous calendar month, received higher priced anthracite specified below, may increase his maximum prices for sales of anthracite as provided in paragraph (b) hereof. There shall be a monthly recalculation to determine whether an increase is permissible in any given month based on anthracite received during the previous calendar month. The following specified anthracite establishes the basis for an increase under this order:

GROUP I

Anthracite produced and prepared by Delano Anthracite Collieries Co., Ashland, Pa.

Anthracite produced and prepared by the Payne Coal Company, Wilkes Barre, Pennsylvania, at its Exeter Colliery, and marketed under the trade name "Orange Disc Anthracite."

Anthracite produced and prepared by the Dial Rock Coal Company, Scranton, Pennsylvania, for truck shipments only, and marketed under the trade name "Dial Rock Coal."

Anthracite produced by the Hazel Brook Coal Company from its Continental Mines and the property of Raven Run Coal Company, prepared at its Midvalley Breaker, and marketed under the trade name "Raven Run Coal".

GROUP II

Anthracite produced and prepared by the East Bear Ridge Colliery Company, Scranton, Pennsylvania.

Anthracite prepared at Jeddo #7 and Highland #5 breakers of the Jeddo Highland Coal Company, Jeddo, Pennsylvania, and marketed under the trade name "Jeddo Coal", "Highland Coal", or "Hazel Brook Coal".

Anthracite produced and prepared by the Dial Rock Coal Company, Scranton, Pennsylvania, for rail shipments only, and marketed under the trade name "Dial Rock Coal".

(b) *Automatic increases permitted by this order.*

(1) Any dealer whose receipts of Group I anthracite, specified in paragraph (a) hereof, during the previous calendar month equalled or exceeded 35% of all anthracite received by him during that month, may add 5¢ per net ton to the maximum prices established by the area order governing his sales of anthracite, for all sizes except screenings.

(2) Any dealer whose receipts of Group II anthracite, specified in paragraph (a) hereof, during the previous calendar month equalled or exceeded 15% of all anthracite received by him during that month, may add 5¢ per net ton to the maximum prices established by the area order governing his sales of anthracite, for all sizes except screenings.

(c) *Application for additional price increase.* Any dealer whose receipts of Group I anthracite during the previous calendar month exceeded 75%, or whose receipts of Group II anthracite during the previous calendar month exceeded 30%, of all anthracite received by him during that month, may apply to the New York Regional Office of the Office of Price Administration for an additional increase. An application may also be filed where the dealer feels that the combined percentage of Group I and Group II anthracite received during the previous calendar month warrants an adjustment in maximum price beyond that authorized by the automatic increase provisions of paragraph (b).

Applications may be filed under this paragraph (c) between the first and tenth day of each month, based upon the proportions of anthracite having different mine costs received during the previous calendar month, and should request an adjustment for a one-month period. Such application shall be in writing and set forth the following:

(i) Total tonnage of anthracite received by the dealer during the previous calendar month.

(ii) Tonnage of Group I and Group II anthracite specified in paragraph (a) received during the previous calendar month, identified as described therein.

(iii) Proposed increases on anthracite sales above area ceiling prices.

(iv) Any other pertinent information the Regional Administrator may request.

The Regional Administrator will either grant or deny the application, in whole or in part, in the light of the estimated average increase in supplier's maximum

prices for anthracite, based on dealer's total anthracite receipts during the previous calendar month, as compared with supplier's maximum prices established by § 1340.200 (a) (1) of Maximum Price Regulation No. 112. The order may incorporate appropriate provisions for recalculation of the permitted increase based upon changing mine costs.

(d) *Area dollars-and-cents orders subject to increases provided herein:*

*The following orders and any subsequent revisions thereof:*

*Second Revised Order No. G–1* under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

*Revised Order No. G–3* under § 1340.260 of Revised Maximum Price Regulation No. 122.

*Order No. G–5* under § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122.

*Order No. G–6* under § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122.

*Revised Order No. G–7* under § 1340.260 of Revised Maximum Price Regulation No. 122.

*Revised Order No. G–8* under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

*Order No. G–9* under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

*Revised Order No. G–11* under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

*Revised Order No. G–12* under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

*Revised Order No. G–13* under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

*Revised Order No. G–14* under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

*Revised Order No. G–15* under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

*Revised Order No. G–16* under § 1340.260 of Revised Maximum Price Regulation No. 122.

*Revised Order No. G–17* under § 1340.260 of Revised Maximum Price Regulation No. 122.

*Revised Order No. G–18* under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

*Revised Order No. G–19* under § 1340.260 of Revised Maximum Price Regulation No. 122.

*Order No. G–20* under § 1340.260 of Revised Maximum Price Regulation No. 122.

*Order No. G–22* under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

*Order No. G–24* under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

*Order No. G–25* under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

*Order No. G–27* under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

*Order No. G–29* under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

*Order No. G–32* under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

*Order No. G–35* under § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122.

*Order No. G–36* under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

*Order No. G–37* under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

*Order No. G–38* under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

*Order No. G–39* under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

*Order No. G–40* under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

*Order No. G–41* under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

*Order No. G–42* under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

*Order No. G–44* under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

*Order No. G–50* under Revised Maximum Price Regulation No. 122. (Issued by the National Office.)

(e) *Records.* Every dealer making sales of anthracite subject to this order shall preserve, keep, and make available for examination by the Office of Price Administration complete and accurate records of the total quantities of anthracite, including the higher cost anthracite specified in paragraph (a), received during each calendar month commencing with February, 1944. The anthracite shall be identified in the manner in which it is described in this order.

(f) *Reports.* Every dealer subject to this order shall, within ten days after he determines or redetermines his maximum prices hereunder, report to the Regional Office of the Office of Price Administration.

(1) The total tonnage of anthracite received by him during the previous calendar month.

(2) The tonnage of higher cost anthracite specified in paragraph (a) received by him during the previous calendar month. This anthracite shall be identified in the manner in which it is described therein.

(g) Order No. G–34 under Revised Maximum Price Regulation No. 122, issued on March 10, 1944, is hereby revoked in full as of the effective date of this order.

This Revised Order No. G–34 shall become effective July 5, 1944.

NOTE: The record-keeping and reporting requirements 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 5th day of July 1944.

DANIEL P. WOOLLEY,
*Regional Administrator.*

[F. R. Doc. 44–10479; Filed, July 14, 1944; 4:29 p. m.]

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[Region II Order 50 Under RMPR 122, Corr. to Amdt. 3]

PENNSYLVANIA ANTHRACITE IN PENNSYLVANIA

Correction to amendment No. 3 to Order No. 50 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Pennsylvania anthracite delivered by dealers in the cities of York, Harrisburg and designated townships and boroughs in York, Dauphin, Cumberland and Perry Counties, Commonwealth of Pennsylvania, Coal Area 111.

1. The per net ton "Direct-Delivery" price for pea sized anthracite contained in schedule 11, paragraph (e) is corrected to read $10.70 instead of $11.70.

This correction to Amendment No. 3 to Order No. 50 shall become effective as of June 11, 1944.

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

Issued this 6th day of July 1944.

DANIEL P. WOOLLEY,
*Regional Administrator.*

[F. R. Doc. 44–10480; Filed, July 14, 1944; 4:30 p. m.]

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[Region IV Order G–17 Under RMPR 122, Amdt. 18]

SOLID FUELS IN KINSTON, N. C.

Amendment No. 18 to Order No. G–17 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Appendix XIII. Maximum prices for solid fuels in Kinston, North Carolina.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and by paragraph (e) of Order No. G–17, *It is hereby ordered*, That paragraph (m) of said Order No. G–17 be amended by adding a new sub-paragraph thereto, designated (m) (13), to read as set forth below:

(13) *Appendix XIII: Maximum prices for specified solid fuels in Kinston, North Carolina.* The maximum prices for specified solid fuels sold and delivered within the corporate limits of the City of Kinston, North Carolina, shall be as follows:

(i) *"Direct delivery or domestic" basis.*

BITUMINOUS COALS FROM DISTRICT NO. 7

| Size | Per ton 2,000 lbs. | Per ½ ton 1,000 lbs. | Per ¼ ton 500 lbs. |
|---|---|---|---|
| Egg—size group 2 | $12.25 | $6.12 | $3.31 |
| Stove—size group 3 | 9.66 | 4.83 | 2.66 |
| Stoker (nut or pea)—size group Nos. 4 or 5 | 9.66 | 4.83 | 2.66 |
| Briquettes | 12.31 | 6.15 | 3.33 |

BITUMINOUS COALS FROM DISTRICT NO. 8

| | | | |
|---|---|---|---|
| Block or lump 3″ and larger (size group Nos. 1 and 2) in price classifications A to H, inclusive | $11.86 | $5.93 | $3.21 |
| Chuck (size group No. 2 including 3½x 8″ from mine index No. 481, the Virgio Mine of Benedict Coal Co | 12.14 | 6.07 | 3.29 |
| Egg, Size Group No. 6 (Top size larger than 5″, but not exceeding 6″; bottom size 2″ and smaller; top size 3″ but not exceeding 5″; bottom size larger than 2″ but not exceeding 3″) in Price Classifications E to K, inclusive | 10.66 | 5.33 | 2.92 |
| Stoker, treated, double screened coal, top size 1¼″ and smaller, bottom size smaller than 1¼″ (Size Group No. 10)—In Price Classification A to E inclusive | 9.80 | 4.90 | 2.70 |
| Yard, nut and slack | 8.25 | 4.13 | 2.31 |

(ii) *Special sales and services*—(a) *Carry from curb.* Only if the buyer re-

quests such service, the dealer may charge for such service a sum no greater than 50¢ per ton.

(b) *Carry up or down stairs.* Only if the buyer requests such service, the dealer may charge for such service a sum no greater than 50¢ per ton.

(c) *Bagged coal.* The dealer may charge not more than 60¢ for 80 pounds of coal at the yard, plus 10¢ additional for bag.

(d) *Yard sales.* When the buyer picks up coal at the dealer's yard, the dealer must reduce the domestic price 50¢ per ton. On sales to peddlers or dealers at the yard, the dealer must reduce the price $1.00 per ton.

(e) *Treated coals.* The dealer may add not more than 10¢ per ton on such coals which have been subjected to oil or calcium chloride treatment by the producer and on which that charge was made by the dealer's supplier. This additional charge may not be added to treated stoker coal from District No. 8 as price already includes charge for treatment.

(f) *Carload sales.* On sales in carload lots the dealer may charge not more than mine price, plus freight, plus $1.25 per ton.

(g) *Taxes.* The State sales tax of 3% may be added to the prices established by this Order.

(h) *Delivery zone.* For deliveries beyond the corporate limits of Kinston, North Carolina, the dealer may make an additional charge of not more than 10¢ per mile per ton for each mile beyond the corporate limits of such city, with a minimum charge of 50¢ for each such delivery, said mileage to be determined by the actual highway mileage from the said corporate limits to the point of delivery by the most direct highway route.

(i) *Credit.* No additional charge over the prices provided in this appendix may be made for the extension of credit.

This amendment No. 18 to Order No. G–17 shall become effective July 1, 1944.

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

Issued July 3, 1944.

ALEXANDER HARRIS,
*Regional Administrator.*

[F. R. Doc. 44–10482; Filed, July 14, 1944; 4:27 p. m.]

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[Region IV Order G–17 Under RMPR 122, Amdt. 19]

SOLID FUELS IN ROCKY MOUNT, N. C.

Amendment No. 19 to Order No. G–17 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Appendix XIV. Maximum prices for solid fuels in Rocky Mount, North Carolina.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and by paragraph (e) of Order No. G–17, *It is hereby ordered,* That paragraph (m) of said Order No. G–17 be amended by adding a new sub-paragraph thereto, designated (m) (14), to read as set forth below:

(14) *Appendix XIV: Maximum prices for specified solid fuels in Rocky Mount, North Carolina.* The maximum prices for specified solid fuels sold and delivered within the corporate limits of the City of Rocky Mount, North Carolina, and the area lying within fifteen miles of said corporate limits by the most direct highway route shall be as follows:

(i) *"Direct delivery or domestic" basis.*

LOW VOLATILE BITUMINOUS COAL FROM DISTRICT NOS. 7 AND 8

| Size | Per ton 2,000 lbs. | Per ½ ton 1,000 lbs. | Per ¼ ton 500 lbs. |
|---|---|---|---|
| Egg, top price (top size larger than 3" bottom size no limit) in price classification C, from the red ash seam | $11.55 | $6.03 | $3.14 |
| Egg, low price from Mine Index No. 391, the No. 2 mine of the Raven Red Ash Coal Co | 11.25 | 5.88 | 3.06 |
| Lump (bottom size larger than that designated for screened run of mine) in price classifications A–D | 11.50 | 6.00 | 3.13 |
| Stove (top size larger than 1¼" but not exceeding 3"; bottom size smaller than 3") from mine index No. 391, the No. 2 mine of the Raven Red Ash Coal Co | 11.00 | 5.75 | 3.00 |
| Nut (top size larger than ¾" but not exceeding 1¼"; bottom size smaller than 1¼")—price classification A, and size group No. 4 coal from mine index No. 37, the Caretta Mine of the Carter Coal Co | 9.35 | 4.93 | 2.59 |
| Run-of-mine, domestic or screened (in size group No. 6) price classification A | 9.40 | 4.95 | 2.60 |
| Stoker pea (top size not exceeding ¾"; bottom size smaller than ¾") in price classification A | 8.75 | 4.63 | 2.44 |
| Slack | 8.00 | 4.25 | 2.25 |
| Briquettes | 12.00 | 6.25 | 3.25 |

HIGH VOLATILE BITUMINOUS COAL FROM DISTRICT NO. 8

| | | | |
|---|---|---|---|
| Chunk, 5" x 8" (size group No. 2 egg or lump) from mine index No. 481, the Virglow Mine of the Benedict Coal Corporation | $11.15 | $5.83 | $3.04 |
| Lump, 3" (size group No. 3) in price classification M | 9.85 | 5.18 | 2.71 |
| Egg, top price, 3" x 5" (size group) No. 6) price classifications C–L, incl | 9.85 | 5.18 | 2.71 |
| Egg, low price, 2" x 5" (size group No. 7) price classifications K–M, incl | 9.50 | 5.00 | 2.63 |
| Stoker, (Top size 1¼" and smaller; bottom size smaller than 1¼") in price classifications B–E, inclusive | 9.25 | 4.88 | 2.56 |
| Slack | 6.50 | 3.50 | 1.88 |

(ii) *Special sales and services*—(a) *Carry from curb.* Only if the buyer requests such service, the dealer may charge for such service a sum no greater than 50¢ per ton.

(b) *Carry up or down stairs.* Only if the buyer requests such service, the dealer may charge for such service a sum no greater than 50¢ per ton.

(c) *Bagged coal.* For coal bagged at the yard and delivered, the dealer may add not more than $1.00 per ton. The bags remain the property of the dealer.

(d) *Yard sales.* On sales of Egg Coal from District No. 8 to peddlers, the dealer must reduce price $1.00 per ton at the yard.

(e) *Sack coal.* The dealer may charge not more than 60¢ per 100 pounds of coal at the yard, not including the sack. The dealer may charge not more than 70¢ per 100 pounds of coal delivered, not including the sack.

(f) *Quantity.* On sales of five or ten tons, the dealer must reduce price 25¢ per ton. On sales of ten tons or more, the dealer must reduce price 50¢ per ton.

(g) *Treated coals.* If the dealer has paid the supplier 10¢ per ton additional for oil or chloride treatment at the mine, the dealer may add not more than 10¢ per ton on such coal.

(h) *Delivery zone.* For deliveries beyond the corporate limits of Rocky Mount, North Carolina, and the area lying within fifteen miles of said corporate limits, the dealer may make an additional charge of not more than 10¢ per mile per ton for each mile beyond the limits of such city with a minimum charge of 50¢ for each such delivery, said mileage to be determined by the actual mileage from the said city limits to the point of delivery by the most direct highway route.

(i) *Sales tax.* The State sales tax of 3% may be added to the prices established by this Order.

(j) *Credit.* No additional charge over the prices provided in this appendix may be made for credit.

This amendment No. 19 to Order No. G–17 shall become effective July 8, 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 July 3, 1944.

ALEXANDER HARRIS,
*Regional Administrator.*

[F. R. Doc. 44–10483; Filed, July 14, 1944; 4:27 p. m.]

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[Region IV Order G–17 Under RMPR 122, Amdt. 20]

SOLID FUELS IN FAYETTEVILLE, N. C.

Amendment No. 20 to Order No. G–17 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Appendix XV. Maximum prices for solid fuels in Fayetteville, North Carolina.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and by paragraph (e) of Order No. G–17, *It is hereby ordered,* That paragraph (m) of said Order No. G–17 be amended by adding a new sub-paragraph thereto, designated (m) (15), to read as set forth below:

(15) *Appendix XV: Maximum prices for specified solid fuels in Fayetteville, North Carolina.* The maximum prices for specified solid fuels sold and delivered within the corporate limits of the City of Fayetteville, North Carolina, and the area lying within fifteen miles of said corporate limits by the most direct highway route shall be as follows:

(i) *"Direct delivery or domestic" basis.*

LOW VOLATILE BITUMINOUS COALS FROM DISTRICT NO. 7

| Size | Per ton, 2,000 lbs. | Per ½ ton, 1,000 lbs. | Per ¼ ton, 500 lbs. |
|---|---|---|---|
| Egg (top size larger than 3", bottom size no limit) in price classifications A and B | $11.60 | $6.05 | $3.15 |
| Nut (top size 1¼" to larger than ¾, bottom size smaller than 1¼") in price classification A | 10.05 | 5.27 | 2.76 |
| Pea (top size not exceeding ¾", bottom size smaller than ¾") in price classification A | 10.00 | 5.25 | 2.75 |

HIGH VOLATILE BITUMINOUS COALS FROM DISTRICT NO. 8

| | | | |
|---|---|---|---|
| Egg, top price, 3" x 6" (size group No. 5) in price classifications G through K and from mine index No. 370, the Hatfield Campbell Creek Coal Co | $10.50 | $5.50 | $2.88 |
| Egg, low price, 3" x 5" (Size Group No. 6) in price classifications B through L and from mine index No. 370, the Hatfield-Campbell Creek Coal Co | 10.25 | 5.38 | 2.81 |
| Lump or Chunk: Chunk 3¼" x 8" and (size group No. 2) in Price Classifications A through E; Lump 3" (Size Group No. 3) in price classification A; and lump 4" from mine index No. 5574 the Dixiana Mine of the Coal Processing Corporation | 11.05 | 5.78 | 3.01 |
| Treated stoker, top size not exceeding 1¼", bottom size less than 1¼" (Size Group No. 10) in Price classifications B through M; and from mine index No. 5574, the Dixiana Mine of the Coal Processing Corporation | 10.15 | 5.33 | 2.79 |

YARD SLACK FROM DISTRICTS NOS. 7 AND 8

| | | | |
|---|---|---|---|
| Yard slack | $8.00 | $4.25 | $2.25 |

(ii) *Special sales and services*—(a) *Carry from curb.* Only if the buyer requests such service, the dealer may charge for such service a sum no greater than 50¢ per ton.

(b) *Carry up or down stairs.* Only if the buyer requests such service, the dealer may charge for such service a sum no greater than $1.00 per ton.

(c) *Bagged coal.* For coal bagged at the yard and carried, the dealer may charge not more than $1.00 additional per ton.

(d) *Quantity.* The dealer may charge not more than 60¢ per 100 pounds of coal at the yard, not including sack. Dealers may charge not more than 70¢ per 100 pounds delivered, not including sack.

(e) *Yard sales.* On sales at the yard to consumers, the dealer must reduce the price 50¢ per ton. On sales at the yard to peddlers, the dealer must reduce the price $1.00 per ton. On sales at the yard to other registered dealers, the dealer must reduce the price $1.50 per ton.

(f) *Treated coal.* If the dealer has paid the supplier 10¢ per ton additional for oil or chloride treatment at the mine, the dealer may add not more than 10¢ per ton on such coal.

(g) *Delivery zone.* For deliveries beyond the corporate limits of Fayetteville, North Carolina, and the area lying within fifteen miles of said corporate limits, the dealer may make an additional charge of not more than 10¢ per mile per ton for each mile beyond the limits of such city with a minimum charge of 50¢ for each such delivery, said mileage to be determined by the actual highway mileage from the said city limits to the point of delivery by the most direct highway route.

(h) *Sales tax.* The State sales tax of 3% may be added to the prices established by this order.

(i) *Credit.* No additional charge over the prices provided in this appendix may be made for credit.

This Amendment No. 20 to Order No. G–17 shall become effective July 8, 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 July 3, 1944.

ALEXANDER HARRIS,
*Regional Administrator.*

[F. R. Doc. 44–10484; Filed, July 14, 1944; 4:27 p. m.]

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[Region IV, Order G–17 Under RMPR 122, Amdt. 21]

SOLID FUELS IN GREENVILLE, N. C.

Amendment No. 21 to Order No. G–17 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Appendix XVI. Maximum prices for solid fuels in Greenville, North Carolina.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and by paragraph (e) of Order No. G–17, *It is hereby ordered,* That paragraph (m) of said Order No. G–17 be amended by adding a new subparagraph thereto, designated (m) (16), to read as set forth below:

(16) *Appendix XVI. Maximum prices for specified solid fuels in Greenville, North Carolina.* The maximum prices for specified solid fuels sold and delivered within the corporate limits of the City of Greenville, North Carolina, and the area lying within fifteen miles of said corporate limits by the most direct highway route shall be as follows:

(i) *"Direct delivery or domestic" basis.*

LOW VOLATILE BITUMINOUS COAL FROM DISTRICTS NO. 7 AND 8

| Size | Per ton 2,000 lbs. | Per ½ ton 1,000 lbs. | Per ¼ ton 500 lbs. |
|---|---|---|---|
| Lump and egg in Price Classifications B and C and from Mine Index No. 391, No. 2 mine of the Raven Red Ash Coal Company | $11.40 | $5.70 | $3.10 |
| Nut in Price Classification A and from Mine Index No. 391, No. 2 mine of the Raven Red Ash Coal Company | 8.90 | 4.45 | 2.48 |
| Pea stoker in Price Classification A | 9.05 | 4.52 | 2.51 |
| Berwind briquettes | 11.60 | 5.80 | 3.15 |

HIGH VOLATILE BITUMINOUS COAL FROM DISTRICT NO. 8

| Size | Per ton 2,000 lbs. | Per ½ ton 1,000 lbs. | Per ¼ ton 500 lbs. |
|---|---|---|---|
| Egg, *Top Price,* top size larger than 3", bottom size larger than 3" but not exceeding 4", and all double screened coals, top size 5" and larger, bottom size larger than 4", in price classification M and from Mine Index No. 370, the Point Lick #4 mine of the Hatfield-Campbell Creek Coal Corporation, and in price classification K from Sub-district 6; and Egg, top size larger than 6", bottom size larger than 2" but not exceeding 3" in price classification C | $10.60 | $5.30 | $2.90 |
| Egg, top size larger than 6", bottom size larger than 2" but not exceeding 3" in price classification C. | | | |
| Egg, *Middle Price,* top size larger than 5" but not exceeding 6", bottom size larger than 2" but not exceeding 3", and top size larger than 6", bottom size 2" and smaller from Mine Index No. 370 the Point Lick #4 Mine of the Hatfield-Campbell Creek Coal Company | 10.10 | 5.05 | 2.78 |
| Egg, *Low Price,* top size larger than 5" but not exceeding 6", bottom size 2" and smaller, and top size 3" and larger but not exceeding 5", bottom size larger than 2" but not exceeding 3" in price classifications E through N | 9.45 | 4.73 | 2.61 |
| Stoker | 9.10 | 4.55 | 2.53 |

(ii) *Special sales and services*—(a) *Carrying.* Only if the buyer requests such service, the dealer may charge for such service a sum no greater than 60¢ per ton.

(b) *Yard sales.* When the buyer picks up coal at the dealer's yard, the dealer must reduce the domestic price 50¢ per ton.

(c) *Sack coal.* The dealer may charge not more than 75¢ per 100 pounds of coal at the yard, plus 15¢ per sack, if the dealer furnishes the sack.

(d) *Treated coal.* If the dealer has paid the supplier 10¢ per ton additional for oil or chloride treatment at the mine, the dealer may add not more than 10¢ per ton on such coal.

(e) *Delivery zone.* For deliveries beyond the corporate limits of Greenville, North Carolina, and the area lying within fifteen miles of said corporate limits, the dealer may make an additional charge of not more than 10¢ per mile per ton for each mile beyond the limits of such city with a minimum charge of 50¢ for each such delivery, said mileage to be determined by the actual highway mileage from the said city limits to the point of delivery by the most direct highway route.

(f) *Sales tax.* The State sales tax of 3% may be added to the prices established by this Order.

(g) *Credit.* No additional charge over the prices provided in this appendix may be made for credit.

This Amendment No. 21 to Order No. G–17 shall become effective July 8, 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 July 3, 1944.

ALEXANDER HARRIS,
*Regional Administrator.*

[F. R. Doc. 44–10485; Filed, July 14, 1944; 4:28 p. m.]

[Region IV Order G–17 Under RMPR 122, Amdt. 22]

SOLID FUELS IN ELIZABETH CITY, N. C.

Amendment No. 22 to Order No. G–17 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Appendix XVII. Maximum prices for solid fuels in Elizabeth City, North Carolina.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and by paragraph (e) of Order No. G–17, *It is hereby ordered,* That paragraph (m) of said Order No. G–17 be amended by adding a new subparagraph thereto, designated (m) (17), to read as set forth below:

(17) *Appendix XVII: Maximum prices for specified solid fuels in Elizabeth City, North Carolina.* The maximum prices for specified solid fuels sold and delivered within the corporate limits of the City of Elizabeth City, North Carolina, and the area lying within fifteen miles of said corporate limits by the most direct highway route shall be as follows:

(i) *"Direct delivery or domestic" basis.*

LOW VOLATILE BITUMINOUS COAL FROM DISTRICT No. 7

| Size | Per ton 2,000 lbs. | Per ½ ton 1,000 lbs. | Per ¼ ton 500 lbs. |
|---|---|---|---|
| Egg | $11.25 | $5.88 | $3.06 |
| Pea stoker | 9.20 | 4.85 | 2.55 |
| Domestic—run-of-mine | 9.45 | 4.98 | 2.61 |
| Nut | 9.20 | 4.85 | 2.55 |
| Stove | 11.15 | 5.83 | 3.03 |

HIGH VOLATILE BITUMINOUS COALS FROM DISTTICT No 8

| | | | |
|---|---|---|---|
| Egg | $9.64 | $5.07 | $2.66 |

BRIQUETTES FROM DISTRICT No. 7

| | | | |
|---|---|---|---|
| Briquettes | $11.80 | $6.15 | $3.20 |

YARD SLACK FROM DISTRICT NOS. 7 AND 8

| | | | |
|---|---|---|---|
| Yard slack | $8.00 | $4.25 | $2.25 |

(ii) *Special sales and services*—(a) *Carry up or down stairs.* Only if the buyer requests such service, the dealer may charge for such service not more than $1.00 per ton.

(b) *Delivery zone.* For deliveries beyond the corporate limits of Elizabeth City, North Carolina, and the area lying within fifteen miles of said corporate limits, the dealer may make an additional charge of not more than 10¢ per mile per ton for each mile beyond the limits of such city with a minimum charge of 50¢ for each such delivery, said mileage to be determined by the actual highway mileage from the said city limits to the point of delivery by the most direct highway route.

(c) *Sack coal.* The dealer may charge not more than 75¢ per 100 pounds of coal plus 15¢ deposit on the sack.

(d) *Treated coal.* If the dealer has paid the supplier 10¢ per ton additional for oil or chloride treatment at the mine, the dealer may add not more than 10¢ per ton on such coal.

(e) *Sales tax.* The State sales tax of 3% may be added to the prices established by this Order.

(f) *Credit.* No additional charge over the prices provided in this appendix may be made for credit.

This Amendment No. 22 to Order No. G–17 shall become effective July 8, 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 July 3, 1944.

ALEXANDER HARRIS,
*Regional Administrator.*

[F. R. Doc. 44–10486; Filed, July 14, 1944; 4:29 p. m.]

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[Region IV Order G–17 Under RMPR 122, Amdt. 23]

SOLID FUELS IN ORANGE COUNTY, N. C.

Amendment No. 23 to Order No. G–17 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Appendix XVIII. Maximum prices for solid fuels in Orange County, North Carolina.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and by paragraph (e) of Order No. G–17, *It is hereby ordered,* That paragraph (m) of said Order No. G–17 be amended by adding a new sub-paragraph thereto, designated (m) (18), to read as set forth below:

(18) *Appendix XVIII: Maximum prices for specified solid fuels in Orange County, North Carolina.* The maximum prices for specified solid fuels sold and delivered within the boundaries of Orange County, North Carolina, shall be as follows:

(i) *"Direct delivery or domestic" basis.*

HIGH VOLATILE BITUMINOUS COAL FROM DISTRICT No. 8

| Size | Per ton 2,000 lbs. | Per ½ ton 1,000 lbs. | Per ¼ ton 500 lbs. |
|---|---|---|---|
| Block (size group No. 1 and 2) in price classification A | $10.25 | $5.38 | $2.81 |
| Splint egg, 3″ x 5″ (size group No. 6) in price classifications E–L, inclusive | 9.15 | 4.82 | 2.54 |
| Egg, 3″ x 6″ (size group No. 5) in price classifications B–G, inclusive | 9.55 | 5.03 | 2.64 |
| Stove, 1″ x 2½″ (size group No. 8) in price classification G | 9.10 | 4.80 | 2.52 |
| Chunk, 3″ x 8″ (size group No. 4 egg) in price classification K | 9.60 | 5.05 | 2.65 |
| Stoker nut, ¼″ x 1″ (size group No. 10) in price classifications B–E | 9.00 | 4.75 | 2.50 |

LOW VOLATILE BITUMINOUS COAL FROM DISTRICTS NOS. 7 AND 8

| Size | Per ton 2,000 lbs. | Per ½ ton 1,000 lbs. | Per ¼ ton 500 lbs |
|---|---|---|---|
| Egg (top size larger than 3″, bottom size no limit) in price classification A | $10.25 | $5.38 | $2.81 |
| Egg, 2½″ x 7″ (size group No. 2) from the Red Ash seam | 9.85 | 5.18 | 2.71 |
| Stove (top size larger than 1¼″, not exceeding 3″, bottom size smaller than 3″) price classification A | 9.75 | 5.13 | 2.69 |
| Nut (top size 1¼″ to larger than ¾″, bottom size smaller than 1¼″) in price classification A | 8.90 | 4.70 | 2.48 |
| Stoker pea (top size not exceeding ¾″, bottom size smaller than ¾″) in price classification A | 8.85 | 4.68 | 2.46 |

YARD SLACK FROM DISTRICT NOS. 7 AND 8

| | | | |
|---|---|---|---|
| Yard slack | $6.50 | $3.50 | $1.88 |

(ii) *Special sales and services*—(a) *Carry from Curb.* Only if the buyer requests such service, the dealer may charge not more than 50¢ per ton for such service.

(b) *Carry up or down stairs.* Only if the buyer requests such service, the dealer may charge not more than 50¢ per ton for such service.

(c) *Bagged coal.* For coal delivered in bags and carried, the dealer may add not more than 50¢ per ton, bags remaining property of the dealer.

(d) *Yard sales.* When the buyer picks up coal at the dealer's yard, the dealer must reduce the domestic price $1.00 per ton.

(e) *Delivery zone.* For deliveries made beyond the corporate limits of the city or township in which the dealer's yard is located, the dealer may add 10¢ per mile per ton, with a minimum charge of 50¢ for each such delivery.

(f) *Treated coal.* If the dealer has paid the supplier 10¢ per ton additional for oil or chloride treatment at the mine, the dealer may add not more than 10¢ per ton on such coal.

(g) *Sales tax.* The State sales tax of 3% may be added to the prices established by this appendix.

(h) *Credit.* No additional charge over the prices provided in this appendix may be made for credit.

This Amendment No. 23 to Order No. G–17 shall become effective July 10, 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 July 4, 1944.

ALEXANDER HARRIS,
*Regional Administrator.*

[F. R. Doc. 44–10487; Filed, July 14, 1944; 4:29 p. m.]

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[Region IX Order 3 Under MPR 418]

FRESH FISH IN ALASKA

Order No. 3 under section 2 (d) of Maximum Price Regulation 418, as amended. Fresh fish and seafood. Fresh fish in Alaska. Modification of producers' maximum prices.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and under the authority vested in the Regional Administrator of Region IX of the Office of Price Administration by section 2 (d) of Maximum Price Regulation 418; *It is ordered:*

1. On and after the effective date of this order, the maximum prices for producers of fresh fish sold on fishing grounds or receiving stations in and off the Territory of Alaska, shall be the maximum prices established by Table A at the Alaskan port of entry nearest to the grounds or station where delivery of the fish is made to the buyer or the buyer's agent, less the deduction for the applicable species of fish as set forth below:

| Schedule No. | Name | Style of dressing | Size | Amount to be deducted (in cents per pound) |
|---|---|---|---|---|
| 24 | Ling cod (Pacific Coast) | Any style | All sizes | 1½ |
| 25 | Red cod (rock cod) (Pacific Coast) | Any style | All sizes | 1½ |
| 26 | Sablefish | Any style | All sizes | 1½ |
| 27 | Salmon, chinook or King (Pacific Coast) troll caught, red-meated. | Any style | 14 lb. or over | 3 |

For all other fresh fish or species of fresh fish, regardless of size or style of dressing, the amount to be deducted shall be two cents per pound.

2. This Order No. 3 supersedes Order No. 1 and Order No. 2 which are hereby revoked.

3. This order may be revoked or amended at any time.

This Order No. 3 shall become effective July 15, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4651)

Issued this 14th day of July 1944.

GERALD A. BARRETT,
*Acting Regional Administrator.*

[F. R. Doc. 44-10477; Filed, July 14, 1944; 4:25 p. m.]

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[Region VI Order G-61 Under SR 15, MPR 280 and MPR 329, Amdt. 1]

FLUID MILK IN BRAINERD, MINN.

*Correction*

In F. R. Doc. 44-10219, appearing on page 7901 of the issue for Friday, July 14, 1944, the bracketing heading should read as set forth above.

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## SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-805]

ILLINOIS POWER COMPANY

ORDER CONCERNING PAYMENT OF FEES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 13th day of July 1944.

The Commission having issued a memorandum opinion and supplemental order in the above-styled and numbered proceedings on March 14, 1944, in which jurisdiction was reserved with respect to the payment of all legal fees and expenses and the fees of The First Boston Corporation incurred in connection with the refunding by Illinois Power Company of its Series A, 6% First and Refunding Mortgage Bonds, due April 1, 1953, in the principal amount of $30,681,500 and its Series C, 5% bonds of the same designation due December 1, 1956, in the principal amount of $39,175,100; and further hearings having been held, after appropriate notice to all interested persons, with respect to such fees and expenses on June 29, 1944; and

The Commission finding that the following legal fees are not unreasonable for the services rendered in connection with said refunding; Pam, Hurd and Reichman, as attorneys for Illinois Power Company, in the amount of $40,000; Bell, Boyd and Marshall, as attorneys for the trustee under the indenture relating to the 30-year 5½% Sinking Fund Debentures of Illinois Power Company in the amount of $2,500; and Anderson, Gilbert, Wilfort, Allen and Bierman, as attorneys for Illinois Terminal Railroad Company and Central Terminal Company, subsidiaries of Illinois Power Company, in the amount of $5,500; and

The Commission further finding that a fee in the amount of $27,500 to The First Boston Corporation for its services as financial adviser to Illinois Power Company in connection with said refunding, and a further fee in the amount of $75,000 to said corporation for its services with respect to the sale of the new First Mortgage and Collateral Trust Bonds, 4% Series due November 1, 1973, in the principal amount of $63,000,000 are not unreasonable;

*It is ordered*, That jurisdiction be and the same is hereby released with respect to payment of the aforesaid fees in the amounts designated.

*It is further ordered*, That jurisdiction be and the same is hereby reserved with respect to the payment of the fees of Donovan, Leisure, Newton and Lumbard, attorneys for the purchasers of the new bonds.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
*Secretary.*

[F. R. Doc. 44-10494; Filed, July 15, 1944; 11:02 a. m.]

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[File No. 70-920]

BIRMINGHAM GAS COMPANY

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, Pa., on the 13th day of July, A. D. 1944.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Birmingham Gas Company, a gas utility company and a subsidiary company of American Gas and Power Company and Community Gas and Power Company, registered holding companies.

All interested persons are referred to said declaration or application, which is on file in the office of the Commission, for a statement of the transactions therein proposed, which are summarized below:

By order dated March 13, 1941 (File No. 70-249), this Commission granted an amended application of Birmingham Gas Company and permitted its amended declaration to become effective, regarding the issuance and sale on April 1, 1941, of $5,850,000 principal amount of its first mortgage bonds, 3⅞% Series due 1971. Said amended application and declaration contained a restriction and condition providing, in part, that from the date of issuance of said bonds. Birmingham Gas Company would not, so long as the ratio of its outstanding funded debt to the amount of its net property should exceed 50%, declare or pay any dividend on its common stock (other than dividends payable solely in shares of such stock) without first obtaining consent of this Commission to such dividend declaration and payment. The bonds were issued and sold, and $5,780,000 principal amount thereof is now outstanding.

The company desires that this restriction shall be amended and modified to read and provide in part substantially as follows:

> So long as the ratio of applicant's outstanding funded debt to the amount of its net property shall exceed 50%, applicant will not (i) declare or pay any dividends on its common stock in excess of 50% of its net earnings available for dividends on common stock to be computed from January 1, 1944, up to the end of the calendar month immediately preceding that in which it is then proposed to declare such dividend, nor (ii) declare or pay any dividends on its common stock in excess of 60¢ per share in any twelve-month period commencing January 1, 1944, nor (iii) make any payment or distribution on such common stock (by purchase or otherwise, in money or other property other than as permitted by (i) and (ii) above—in each case pending the further order or orders of the Commission. * * *

As a part of the transaction, applicant proposes to redeem $150,000 principal amount of its First Mortgage Bonds, 3⅞% series Due 1971, on or before September 1, 1944, at 109.28% of their principal amount, plus accrued interest, as permitted by the Indenture of Mortgage (section 9, Article Two). Said bonds shall be in addition to the bonds required by Article Eleven of said indenture to be retired by sinking fund and shall not be usable for any purpose nor to meet any requirement of the indenture.

The ratio of Birmingham Gas Company's outstanding bonds to its net property, per books, after giving effect to the proposed redemption of bonds, is less

than 60%. Birmingham Gas Company states that the proposed modification of the common stock dividend restriction will permit the company to place its common stock on a regular dividend basis, thereby facilitating compliance by American Gas and Power Company with the Commission's Order of July 2, 1943 (File No. 59–55) directing disposition of the common stock of Birmingham Gas Company (62.82% of total outstanding) held by American Gas and Power Company and permitting Birmingham Gas Company to meet its future capital requirements by issuance and sale of additional common stock.

It appearing to the Commission that it is appropriate in the public interest and in the interests of investors and consumers that a hearing be held with respect to said matters, and that said declaration and application shall not be permitted to become effective or granted except pursuant to further order of the Commission;

*It is ordered,* That a hearing on said matters under the applicable provisions of said act and the rules of this Commission thereunder be held on July 27, 1944, at 2:00 p. m., e. w. t., at the offices of this Commission, 18th and Locust Streets, Philadelphia, Pa. On such date the hearing room clerk in Room 318 will advise as to the room in which said hearing will be held. At such hearing, cause shall be shown why such declarations shall be permitted to become effective and such applications granted.

*It is further ordered,* That Robert P. Reeder or any other officer or officers of this Commission designated by it for that purpose shall preside at the hearings on such matters. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

*It is further ordered,* That without limiting the scope of the issues otherwise to be considered in the consolidated proceedings, particular attention will be directed at the hearings to the following matters and questions:

1. Whether the proposed transactions are in the public interest or in the interest of investors and consumers and whether in all respects the proposed transactions comply with all the applicable provisions and requirements of the Public Utility Holding Company Act of 1935 and the rules, regulations and orders promulgated thereunder.

2. Whether and to what extent it is necessary or appropriate in the public interest to impose terms or conditions in regard to the accounts of Birmingham Gas Company, or otherwise in connection with the proposed transactions.

*It is further ordered,* That notice of said hearing is hereby given to Birmingham Gas Company, to American Gas and Power Company, to their security holders, and to all interested persons; said notice to be given to Birmingham Gas Company and American Gas and Power Company by registered mail, and to all other persons by publication of this notice and order in the FEDERAL REGISTER and by a general release of this Commission distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935.

It is requested that any person desiring to be heard in these proceedings shall file with the Secretary of this Commission on or before July 24, 1944, an appropriate request or application to be heard, as provided by Rule XVII of the Commission's rules of practice.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44–10495; Filed, July 15, 1944; 11:02 a. m.]

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[File No. 70–587]

POTOMAC ELECTRIC POWER COMPANY

ORDER CONCERNING NOTIFICATION BEFORE DECLARING CASH DIVIDEND

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 13th day of July, 1944.

The Commission having issued an order in the above-styled and numbered proceedings on August 26, 1942 granting the application, as amended, of Potomac Electric Power Company, a subsidiary of Washington Railway and Electric Company, a registered holding company, filed in said proceedings, subject to the condition, among others, that said applicant notify this Commission thirty days before it declares any cash dividend on its common stock; and

It now appearing to the Commission that the continuance of the aforesaid condition is no longer appropriate in the public interest or for the protection of investors or consumers;

*It is hereby ordered,* That the condition contained in said order to the effect that Potomac Electric Power Company notify this Commission thirty days before it declares any cash dividend on its common stock cease to be operative from the date hereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44–10496; Filed, July 15, 1944; 11:02 a. m.]

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## WAR FOOD ADMINISTRATION.

[Docket No. AO 71–A 9]

HANDLING OF MILK IN NEW YORK METROPOLITAN AREA

NOTICE OF HEARING

Proposed amendments to tentatively approved marketing agreement, as amended, and order, as amended, regulating the handling of milk in the New York Metropolitan milk marketing area.

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 1940 ed. 601 *et seq.*), and in accordance with the applicable rules of practice and procedure (7 CFR, Cum. Supp., 900.1 *et seq.*) notice is hereby given of a hearing to be held at the Commodore Hotel, New York City, beginning at 10 a. m., e. w. t., August 15, 1944, for the purpose of receiving evidence with respect to proposed amendments to the tentatively approved marketing agreement, as amended, and order (No. 27), as amended, regulating the handling of milk in the New York metropolitan milk marketing area, and with respect to proposed rules and regulations for accounting for and classifying butterfat and skim milk, the provisions of each of which are hereinafter set forth. The proposed amendments to the tentatively approved marketing agreement, as amended, and order, as amended, and proposed rules and regulations have not received the approval of the War Food Administrator.

The proposed amendments, together with the proposed rules and regulations, as hereinafter set forth, have been prepared by the Dairy and Poultry Branch, Office of Distribution, after due consideration of, and largely on the basis of, amendments recently proposed by handlers and producers or their representatives. Included also are proposed revisions considered by the Dairy and Poultry Branch to be administratively desirable.

However, in view of the relatively large number and varying character of the amendments as proposed by handlers and producers, and in order to incorporate proposals of the Dairy and Poultry Branch, the proposed amendments, as hereinafter set forth, are in the form in which they would appear in an amended marketing agreement and order.

Included for purposes of facilitating consideration of the proposed amendments are certain specific provisions, in essentially the same form as they now appear in the present order, with respect to which evidence will not be received at this hearing. Such provisions include the definition of the marketing area, the provision on cooperative payments, and the provision on location differentials. In addition there are certain proposals which have been submitted for amendment of the order as now in effect but which are specifically not included in the proposed amendments as hereinafter set forth and with respect to which evidence will not be received at this hearing. Included in this category are proposals for a pool adjustment on special milk, for relocating differentials or diversion payments, and for changing the basic level of prices for fluid milk and fluid cream deemed to be sold in the marketing area.

Preceding the proposed amendments as hereinafter set forth is a statement of purpose and methods which is included merely for the purpose of assisting interested parties in their consideration and analysis of the proposed amendments.

The proposed amendments in the form described herein, the statement of purpose and methods, and the proposed rules and regulations for accounting for butterfat and skim milk are as follows:

*Statement of Purpose and Methods*

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 1940 ed., 601 *et seq.*), and following public hearings called to receive evidence on the matter, a marketing order or agreement regulating the marketing of milk in the New York metropolitan area will be issued, administered, and enforced in order to effectuate the purposes of such act.

This order or agreement, as proposed, would be administered by a market administrator selected and appointed for that purpose who would assemble such staff, would make such rules and regulations, and would carry on such activities as are necessary and appropriate in order to administer and enforce successfully and lawfully the provisions of the order or agreement.

The order or agreement would outline the area in which the marketing of milk is to be regulated and would provide a method for determining specifically that milk and those handlers or plant operators subject to the regulation.

The order or agreement would provide for classifying milk in accordance with the form in which or the purpose for which it is used. Together with the rules and regulations concerning the technical aspects of accounting for and classifying milk, it would provide specifically the manner in which the milk received by each handler subject to the order or agreement would be classified. The detailed plan of classification would provide a separate class for the butterfat and the skim milk in all products deemed to contain both butterfat and milk solids not fat so as to facilitate the separate pricing of these two components of whole milk received from farmers and so as to insure uniform minimum prices to all handlers. Provision would be made for five general classification groups, the first four specifically covering butterfat in various forms or uses, and the fifth covering skim milk in all its forms and uses.

Class I (butterfat) would cover the milk and cream deemed to be used for fluid milk or milk beverage purposes, with separate subclasses for that deemed to be sold (a) in the marketing area, (b) in other areas under Federal order or agreement, and (c) in other areas.

Class II (butterfat) would cover the milk and cream deemed to be used for fluid cream, with separate subclasses for that deemed to be sold as fluid cream in the marketing area, frozen or storage cream, fluid cream in the special cream area, fluid cream in the New England area, and fluid cream in other areas.

Class III (butterfat) would cover the milk and cream deemed to be used for manufacturing products usually made from whole milk, with separate subclasses for that deemed to be used for plain condensed milk, evaporated milk, sweetened condensed milk, milk chocolate or candy products, whole milk powder, Cheddar cheese, and other cheese except cream cheese.

Class IV (butterfat) would cover the milk or cream deemed to be used for manufacturing products usually made from cream rather than whole milk with separate subclasses for that deemed to be used for frozen desserts or mixes in specially designated areas, for cream cheese, and for butter.

Class V would cover all skim milk for all purposes, whether in milk, cream, or skim milk; with separate subclasses for that deemed to be used for (a) fluid milk, fluid cream, fluid skim milk, or milk beverages in the marketing area, (b) fluid milk, fluid skim milk, or milk beverages in other areas under Federal order or agreement, (c) fluid milk, fluid skim milk, or milk beverages in other areas, and (d) all other uses, forms, or products.

The order or agreement would provide a method for establishing for each subclass each month a minimum price for which handlers would be held accountable. Each such minimum price would be computed and announced by the market administrator each month and would be designed to reflect the approximate competitive supply value of milk, cream, butterfat, and skim milk suitable for use in the various dairy products covered by the classification plan. All minimum prices would be expressed as minimum prices per pounds of butterfat or per hundredweight of skim milk. Thus, the total accountable price for any milk or cream would be the combined values of (1) the butterfat in the milk or cream and (2) the skim milk in the milk or cream.

The basic price for whole milk deemed to be used for fluid purposes in the marketing area would be related to, but substantially above, the calculated basic values for creamery butter and nonfat dry milk solids (the same as in the present order). Such price would be 25 cents higher in the months of July through March than in the other months.

The price for the butterfat in milk, milk beverages, and cream deemed to be used for fluid purposes in the marketing area as fluid cream would be related to creamery butter prices on a bracketed basis and would be lower in April, May, and June than in the other months.

The price for skim milk deemed to be used for fluid purposes in the marketing area would be the difference between the indicated price for whole milk for fluid purposes and the value of butterfat in fluid products at the indicated price for such butterfat.

The manufacturing skim price would be calculated each month on the basis of market values of nonfat dry milk solids.

Prices for the butterfat and skim milk deemed to be sold as fluid milk, fluid skim milk, or milk beverages in other Federal areas and in other non-Federal areas would be the same as the marketing area prices except that in the months of March through July the price for such skim milk in outside non-Federal areas would be lower by half the difference between the fluid skim price and the manufacturing skim price.

The price for cream deemed to be sold as cream in the New England area would be calculated each month on the basis of the market price of cream in Boston, and would consist of the value of the skim milk in the cream at the manufactured skim milk price and the value of the butterfat in the cream at a butterfat price based on the residual value.

The price for cream deemed to be sold as cream outside the marketing area, outside the special cream area, and outside the New England area, would be calculated each month on the basis of the market price of cream in Philadelphia, and would consist of the value of the skim milk in the cream at the manufactured skim milk price and the value of the butterfat in the cream at a butterfat price based on the residual value.

The prices for all of the other subclasses covering cream deemed to be used for fluid or manufacturing purposes, including cream in the special cream area, frozen cream, frozen desserts and mixes, cream cheese, and butter, would be calculated separately each month and would consist of the value of the skim milk in the cream at the manufactured skim milk price and the value of the butterfat in the cream at a price calculated in relation to the butterfat price determined for Boston cream, Philadelphia cream, or creamery butter.

The price for milk deemed to be used for plain condensed milk would be calculated each month as the value of the skim milk at the manufacturing skim milk price and the value of the butterfat at the same price as for butterfat in the subclass covering frozen desserts or mixes deemed to be sold in New York City.

The price for milk deemed to be used in evaporated would be calculated each month in relation to prices paid by specified manufacturing milk plants in the Middle West purchasing milk from farmers, and would consist of the value of the skim milk in the milk at the manufacturing skim milk price and the value of the butterfat at a price based on the residual value.

The price for milk deemed to be used in Cheddar cheese would be calculated each month in relation to cheese price quotations in Wisconsin, and would consist of the value of the skim milk in the milk at the manufacturing skim milk price and the value of the butterfat at a price based on the residual value.

The prices for the other subclasses covering milk deemed to be used for manufacturing purposes would be calculated separately each month and would consist of the value of the skim milk in the milk at the manufacturing skim milk price and the value of the butterfat at a price related to the butterfat price for the subclasses covering evaporated milk or butter.

Butterfat differentials per point for each subclass would be calculated each month as one-tenth of the calculated butterfat price per pound for the subclass. Transportation differentials would also be specified for the separate subclasses.

The total amount of milk received and its value at specified class prices for which each handler is accountable would be reported and summarized each month and combined into a total for all handlers, for the purpose of calculating a uniform or marketwide pool price to producers for the milk delivered by them to

handlers. Each handler would be required to account for the payment of this uniform price to the producers from whom milk was received, and to account to the pool or the producer-settlement fund for any difference between payments to producers on the one hand and the total classification value of the milk on the other. Prices to producers would likewise be subject to specified location differentials and to a butterfat differential per point calculated as one-tenth of the weighted average price per pound of butterfat in all classes.

The market administrator would operate the pool or producer-settlement fund and pay out of it not only the payments due handlers in order to balance their producer-settlement fund accounts, but also the payments to qualified cooperatives, payments on storage cream, payments to correct errors, and other payments authorized in the order or agreement.

The order or agreement would make special provisions authorizing the expeditious handling of specific types of emergency problems which have been arising in the New York area in recent years, including the handling of subsidy monies, the development and operation of plans to market unusually heavy supplies of milk, and the development and operation of plans to meet unusual shortages.

The order or agreement would specify a maximum rate of assessment against handlers to defray the costs of administering the order or agreement. It would specify an additional charge against handlers on past-due accounts, and would specify time limits within which handlers' accounts may be audited or reaudited and within which handlers may seek formal administrative review of administrative actions.

*Proposed Amendments*

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

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

(b) "War Food Administrator" means the War Food Administrator of the United States or any officer or employee of the United States Department of Agriculture who is, or who may hereinafter be, authorized to exercise the powers and to perform the duties of the War Food Administrator hereunder.

(c) Note: Same as § 927.1 (c) of the present order).

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

(e) "Dairy farmer" means any person who produces milk.

(f) "Producer" means any dairy farmer whose milk is delivered direct from farm to a pool plant.

(g) "Handler" means (1) any person who engages in the handling of milk or products therefrom which milk was received at a pool plant or at a plant approved by any health authority for the receiving of milk to be sold in the marketing area, (2) any person who engages in the handling of milk or cream, which milk or cream is shipped to or received in the marketing area, or (3) any cooperative association of producers with respect to any milk which it causes to be delivered from producers to any other handler for the account of such association.

(h) "Plant" means the buildings, facilities, and land which are determined by the market administrator to constitute a plant.

(j) "Pool plant" means any plant determined by the market administrator to be a pool plant pursuant to § 927.3.

(k) "Market administrator" means the agency, which is described in § 927.2, for the administration of this order.

(l) "Special cream area" means the territory within the State of New York outside the marketing area and Fisher's Island, and the territories within the following counties of New Jersey:

| | |
|---|---|
| Bergen. | Morris. |
| Essex. | Passaic. |
| Hudson. | Somerset. |
| Hunterdon. | Sussex. |
| Middlesex. | Union. |
| Monmouth. | Warren. |

(m) "New England cream area" means the territory within the States of Connecticut, Maine, New Hampshire, Rhode Island, Vermont, the Commonwealth of Massachusetts, and Fisher's Island in Suffolk County, New York.

(n) "Milk" means the product delivered to a plant by dairy farmers as cow's milk.

(o) "Skim milk" means all parts of milk except butterfat.

(p) Other terms shall be defined by the market administrator in regulations issued pursuant to § 927.4 (b).

§ 927.2 *Market administrator—(a) Selection, removal, and bond.* The agency for the administration of this order shall be a market administrator who shall be a person selected and subject to removal by the War Food Administrator. The market administrator shall, within 45 days following the date upon which he enters upon his duties, execute and deliver to the War Food Administrator a bond, conditioned upon the faithful performance of his duties, in an amount and with surety thereon satisfactory to the War Food Administrator.

(b) *Compensation.* The market administrator shall be entitled to such reasonable compensation as shall be determined by the War Food Administrator.

(c) *Powers.* The market administrator shall have power to administer and to make rules and regulations to effectuate the terms and provisions hereof, to receive, investigate, and report to the War Food Administrator complaints of violations of this order, and to recommend to the War Food Administrator amendments to this order.

(d) *Duties.* The market administrator, in addition to the duties hereinafter described, shall:

(1) Keep such books and records as will clearly reflect the transactions provided for herein;

(2) Submit his books and records to examination by the War Food Administrator at any and all times;

(3) Furnish such information and such verified reports as the War Food Administrator may request;

(4) Obtain a bond with reasonable surety thereon covering each employee who handles funds entrusted to the market administrator;

(5) Publicly disclose, after reasonable notice, the name of any person who has not made reports pursuant to § 927.6, or made payments pursuant to § 927.8, § 927.9, or § 927.11;

(6) Prepare and disseminate for the benefit of producers, consumers, and handlers, such statistics and information concerning the operation of this order, as do not reveal confidential information;

(7) Employ and fix the compensation of such persons as may be necessary to enable him to administer the terms and provisions hereof;

(8) Pay out of the funds received pursuant to § 927.11 the cost of his bond and of the bonds of such of his employees as handle funds entrusted to the market administrator, his own compensation, and all other expenses which will necessarily be incurred by him for the maintenance and functioning of his office and the performance of his duties:

(9) Maintain a main office and such branch offices as may be necessary;

(10) Investigate, at the request of the War Food Administrator, milk marketing problems affecting the marketing of producers' milk, and recommend changes or amendments to this order;

(11) Make rules and regulations to classify milk and carry out the terms and provisions of the order pursuant to § 927.4 (b).

§ 927.3 *Determination of pool plants.* A pool plant is any plant which meets the requirements of (a) of this section or is determined to be a pool plant by the market administrator pursuant to (b) or (c) of this section; *Provided,* That any plant which meets all the requirements necessary to be regulated by another order issued pursuant to the Act shall not be a pool plant during any month in which there is sold in, distributed in or shipped to the marketing area as fluid milk from such plant a quantity equal to less than 50 percent of the milk received at such plant directly from dairy farmers.

(a) *Plants shipping fluid milk to the marketing area.* For any month a plant from which during such month fluid milk is sold or distributed in or shipped to, either directly or through other plants, the marketing area, which quantity of fluid milk is equal to more than 25 percent of the milk received directly from dairy farmers, shall be a pool plant.

(b) *Reserve plants.* (1) A plant determined by the market administrator to be a plant receiving milk which constitutes a reserve supply of fluid milk for the marketing area may be designated by him to be a pool plant provided:

(i) Application to have the plant so designated is filed with the market administrator by the plant operator.

(ii) The plant is located in the States of New York, Vermont, Connecticut, or New Jersey, or in the Commonwealths of Massachusetts or Pennsylvania.

(iii) The milk received at the plant is available for shipment as fluid milk to the marketing area. In determining the availability of the milk, the market administrator shall take into consideration the history of operations at the plant, the requirements of public health authorities, and the contractual obligations for the milk of the operator of the plant.

Before making such a designation, the market administrator may consult a committee representing producers, which is appointed by the War Food Administrator, and of which the market administrator is chairman.

(2) Any plant designated as a pool plant pursuant to (1) of this paragraph shall remain a pool plant until such designation is cancelled by the market administrator. The market administrator is authorized but is not required to cancel the designation of any plant as a pool plant upon application of the handler operating the plant or upon a finding that conditions which justified the designation no longer exist. The market administrator may also cancel such designation if the operator of such plant refuses to cooperate in an allocation program established pursuant to § 927.10 (c) (2).

(3) Any person operating a plant may, not later than 30 days after notice by registered mail of action by the market administrator, appeal to the War Food Administrator for an administrative review of the market administrator's action (i) in refusing to grant a designation as a pool plant, (ii) in refusing to grant a cancellation of such designation, or (iii) in cancelling such designation. Such administrative review shall not constitute a proceeding pursuant to subsection 15 (a) of section 8c of the Act nor be considered as restricting the right of any person to petition for such proceeding.

(c) During the first twelve months after the effective date of this order, any plant which is located in the States of New York, Vermont, Connecticut, or New Jersey or in the Commonwealths of Massachusetts or Pennsylvania, and which on July 1, 1944 was approved for the receiving of milk to be distributed for consumption as fluid milk in the city of New York, the county of Westchester in the State of New York, shall be automatically designated as a pool plant unless such designation is specifically revoked by the market administrator.

§ 927.4 *Classification.* For purposes of classification, milk shall be considered as consisting of its component parts of butterfat and skim milk.

(a) *Basis of classification.* All butterfat and skim milk, the classification of which is necessary to classify the butterfat and skim milk in producers' milk, shall be classified not later than the end of the month following the month during which the milk was received from dairy farmers in accordance with the form in which the butterfat or skim milk is held at or moved from the plant at which classification is determined. Classification of butterfat and skim milk shall be determined at the plant where received from dairy farmers except as otherwise provided in rules and regulations issued pursuant to (b) of this section. In establishing the classification of any butterfat or skim milk received from dairy farmers, the burden rests upon the handler who received such milk from producers to show that the butterfat should not be classified as Class I–A, and that the skim milk should not be classified as Class V–A.

(b) *Rules and regulations.* (1) The plant at which classification shall be determined, the method of accounting for butterfat and skim milk, the method for accounting for and classifying loss not to exceed 5 percent of the butterfat in products resulting from any operation, conversion factors to be used in the absence of specific weights and tests of milk and milk products, and definitions of products shall be in accordance with rules and regulations [1] issued on the basis of the evidence presented at a hearing called by the War Food Administrator for such purpose, such rules and regulations to become effective at the same time as the amendment to the order giving the market administrator the power and duty to make rules and regulations: *Provided,* That such rules and regulations may be supplemented or amended by the market administrator pursuant to the following procedure:

(i) A meeting shall be called by the market administrator at which the proposed amendments to the rules and regulations shall be discussed.

(ii) All handlers operating pool plants shall receive notice of such meeting and such notice shall set forth the topics to be discussed.

(iii) Interested persons shall be given opportunity to make statements concerning proposed amendments.

(iv) A stenographic record of all statements shall be made and shall be public information available to interested persons at the office of the market administrator.

(v) After such meeting, the market administrator shall issue amendments or a determination that no amendments are necessary. Before issuing any amendment or determination, the market administrator may issue a tentative amendment or determination and may permit interested persons to file exceptions to such amendment or determination. Such exceptions shall become a public record available to interested persons at the office of the market administrator.

(2) Any handler operating a pool plant may, within 30 days after action pursuant to this paragraph by the market administrator, appeal to the War Food Administrator for an administrative review of such action. Such administrative review shall not constitute a proceeding pursuant to subsection 15 (a) of section 8c of the act, nor be considered as restricting the right of any person to petition for such proceeding.

(c) *Classes of utilization.* Subject to all of the conditions set forth in (a) and (b) of this section, the classes of butterfat and skim milk shall be as follows:

(1) Class I–A shall be all the butterfat, except as set forth in (2) and (3) of this paragraph, which leaves a plant in the form of fluid milk or milk beverage, and all butterfat the classification of which is not established in some other class named in this paragraph.

(2) Class I–B shall be all the butterfat which leaves a plant in the form of fluid milk or milk beverage and which is received at a plant in or distributed in another marketing area regulated by an order issued pursuant to the act.

(3) Class I–C shall be all the butterfat which leaves a plant in the form of fluid milk or milk beverage and which is delivered to a plant or a purchaser outside an area regulated by an order issued pursuant to the act: *Provided,* That such fluid milk or milk beverage is not moved to a plant located in nor delivered to a purchaser in an area regulated by an order issued pursuant to the act. This definition includes butterfat in fluid milk delivered to a bakery, soup factory, or other establishment outside of an area regulated by an order issued pursuant to the act, which milk is there utilized in some product other than those specified in this paragraph.

(4) Class II–A shall be all the butterfat which leaves or is on hand at a plant in the form of cream, sweet or sour, unless such cream is established to have been subsequently so handled or marketed as to classify such butterfat in some other class.

(5) Class II–B shall be all the butterfat which leaves or is on hand at a plant in the form of frozen cream. Any handler whose report claimed the original classification of butterfat in this class shall be liable under the provisions of § 927.9 (e) for the difference between the Class II–B and Class II–A prices for the butterfat in such cream and the difference between the Class V–D and Class V–A prices for the skim milk in such cream, for the month in which the II–B classification was claimed on any such butterfat, if the storage of the cream does not comply with all the requirements of the definition of frozen cream promulgated by the market administrator under the terms set forth in (b) of this section.

(6) Class II–C shall be all the butterfat which leaves or is on hand at a plant in the form of cream which is delivered to a plant or a purchaser in the special cream area: *Provided,* That the cream is not moved to a plant in nor delivered to a purchaser in the marketing area, and that the classification of the cream is not established in some other class. This definition includes butterfat in cream delivered to a bakery, soup factory, or other establishment in the special cream area,

[1] A copy of the proposed rules and regulations is attached hereto as Exhibit A.

which cream is there utilized in some product other than those specified in this paragraph.

(7) Class II–D shall be all the butterfat which leaves or is on hand at a plant in the form of cream, which is delivered to a plant or purchaser outside of the marketing area, and outside the special cream area, and outside the New England cream area: *Provided,* That the cream is not moved to a plant in nor delivered to a purchaser in the marketing area, in the special cream area, or in the New England cream area. This definition includes butterfat in cream delivered to a bakery, soup factory, or other establishment outside the marketing area, outside the special cream area, and outside the New England cream area, which cream is there utilized in some product other than those specified in this paragraph.

(8) Class II–E shall be all the butterfat which leaves or is on hand at a plant in the form of cream, which is delivered to a plant or purchaser in the New England cream area: *Provided,* That the cream is not moved to a plant outside nor delivered to a purchaser outside the New England cream area. This definition includes butterfat in cream delivered to a bakery, soup factory, or other establishment in the New England cream area, which cream is there utilized in some product other than those specified in this paragraph.

(9) Class III–A shall be all the butterfat which leaves or is on hand at a plant in the form of plain condensed milk.

(10) Class III–B shall be all the butterfat which leaves or is on hand at a plant in the form of evaporated milk.

(11) Class III–C shall be all the butterfat which leaves or is on hand at a plant in the form of sweetened condensed milk.

(12) Class III–D shall be all the butterfat which leaves or is on hand at a plant in the form of milk chocolate or other candy products.

(13) Class III–E shall be all the butterfat which leaves or is on hand at a plant in the form of milk powder, except non-fat dry milk solids.

(14) Class III–F shall be all the butterfat which leaves or is on hand at a plant in the form of cheese, other than cheddar cheese and cream cheese.

(15) Class III–G shall be all the butterfat which leaves or is on hand at a plant in the form of cheddar cheese.

(16) Class IV–A shall be all the butterfat which leaves or is on hand at a plant in the form of frozen desserts, or mix except as set forth in (17), (18), and (19) of this paragraph.

(17) Class IV–B shall be all the butterfat which leaves or is on hand at a plant in the form of frozen desserts, or mix, which, except as set forth in (18) and (19) of this paragraph, is delivered to a plant outside or a purchaser outside New York City and remains outside New York City.

(18) Class IV–C shall be all the butterfat which leaves or is on hand at a plant outside the marketing area, outside the special cream area, and outside the New England cream area in the form of frozen desserts or mix which is delivered to a plant outside or a purchaser outside New York City and remains outside New York City.

(19) Class IV–D shall be all the butterfat which leaves or is on hand at a plant in the New England cream area in the form of frozen desserts or mix which is delivered to a plant outside or a purchaser outside New York City and remains outside New York City.

(20) Class IV–E shall be all the butterfat which leaves or is on hand at a plant in the form of cream cheese.

(21) Class IV–F shall be all the butterfat which leaves or is on hand at a plant in the form of butter.

(22) Class V–A shall be all the skim milk (i) in products containing butterfat which is classified pursuant to (1) or (4) of this paragraph, (ii) shipped to a plant or a purchaser in the marketing area as fluid skim milk, or as milk beverages, or (iii) not specifically accounted for.

(23) Class V–B shall be all the skim milk in products containing butterfat which is classified pursuant to (2) of this paragraph, and all skim milk in fluid skim milk or milk beverage which is delivered to a plant or a purchaser in another area regulated by an order issued pursuant to the Act, and remains outside the marketing area.

(24) Class V–C shall be all the skim milk in products containing butterfat which is classified pursuant to (3) of this paragraph, and all the skim milk in fluid skim milk or milk beverage which is delivered and remains outside of any area regulated by an order issued pursuant to the Act.

(25) Class V–D shall be all the skim milk not classified pursuant to (22), (23), or (24) of this paragraph.

§ 927.5 *Minimum prices.* For butterfat and skim milk in milk received during each month from producers or cooperative associations of producers, each handler shall pay not less than the prices set forth in paragraphs (c) and (d) of this section. Any handler who purchases or receives, during any month, milk from a cooperative association of producers which is also a handler shall, on or before the 15th day of the following month, pay such cooperative association in full for such milk at not less than the minimum class prices applicable pursuant to paragraphs (c) and (d) of this section plus the rate of assessment determined in accordance with § 927.11. Prices set forth for butterfat are per pound of butterfat. Prices set forth for skim milk are per hundredweight of skim milk.

Whenever the provisions of this section require the market administrator to use a specific price for milk or any milk product the market administrator shall add to the specified price the amount of any subsidy, or other similar payment, being made by any Federal agency in connection with the milk, or products, associated with the price specified: *Provided,* That, if for any reason, the price specified is not reported or published as indicated, the market administrator shall use the applicable maximum uniform price established by regulations of any Federal agency plus the amount of any such subsidy or other similar payment: *Provided further,* That if the specified price is not reported or published and there is no applicable maximum uniform price, or if the specified price is not reported or published and the War Food Administrator determines that the market price is below the applicable maximum uniform price, the market administrator shall use a price determined by the War Food Administrator to be equivalent to or comparable with the price specified.

(a) *Price quotations.* Subject to the foregoing provision of this section the market administrator shall compute the following average quotations:

(1) The highest price reported daily by the United States Department of Agriculture for 92-score butter at wholesale in the New York market for the period from the 25th of each month through the 24th of the following month.

(2) The prices reported daily in the "Producers' Price Current" for all the hot-roller process dried skim milk or non-fat dry milk solids quotations for "other brands, human consumption, carlots, bags or barrels" (using the mid-point of any range as one quotation) for the period from the 25th of each month through the 24th of the following month.

(3) The prices reported daily in the "Producers' Price Current" for all the hot-roller process dried skim milk or non-fat milk solids quotations for "other brands, animal feed, carlots, bags or barrels" (using the mid-point of any range as one quotation) for the period from the 25th of each month through the 24th of the following month.

(4) The simple average of the averages computed in (2) and (3) of this paragraph.

(5) The highest price reported daily by the United States Department of Agriculture for 92-score butter at wholesale in the New York market during each month.

(6) The prices reported daily in the "Producers' Price Current" for all the hot-roller process dried skim milk or non-fat dry milk solids quotations for "other brands, human consumption, carlots, bags or barrels" (using the mid-point of any range as one quotation) during each month.

(7) The prices reported daily in the "Producers' Price Current" for all the hot-roller process dried skim milk or non-fat dry milk solids quotations for "other brands, animal feed, carlots, bags or barrels" (using the mid-point of any range as one quotation) during each month.

(8) The simple average of the averages computed in (6) and (7) of this paragraph.

(9) The weekly market quotations (using the mid-point of any weekly range as one quotation) of prices reported during each month by the United States Department of Agriculture for a 40-quart can of 40 percent sweet cream approved for Pennsylvania only.

(10) The weekly market quotations (using the mid-point of any weekly range as one quotation) of prices reported during each month by the United States Department of Agriculture for a 40-quart can of 40 percent sweet cream

approved for Pennsylvania, Newark, and Lower Merion Townships.

(11) The simple average of the averages computed in (9) and (10) of this paragraph.

(12) The weighted average price per 40-quart can of 40 percent bottling quality cream in the Boston market as reported by the United States Department of Agriculture for each month.

(13) The average of price as reported to the United States Department of Agriculture paid each month to dairy farmers for 3.5 percent milk at the evaporated milk plants at the following locations:

Mt. Pleasant, Mich.; Sparta, Mich.; Hudson, Mich.; Wayland, Mich.; Coopersville, Mich.; New Glarus, Wis.; Belleville, Wis.; Greenville, Wis.; Manitowoc, Wis.; Black Creek, Wis.; Orfordville, Wis.; Chilton, Wis.; New London, Wis.; Coldwater, Ohio; Berlin, Wis.; Richland Center, Wis.; Oconomowoc, Wis.; Jefferson, Wis.; Delta, Ohio; West Bend, Wis.

(14) The average of weekly quotations of prices for Cheddars in each month at the Wisconsin Cheese Exchange, Plymouth, Wisconsin, or, in the absence of quotations for Cheddars, the weekly quotations of prices for Twins in each month at the Wisconsin Cheese Exchange.

(b) *Basic prices for milk, butterfat, and skim milk.* Basic prices for each month shall be computed as follows:

(1) *Whole milk.* (i) The basic prices for fluid milk for the months of July through March shall be as set forth in the table below. The basic price for fluid milk for April, May, and June shall be 25 cents per hundredweight less than the prices set forth in the table below:

BASIC PRICES FOR FLUID MILK

| Butter price computed pursuant to (a) (1) of this section for the period ending on the 24th of the preceding month (cents) | Non-fat dry milk solids price computed pursuant to (a) (4) of this section for the period ending on the 24th of the preceding month | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | 4.5¢ or under | Over 4.5 to 5.9 | Over 5.9 to 7.3 | Over 7.3 to 8.7 | Over 8.7 to 10.1 | Over 10.1 to 11.5 | Over 11.5 to 12.9 | Over 12.9 to 14.3 | Over 14.3 to 15.7 |
| | *Dollars per cwt.* | *Dollars per cwt.* | *Dollars per cwt.* | *Dollars per cwt.* | *Dollars per cwt.* | *Dollars per cwt.* | *Dollars per cwt.* | *Dollars per cwt.* | *Dollars per cwt.* |
| 22.5 or over but under 25.0 | 2.10 | 2.30 | 2.30 | 2.50 | 2.50 | 2.70 | 2.70 | 2.90 | 2.90 |
| 25.0 or over but under 27.5 | 2.30 | 2.30 | 2.50 | 2.50 | 2.70 | 2.70 | 2.90 | 2.90 | 3.10 |
| 27.5 or over but under 30.0 | 2.30 | 2.50 | 2.50 | 2.70 | 2.70 | 2.90 | 2.90 | 3.10 | 3.10 |
| 30.0 or over but under 32.5 | 2.50 | 2.50 | 2.70 | 2.70 | 2.90 | 2.90 | 3.10 | 3.10 | 3.30 |
| 32.5 or over but under 35.0 | 2.50 | 2.70 | 2.70 | 2.90 | 2.90 | 3.10 | 3.10 | 3.30 | 3.30 |
| 35.0 or over but under 37.5 | 2.70 | 2.70 | 2.90 | 2.90 | 3.10 | 3.10 | 3.30 | 3.30 | 3.50 |
| 37.5 or over but under 40.0 | 2.70 | 2.90 | 2.90 | 3.10 | 3.10 | 3.30 | 3.30 | 3.50 | 3.50 |
| 40.0 or over but under 42.5 | 2.90 | 2.90 | 3.10 | 3.10 | 3.30 | 3.30 | 3.50 | 3.50 | 3.70 |
| 42.5 or over but under 45.0 | 2.90 | 3.10 | 3.10 | 3.30 | 3.30 | 3.50 | 3.50 | 3.70 | 3.70 |
| 45.0 or over but under 47.5 | 3.10 | 3.10 | 3.30 | 3.30 | 3.50 | 3.50 | 3.70 | 3.70 | 3.90 |
| 47.5 or over but under 50.0 | 3.10 | 3.30 | 3.30 | 3.50 | 3.50 | 3.70 | 3.70 | 3.90 | 3.90 |
| 50.0 or over but under 52.5 | 3.30 | 3.30 | 3.50 | 3.50 | 3.70 | 3.70 | 3.90 | 3.90 | 4.10 |
| 52.5 or over but under 55.0 | 3.30 | 3.50 | 3.50 | 3.70 | 3.70 | 3.90 | 3.90 | 4.10 | 4.10 |
| 55.0 or over but under 57.5 | 3.50 | 3.50 | 3.70 | 3.70 | 3.90 | 3.90 | 4.10 | 4.10 | 4.30 |
| 57.5 or over but under 60.0 | 3.50 | 3.70 | 3.70 | 3.90 | 3.90 | 4.10 | 4.10 | 4.30 | 4.30 |

Should the butter price be 60¢ or more or the non-fat dry milk solids price exceed 15.7¢, the table will be extended further at the same rate by the market administrator to cover such increased butter or non-fat dry milk solids price. Likewise, should the butter price fall below 22.5¢ the table will be extended downward at the same rate by the market administrator but in no case shall the price pursuant to this table be less than $2.10.

(ii) The basic price for milk used in evaporated milk shall be a price computed by the market administrator as follows: add 10 cents to the average price computed for such month pursuant to (a) (13) of this section: *Provided,* That in no event shall the price be less than a price computed by the market administrator as follows: to the average price of 92-score butter at wholesale in the Chicago market for such month, as reported by the United States Department of Agriculture, add 30 percent, multiply by 3.5, and add 7 cents.

(iii) The basic price for milk used in Cheddar cheese shall be a price computed by the market administrator as follows: from the average of weekly cheese quotations for such month computed pursuant to (a) (14) of this section, subtract 1.5 cents (net figure representing making allowance in excess of whey fat, whey, transportation, and paraffin allowance) and multiply by 9.

(2) *Butterfat.* (i) The basic price for butterfat in fluid products shall be in accordance with the following table:

| Butter average computed pursuant to (a) (1) of this section for the period ending on the 24th of the preceding month (cents per pound) | Basic butterfat price | |
|---|---|---|
| | April through June | July through March |
| | *Cents per pound* | *Cents per pound* |
| Under 20 | 33.0 | 37.3 |
| 20 or over, but under 25 | 39.1 | 43.4 |
| 25 or over, but under 30 | 45.2 | 49.5 |
| 30 or over, but under 35 | 51.3 | 55.6 |
| 35 or over, but under 40 | 57.4 | 61.7 |
| 40 or over, but under 45 | 63.5 | 67.8 |
| 45 or over, but under 50 | 69.6 | 73.9 |

The prices shall further increase 6.1 cents for each additional 5-cent range increase in the 92-score butter average.

(ii) The basic price for butterfat in Philadelphia cream shall be computed as follows: from the average cream quotation for such month computed pursuant to (a) (11) of this paragraph, subtract $2.34, subtract 50.22 percent of the basic manufactured skim milk price, and divide by 33.48: *Provided,* That in no event shall the basic price for butterfat in Philadelphia cream be lower than the basic price for butterfat in butter plus 3 cents.

(iii) The basic price for butterfat in Boston cream shall be computed as follows: from the weighted average Boston cream quotations for such month computed pursuant to (a) (12) of this section, subtract $2.06, subtract 50.22 percent of the basic manufactured skim milk price, and divide by 33.48: *Provided,* That in no event shall the basic butterfat price for Boston cream be lower than the basic price for butterfat in butter plus 3 cents.

(iv) The basic price for butterfat in evaporated milk shall be computed as follows: from the basic price for milk used for the manufacture of evaporated milk computed pursuant to (1) (ii) of this paragraph, subtract 96.5 percent of the basic manufactured skim milk price, and divide by 3.5.

(v) The basic price for butterfat in Cheddar cheese shall be computed as follows: from the basic price for milk for Cheddar cheese computed pursuant to (1) (iii) of this paragraph, subtract 96.5 percent of the basic manufactured skim milk price and divide by 3.5.

(vi) The basic price for butterfat in butter shall be computed as follows: from the average price for butter for such month computed pursuant to (a) (5) of this section, subtract 4 cents and add 20 percent.

(3) *Skim milk.* (i) The basic fluid skim milk price shall be computed as follows: from the basic fluid milk price computed pursuant to (1) (i) of this paragraph, subtract the basic price computed pursuant to (2) (i) of this paragraph for 3½ pounds of butterfat in fluid products and divide by .965.

(ii) The basic manufactured skim milk price shall be computed as follows: from the average of dried skim milk quotations for such month computed pursuant to (a) (8) of this section, subtract 4 cents and multiply by 8.3.

(c) *Class prices.* The class prices each month shall be as follows:

(1) For Class I–A butterfat—the basic price for butterfat in fluid products. (See (b) (2) (i) of this section.)

(2) For Class I–B butterfat—the basic price for butterfat in fluid products. (See (b) (2) (i) of this section.)

(3) For Class I–C butterfat—the basic price for butterfat in fluid products. (See (b) (2) (i) of this section.)

(4) For Class II–A butterfat—the basic price for butterfat in fluid products. (See (b) (2) (i) of this section.)

(5) For Class II–B butterfat—[____ cents lower than the basic price for butterfat in fluid products. (See (b) (2) (i) of this section.)] or [basic price for butterfat in Philadelphia cream. (See (b) (2) (ii) of this section.)] or [the basic price for butterfat in Philadelphia cream but no less than 3 cents more than the basic price for butterfat in Boston cream. (See (b) (2) (ii) and (b) (2) (iii) of this section.)]

(6) For Class II–C butterfat—[3 cents higher than the basic price for butterfat in Boston cream. (See (b) (2) (iii) of

this section.)] or [the basic price for butterfat in Philadelphia cream but no less than 3 cents more than the basic price for butterfat in Boston cream. (See (b) (2) (ii) and (b) (2) (iii) of this section.)]

(7) For Class II–D butterfat—the basic price for butterfat in Philadelphia cream. (See (b) (2) (ii) of this section.)

(8) For Class II–E butterfat—the basic price for butterfat in Boston cream. (See (b) (2) (iii) of this section.)

(9) For Class III–A butterfat—same as for New York City frozen desserts or mix as shown in (16) below.

(10) For Class III–B butterfat—the basic price for butterfat in evaporated milk. (See (b) (2) (iv) of this section.)

(11) For Class III–C butterfat—the basic price for butterfat in evaporated milk. (See (b) (2) (iv) of this section.)

(12) For Class III–D butterfat—the basic price for butterfat in evaporated milk. (See (b) (2) (iv) of this section.)

(13) For Class III–E butterfat—

(14) For Class III–F butterfat—

(15) For Class III–G butterfat—the basic price for butterfat in Cheddar cheese. (See (b) (2) (v) of this section.)

(16) For Class V–A butterfat—[the basic price for butterfat in Philadelphia cream but no less than the basic price for butterfat in Boston cream plus 3 cents. (See (b) (2) (ii) and (b) (2) (iii) of this section.)] or [the basic price for butterfat in fluid products minus _____ cents. (See (b) (2) (i) of this section.)] or [the basic price for butterfat in Boston cream. (See (b) (2) (iii) of this section.)]

(17) For Class IV–B butterfat—[the basic price for butterfat in Boston cream. (See (b) (2) (iii) of this section.)] or [the basic price for butterfat in Philadelphia cream but no less than the basic price for butterfat in Boston cream plus 3 cents. (See (b) (2) (ii) and (b) (2) (iii) of this section).]

(18) For Class IV–C butterfat—the basic price for butterfat in Philadelphia cream. (See (b) (2) (ii) of this section.)

(19) For Class IV–D butterfat—the basic price for butterfat in Boston cream. (See (b) (2) (iii) of this section.)

(20) For Class IV–E butterfat—the basic price for butterfat in Boston cream. (See (b) (2) (iii) of this section.)

(21) For Class IV–F butterfat—the basic price for butterfat in butter. (See (b) (2) (vi) of this section.)

(22) For Class V–A skim milk—the basic price for fluid skim milk. (See (b) (3) (i) of this section.)

(23) For Class V–B skim milk—the basic price for fluid skim milk. (See (b) (3) (i) of this section.)

(24) For Class V–C skim milk—for August through February, the basic price for fluid skim milk, and for March through July, the simple average of the basic prices for fluid skim milk and manufactured skim milk. (See (b) (3) (i) and (b) (3) (ii) of this section.)

(25) For Class V–D skim milk—the basic price for manufactured skim milk (See (b) (3) (ii).)

(d) *Transportation differentials.* (1) The market administrator shall, from time to time, determine and publicly announce for each pool plant the freight zone set forth in the following schedule. The freight zone for plants located in the marketing area shall be the 1–10 mile zone. The freight zones for plants outside the marketing area shall be based on the railroad mileage distance from the plant to New York City terminals of the nearest railway shipping point, or the shortest highway mileage distance from the plant to Columbus Circle, New York City, as computed from the latest mileage guide issued by the Household Goods Carriers' Bureau, Agent, Washington, D. C., whichever is shorter. The minimum prices set forth in (c) of this section shall be plus or minus the amounts set forth in the following schedule:

TRANSPORTATION DIFFERENTIALS

| A | B | C | D |
|---|---|---|---|
| Freight zone (miles) | Class I-A, Class I-B, Class I-C, and Class II-A | Class II-B, Class II-C, Class III-A, Class IV-A, and [Class IV-B] | Class V-A, Class V-B, and Class V-C |
| | *Cents per pound* | *Cents per pound* | *Cents per cwt.* |
| 1–10 | +0.2 | +0.4 | +15 |
| 11–20 | +0.1 | +0.4 | +14 |
| 21–30 | +0.1 | +0.3 | +13 |
| 31–40 | +0.1 | +0.3 | +13 |
| 41–50 | +0.1 | +0.3 | +10.5 |
| 51–60 | +0.1 | +0.3 | +10.5 |
| 61–70 | +0.1 | +0.2 | +9.5 |
| 71–80 | +0.1 | +0.2 | +8 |
| 81–90 | +0.1 | +0.2 | +8 |
| 91–100 | +0.1 | +0.2 | +7 |
| 101–110 | +0.1 | +0.2 | +7 |
| 111–120 | +0.1 | +0.2 | +6 |
| 121–130 | +0.1 | +0.1 | +5 |
| 131–140 | +0.1 | +0.1 | +5 |
| 141–150 | 0.0 | +0.1 | +3.5 |
| 151–160 | 0.0 | +0.1 | +2.5 |
| 161–170 | 0.0 | +0.1 | +2.5 |
| 171–180 | 0.0 | 0.0 | +1.5 |
| 181–190 | 0.0 | 0.0 | +1.5 |
| 191–200 | 0.0 | 0.0 | 0.0 |
| 201–210 | 0.0 | 0.0 | 0.0 |
| 211–220 | 0.0 | 0.0 | −1 |
| 221–230 | 0.0 | 0.0 | −1 |
| 231–240 | 0.0 | −0.1 | −2 |
| 241–250 | 0.0 | −0.1 | −2 |
| 251–260 | 0.0 | −0.1 | −3.5 |
| 261–270 | 0.0 | −0.1 | −3.5 |
| 271–280 | 0.0 | −0.1 | −3.5 |
| 281–290 | 0.0 | −0.1 | −4.5 |
| 291–300 | −0.1 | −0.1 | −5.5 |
| 301–310 | −0.1 | −0.1 | −5.5 |
| 311–320 | −0.1 | −0.1 | −5.5 |
| 321–330 | −0.1 | −0.2 | −7 |
| 331–340 | −0.1 | −0.2 | −7 |
| 341–350 | −0.1 | −0.2 | −8 |
| 351–360 | −0.1 | −0.2 | −8 |
| 361–370 | −0.1 | −0.2 | −8 |
| 371–380 | −0.1 | −0.2 | −9 |
| 381–390 | −0.1 | −0.2 | −9 |
| 391–400 | −0.1 | −0.2 | −9 |
| 401–410 | −0.1 | −0.3 | −10.5 |
| 411–420 | −0.1 | −0.3 | −10.5 |
| 421–430 | −0.1 | −0.3 | −10.5 |
| 431–440 | −0.1 | −0.3 | −11.5 |
| 441–450 | −0.1 | −0.3 | −11.5 |
| 451–460 | −0.1 | −0.3 | −11.5 |
| 461–470 | −0.1 | −0.3 | −12.5 |
| 471–480 | −0.1 | −0.3 | −12.5 |
| 481–490 | −0.1 | −0.4 | −14 |
| 491–500 | −0.1 | −0.4 | −14 |

(2) The market administrator shall, from time to time, determine and publicly announce for each pool plant a zone based on its shortest highway mileage distance from the City Hall in Philadelphia, Pennsylvania, as computed from the latest mileage guide issued by the Household Goods Carriers' Bureau, Agent, Washington, D. C. The minimum price for Class II–D and Class IV–C butterfat shall be subject to the minus differentials set forth in the following table applicable to the location of the plant at which the butterfat was received from producers:

| Miles: | *Cents* |
|---|---|
| 0–30 | 0 |
| 31–70 | −1.0 |
| 71–150 | −1.3 |
| 151–230 | −1.6 |
| 231–310 | −1.9 |
| 311–390 | −2.1 |
| 391–470 | −2.4 |

*Provided,* That in no case shall the amount subtracted reduce the class price at any plant below the basic price for butterfat in butter plus 3 cents.

(3) The market administrator shall, from time to time, determine and publicly announce for each pool plant a zone based on its shortest highway mileage distance from the State House in Boston, Massachusetts, as computed from the latest mileage guide issued by the Household Goods Carriers' Bureau, Agent, Washington, D. C. The minimum price for Class II–E, (Class IV–B) Class IV–D and Class IV–E butterfat shall be subject to the minus differentials set forth in the following table applicable to the location of the plant at which milk was received from producers:

| Miles: | *Cents* |
|---|---|
| 0–100 | 0 |
| 101–150 | −0.9 |
| 151–200 | −1.2 |
| 201–250 | −1.3 |
| 251–300 | −1.5 |
| 301–350 | −1.8 |
| 351–400 | −2.1 |
| 401–450 | −2.3 |

*Provided,* That in no case shall the amount subtracted reduce the class price at any plant below the basic price for butterfat in butter plus 3 cents.

(e) *Announcement of prices.* The market administrator shall publicly announce prices and quotations as follows:

(1) Not later than the 25th day of each month, the market administrator shall announce (i) the butter and dried skim milk or non-fat dry milk solids averages computed pursuant to (a) (1), (a) (2), (a) (3), and (a) (4) of this section for the period ending the 24th day of such month; (ii) the preliminary basic fluid milk price, the preliminary basic price for butterfat in fluid products for the marketing area, and the preliminary basic fluid skim milk price for the following month.

(2) Not later than the 5th day of each month, (i) the monthly average quotations for the previous month computed pursuant to (a) of this section; (ii) the basic prices for the previous month computed pursuant to (b) of this section; and (iii) the class prices in effect for the previous month.

§ 927.6 *Reports of handlers*—(a) *Monthly reports.* On or before the 10th day of each month, each handler shall report to the market administrator for the preceding month, in the manner and on forms prescribed by the market administrator, with respect to milk, butterfat, skim milk or milk products handled at each pool plant, and at each plant where butter fat or skim milk subject to payments under § 927.9 (h) was handled, the following:

(1) The total quantity of milk, butterfat, skim milk and milk products, with the average butterfat content thereof, received from dairy farmers, from other plants, from such handler's own farm, from other handlers, and from other persons;

(2) The total quantity of milk, butterfat, skim milk and of each milk product moved out of, or on hand at, such plant, the butterfat content of each product, and the destination of any milk, butterfat, skim milk or milk product which was moved out of such plant; and the classification or anticipated classification of any butterfat or skim milk on hand at the plant at the end of the month;

(3) The disposition of milk, butterfat, and skim milk at each other plant in which the disposition of any milk, butterfat or skim milk is claimed as the basis of classification, such disposition to be covered by a signed statement of the plant operator if such other plant is not a pool plant;

(4) The computation, pursuant to § 927.7 (a) of such handler's preliminary net pool obligation, and the total value of butterfat received from producers; and

(5) The computation of any payments pursuant to § 927.9 (h).

(b) *Producer pay roll reports.* Each handler shall report to the market administrator as follows:

(1) On or before the 10th day after the end of each month, the information for the preceding month required by the market administrator with respect to producer additions, producer withdrawals, and changes in names of farm operators; and

(2) On or before the last day of each month, such handler's producer pay roll for the preceding month, which shall show for each producer:

(i) The total delivery of milk with the average butterfat test thereof,

(ii) The amount of payment due such producer,

(iii) The nature and amount of any deductions and charges made by the handler,

(iv) The net amount of payment to such producer made pursuant to § 927.8, and

(v) Such other information with respect thereto as the market administrator may require.

(c) *Other reports.* At such times as the market administrator may request, each handler shall report to the market administrator in the manner and on forms prescribed by the market administrator:

(1) The total quantity of milk, butterfat, skim milk or milk products received at non-pool plants, with the average butterfat content thereof, from dairy farmers, from other plants, from such handler's own farm, and from other persons.

(2) The total quantity of milk, butterfat, skim milk, and each milk product moved out of, or on hand at, non-pool plants, the butterfat content of each product, and the destination of any milk, butterfat, skim milk, or milk product which is moved out of such plant.

(3) Information concerning buildings, facilities, and land at any plant.

(4) The current receipts and utilization of milk in each plant.

(5) Purchases of cream received showing the quantity and source of each purchase and the cost thereof.

(6) Such other information as may be neessary for the administration of this order.

(d) *Verification of reports and payments.* The market administrator shall promptly verify all reports and payments of each handler by inspection, by weighing, sampling, and testing, or by audit of such handler's records and of the records of any other handler or person upon whose disposition of milk such handler claims classification, and each such handler shall, during the usual hours of business, make available to the market administrator or his representative such records and facilities, of his own or of other persons, as will enable the market administrator to:

(1) Verify the receipts and disposition of all milk, butterfat, skim milk, and milk products required to be reported pursuant to this section, and, in any case of errors or omissions, ascertain the correct figures;

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

(3) Verify the payments to producers prescribed in § 927.8;

(4) Verify all claims for payments pursuant to § 927.9;

(5) Make inspections of land, buildings, and equipment at each plant; and

(6) Verify on behalf of any Federal agency the basis for payments collected by the market administrator under § 927.9 (1).

§ 927.7 *Determination of uniform price and the weighted average butterfat differential.* The uniform price and weighted average butterfat differential shall be computed as set forth in this section. Milk received from farms in Nassau and Suffolk Counties, New York, which farms are not approved for sale of milk in New York City, and received from handler's own farm shall not be included in this computation. The term "milk received from producers" in this section and in § 927.8, § 927.9, and § 927.11 shall mean milk received from producers except from producers in Nassau or Suffolk Counties or own farm production which is eliminated from the computations in this section.

(a) *Preliminary net pool obligation of handlers.* (1) Determine the total quantity of butterfat and skim milk in each class in milk received directly from producers at each pool plant in accordance with the rules and regulations issued pursuant to § 927.4 (b).

(2) Multiply the quantity of butterfat or skim milk in each class in milk received from producers by the class price pursuant to § 927.5 (c) adjusted by the appropriate transportation differential, if any, pursuant to § 927.5 (d).

(3) Add together the pounds of butterfat in all classes, and add together the values of butterfat in all classes.

(4) Add together the total pounds of butterfat and skim milk in all classes, and add together the values of all classes.

(5) From the total value obtained in (4), deduct, in the case of each plant in a zone less than the 201–210 mile zone and add, in the case of each plant in a zone greater than the 201–210 mile zone, the amount obtained by multiplying the quantity of milk received from producers by the zone differential set forth in column D of the schedule in § 927.5 (d) (1) applicable to the plant. This adjustment is for the purpose of adjusting the uniform price to producers in accordance with § 927.8 (b) (1).

(6) *Location differentials.* With respect to milk received from producers, deduct the amounts set forth in (i) and (ii) of this subparagraph from the value after adjustments in (5). This adjustment is for the purpose of adjusting the uniform price to producers in accordance with § 927.8 (b) (2). After making such deduction, the result shall be known as the handler's preliminary net pool obligation for such plant.

(i) 30 cents per hundredweight for plants located in the marketing area.

(ii) 20 cents per hundredweight for plants located in the following areas: Columbia, Dutchess, Orange, Putnam, and Rockland Counties in New York; Sussex, Warren, Hunterdon, Essex, Morris, Passaic, Somerset, Union, and Burlington Counties in New Jersey; Litchfield County in Connecticut; Berkshire County in Massachusetts; and for plants located in Accord, Ellenville, Gardiner, Kyserike, New Paltz, Phinney's Crossing, Wallkill, and West Coxsackie, New York.

(7) Add together the handler's preliminary net pool obligations for all pool plants, and add together the pounds of milk received from producers at all pool plants; add together the pounds of butterfat in milk received from producers at all pool plants and add together the value of butterfat in milk received from producers at all pool plants; and compute the average butterfat test of all milk received from producers at all pool plants.

(b) *Computation of the weighted average butterfat differential.* The market administrator shall compute a weighted average butterfat differential as follows:

(1) Add together the total pounds of butterfat received from producers by all handlers except for those whose reports are not to be included in the computation of the uniform price under (c) of this section.

(2) Add together the value of the butterfat classes for all handlers except those whose reports are not to be included in the computation of the uniform price under (c) of this section.

(3) Divide the total obtained in (2) of this paragraph by the total obtained in (1) of this paragraph. Divide the result by 10. This result rounded to the nearest one-tenth of one cent shall be the weighted average butterfat differential.

(c) *Computation of the uniform price.* The market administrator shall audit for mathematical correctness and obvious errors the report submitted for the preceding month by each handler. If the

unreserved cash balance in the producer-settlement fund to be included in the computation is less than 2 cents per hundredweight of milk received from producers on all reports, the report of any handler who has not made full payment to the producer-settlement fund, pursuant to § 927.9 (b) shall not be included in the computation of the uniform price. The report of such handler shall not be included in the computation for succeeding months until he has made all payments due to the producer-settlement fund. Subject to the aforementioned conditions the market administrator shall compute the uniform price in the following manner:

(1) From each handler's preliminary net pool obligation for all plants deduct, in the case where the average butterfat content of all milk received from producers by such handler is in excess of 3.5 percent, and to each handler's preliminary net pool obligation for all plants add, in the case where the butterfat content of all milk received from producers by such handler is less than 3.5 percent, the total value of the butterfat differential applicable pursuant to § 927.8 (c). The result shall be known as the handler's adjusted net pool obligation;

(2) Combine into one total the adjusted net pool obligation of all handlers;

(3) Subtract the total payments required to be made for such month, pursuant to § 927.9 (f), and transfer to be made pursuant to § 927.9 (k);

(4) Add the amount of unreserved cash in the producer-settlement fund;

(5) Subtract an amount equal to not less than 4 cents nor more than 5 cents per hundredweight of milk received from producers to provide against the contingency of errors in reports and payments or of delinquencies in payments by handlers;

(6) Divide the result by the total hundredweight of milk received from producers. The result shall be known as the uniform price per hundredweight for milk containing 3.5 percent butterfat received from producers at plants in the 201–210 mile zone.

(d) *Announcement of the uniform price.* Not later than the 14th day of each month, the market administrator shall announce the uniform price computed pursuant to (c) of this section and the butterfat differential computed pursuant to (b) of this section to be in effect for the previous month: *Provided,* That such announcement may be made not later than the 15th day of any month containing a Sunday or a holiday between the 10th and the 14th days, inclusive.

§ 927.8 *Payment by handlers directly to producers*—(a) *Time and rate of payment.* On or before the 25th day of each month each handler shall make payment to each producer for all milk delivered by such producer during the preceding month at not less than the uniform price subject to differentials set forth in (b) and (c) of this section plus any payment provided for in accordance with (d) of this section: *Provided,* That each handler which is also a cooperative marketing association determined by the War Food Administrator to be qualified under the Capper-Volstead Act, may, with respect to its producers, make distribution, in accordance with the contract between the association and such producers, of the net proceeds of all its sales in all markets in all use classifications. Whenever verification by the market administrator of the payment to any producer for milk delivered to any handler discloses payment to such producer of less than is required by this section, the handler shall make up such payment to the producer not later than the time of making payment next following such disclosure.

(b) *Transportation and location differentials.* The uniform price at any plant shall be:

(1) Plus or minus the differential shown in column D of the schedule contained in § 927.5 (1) for the zone of the plant in effect pursuant to § 927.5 (d) (1); and

(2) If any location differentials are applicable pursuant to § 927.7 (a) (6) plus such differentials plus 5 cents.

(c) *Butterfat differential.* The uniform price shall be plus or minus, as the case may be, the weighted average butterfat differential computed pursuant to § 927.7 (b) for each one-tenth of 1 percent above or below 3.5 percent of average butterfat content of milk delivered by any producer .

(d) *Federal payments to producers.* If the market administrator collects monies in accordance with § 927.9 (1) from any governmental agency on behalf of producers, and credits such monies to the account in the producer-settlement fund of the handler accounting to the market administrator for such producers, such handler shall pay such money to producers in addition to other payments required by this order at the rate at which such monies are credited.

§ 927.9 *Producer - settlement fund and its operation.* The market administrator shall establish and maintain a separate fund known as "the producer-settlement fund" into which he shall deposit all payments and out of which he shall make all payments pursuant to this section.

(a) *Handlers' accounts.* The market administrator shall set up an account for each handler who is required to make payments to the producer-settlement fund or who receives payment from the producer-settlement fund. After computing the uniform price and each handler's pool debit or credit, the market administrator shall render each handler a statement of his account showing the debit or credit balance, together with all debits or credits entered on such handler's account since the previous statement was rendered.

(b) *Payments to the producer-settlement fund.* On or before the 18th day of each month each handler shall make full payment of the debit balance, if any, of such handler shown on the statement of account rendered pursuant to (a) of this section.

(c) *Payments out of producer-settlement fund.* On or before the 20th day of each month the market administrator shall make payment to each handler of the credit balance, if any, of such handler shown on the statement of account rendered pursuant to (a) of this section. If, at any such time, the balance in the producer-settlement fund is insufficient to make full payment due to each handler, the market administrator shall reduce uniformly the payments made to each handler and shall complete such payments as soon as the necessary funds are available. No handler who, on the 25th day of the month, has not received such payments in full from the market administrator shall be deemed to be in violation of § 927.8 if he reduces his total payments to producers for milk delivered by such producers during the preceding month by not more than the amount of the reduction in payment from the producer-settlement fund.

(d) *Handlers' pool debit or credit.* After computing the uniform price for each month, the market administrator shall compute each handler's pool debit or pool credit as follows:

(1) Multiply the milk received by each handler from producers by the uniform price.

(2) If the result obtained in (1) of this paragraph is less than the handler's adjusted net pool obligation, the difference shall be entered on the handler's producer-settlement fund account as such handler's pool debit.

(3) If the result obtained in (1) of this paragraph is greater than the handler's adjusted net pool obligation, the difference shall be entered on the handler's producer-settlement fund account as such handler's pool credit.

(e) *Adjustments of errors in payments.* Whenever verification by the market administrator of reports or payments of any handler discloses errors made in payments to or from the producer-settlement fund, the market administrator shall debit the handler's producer-settlement fund account for any unpaid amount. Whenever verification or other action, including administrative review or litigation, discloses that payment is due from the market administrator to any handler, the market administrator shall credit the handler's producer-settlement fund account for any such amount.

(f) *Cooperative payments.* (Note: Same as § 927.7 (d) of present order except for necessary changes in cross-references.)

(g) *Storage cream payments.* With respect to butterfat in frozen cream, the handler whose net pool obligations included such butterfat as Class II–B milk, may make claim, on forms supplied by the market administrator, for payments out of the producer-settlement fund, if such butterfat was stored during the months of April to September, inclusive, and was used in Classes II–D, II–E, IV–B, IV–C, IV–D, or IV–E during the months of July to March, inclusive, or in Class IV–F during the months of January to March, inclusive. The market administrator shall, after investigation, audit and verification of such claim, credit such handler's producer-settlement fund account in an amount equal to the difference between the Class II–B price and the class price for such utilization in effect

for the month during which the butterfat was received from producers.

(h) *Payments to producers for butterfat and skim milk received from other than producer sources.* (1) Handlers who handle Class I–A butterfat, Class II–A butterfat, or Class V–A skim milk which was received at some plant from a dairy farmer not a producer shall pay to producers through the producer-settlement fund for such butterfat and skim milk as follows:

(i) If such butterfat and skim milk is classified and paid for under another order issued pursuant to the Act, the amount paid to producers through the producer-settlement fund shall be any plus amount obtained by subtracting the value at the class price or prices under such other order for such butterfat and skim milk from the value of such butterfat and skim milk at the Class I–A and Class V–A prices at a pool plant similarly located with respect to New York as the plant under such other order.

(ii) If such butterfat and skim milk is obtained from a source not regulated by another order issued pursuant to the Act, the payment shall be the difference between the value at the Class IV–F and Class V–D prices and the value at the Class I–A and V–A prices in the 201–210 mile zone.

(iii) In the event that the source of such milk is not revealed, the payment shall be the value at the Class I–A and Class V–A prices.

(2) Payment shall be made only once for any butterfat or skim milk subject to payments pursuant to (1) of this paragraph, and shall be made in accordance with (i), (ii), or (iii) of this subparagraph.

(i) Payment shall be made by the handler first receiving the butterfat or skim milk at a pool plant outside the marketing area.

(ii) If the butterfat or skim milk is not received at a pool plant outside the marketing area, payment shall be made by the handler operating the plant where such butterfat or skim milk is received in the marketing area.

(iii) If the butterfat or skim milk is not received at either a pool plant outside the marketing area or a plant in the marketing area, payment shall be made by the handler distributing the butterfat or skim milk in the marketing area.

(3) After receiving reports of butterfat or skim milk subject to the payments set forth in this paragraph, the market administrator shall compute the amount of such payments and enter it on the handler's producer-settlement fund account as a debit.

(j) *Adjustment of past due accounts.* Any debit balance payable on the 18th day of any month as shown on the account rendered to any handler pursuant to (a) of this section, payment of which has not been received by the market administrator on the last day of such month, shall be increased by one half of one percent.

(k) *Emergency fund.* The market administrator may transfer from the producer-settlement fund to an emergency fund set up pursuant to § 927.10 (d) a sum not to exceed $125,000 per month until a fund of $500,000 has been established, and thereafter a sum that will maintain such fund at $500,000. He may also pay into the producer-settlement fund any interest derived from the emergency fund.

(l) *Federal payments.* (1) The market administrator may collect on behalf of any producer any payment to be made by any federal agency to such producer. Any monies so collected shall be credited to the account in the producer-settlement fund of the handler who accounted to the market administrator for such producer's milk. Such handler shall in turn pay such monies to such producer in accordance with § 927.8 (d). Such collections may be made on behalf of producers whose milk is exempt from the computation of the uniform price in accordance with § 927.7.

(2) The market administrator may collect on behalf of a handler any payment to be made by any federal agency to such handler based on the classification of such handler's butterfat and skim milk under this order. Any monies so collected shall be credited to such handler's account in the producer-settlement fund.

(3) Whenever verification reveals that excessive payments, pursuant to (1) and (2) of this paragraph, have been made to a handler, the market administrator may debit such handler's account in the producer-settlement fund for such excessive payment and pay such amount out of the producer-settlement fund to the federal agency making the payment. Likewise, whenever verification reveals that an underpayment was made by the federal agency, the market administrator may collect such underpayment from the federal agency and credit such payment to the handler's account in the producer-settlement fund.

§ 927.10 *Emergency in the marketing of producers' milk*—(a) *Investigation.* The market administrator may investigate problems affecting the marketing of milk received from producers for the marketing area, report the results of his investigation to the War Food Administrator, and recommend action by the War Food Administrator.

(b) *Declaration by War Food Administrator.* On the basis of findings of fact, the War Food Administrator may declare an emergency in the marketing of milk from producers either (1) in supplying fluid milk in the marketing area, or (2) in the utilization of milk received from producers.

(c) *Shortage of fluid milk for the marketing area.* In the event that the War Food Administrator declares an emergency in supplying fluid milk in the marketing area, the market administrator is authorized to take any or all of the steps outlined in (1), (2), and (3) of this paragraph:

(1) Suspend Class III–G and Class IV–F, and price butterfat used in butter and cheddar cheese at the Class I–A price, and price the skim milk in the milk equivalent of the butterfat used in such products at the Class V–A price. He may also, if necessary, suspend other class prices upon approval by the War Food Administrator.

(2) Develop and recommend to the War Food Administrator an allocation program, and, subject to the approval of the War Food Administrator, take such actions as are necessary or appropriate to administer such an allocation program. In developing or administering any such program, the market administrator may consult with an advisory committee of which he acts as chairman, which consists of representatives of fluid milk distributors in the marketing area and handlers operating pool plants, such committee to be appointed by the War Food Administrator. Such an allocation program may contain terms and conditions for the sale of milk by handlers to fluid milk distributors.

(3) Cancel the designation as a pool plant for any plant so designated pursuant to § 927.3 (b) or (c) if the operator of such plant fails to cooperate in an allocation program set up pursuant to (2) of this paragraph or if, in the absence of such program, the market administrator determines that milk handled at such plant is no longer a reserve supply of fluid milk for the marketing area.

(d) *Excess of fluid milk for the marketing area.* The market administrator is authorized to establish an emergency fund from monies obtained from the producer-settlement fund, in accordance with § 927.9 (k). Upon the declaration by the War Food Administrator of an emergency in the utilization of milk received from producers, the market administrator may use the monies in such fund to facilitate the transportation of milk from plants where it cannot be utilized to plants where such milk can be utilized. The market administrator may also use the monies in such fund to carry out other programs for the utilization of milk received from producers, which programs are specifically authorized by the War Food Administrator. The market administrator may, before utilizing monies in such fund for any purpose, consult the advisory committee representing producers appointed pursuant to § 927.3 (b). In the operation of any program authorized pursuant to this paragraph the market administrator may consult a sub-committee of those members of the advisory committee appointed pursuant to (c) of this section who operate pool plants.

§ 927.11 *Expense of administration—Payment by handlers.* As his pro rata share of the expense of administration hereof, each handler shall, on or before the 18th day of each month, pay to the market administrator a sum not exceeding 2 cents per hundredweight on the total quantity of milk received from producers, and on the total quantity of butterfat and skim milk subject to payments pursuant to § 927.9 (h), the exact amount to be determined by the market administrator subject to review by the War Food Administrator. The amount of any such payment due on the 18th day of any month which has not been received by the market administrator on the last day of such month shall be increased by one-

half of 1 percent. This section shall not be deemed to duplicate any similar payment by any handler under an order issued by the Commissioner of Agriculture and Markets of the State of New York, with respect to the marketing area.

§ 927.12 *Limitation on time for auditing, reauditing, billing and petitioning.* The market administrator may not audit, reaudit, or charge a handler for operations during any month later than two years after the date of the filing of the report for such operations, except in the case of fraud.

A handler may not petition, pursuant to subsection 15 (A) of section 8c of the Act, to the War Food Administrator for review of an action by the market administrator later than 90 days after notification by registered mail of such action by the market administrator: *Provided,* That in cases of administrative review pursuant to § 927.3 (b) (3) or 927.4 (b) (2) a handler may not petition pursuant to subsection 15 (A) of section 8c of the Act later than 90 days after notification by registered mail of the decision of the War Food Administrator in such cases.

§ 927.13 *Suspension, termination, and liquidation*—(a) *Suspension or termination.* The War Food Administrator shall, whenever he finds that any or all of the provisions hereof obstruct or do not tend to effectuate the declared policy of the Act, terminate or suspend the operation of such provision or provisions.

(b) *Continuing obligation of handlers.* Unless otherwise provided by the War Food Administrator in any notice of amendment, termination, or suspension of any or all of the provisions hereof, such amendment, termination or suspension shall not affect, waive or terminate any right, duty, obligation, or liability which shall have arisen or may thereafter arise in connection with any provision of this order; release or waive any violation of this order occurring prior to the effective date of such amendment, termination, or suspension; or affect or impair any rights or remedies of the War Food Administrator or of any other person with respect to any such violations.

(c) *Continuing power and duty of market administrator.* The market administrator shall (1) continue in such capacity until discharged by the War Food Administrator; (2) from time to time account for all receipts and disbursements and deliver all funds or property on hand, together with the books and records of the market administrator, to such person as the War Food Administrator shall direct; and (3) if so directed by the War Food Administrator, execute such assignments or other instruments necessary or appropriate to vest in such person full title to all funds, property, and claims vested in the market administrator pursuant hereto.

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

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

EXHIBIT A

RULES AND REGULATIONS FOR ACCOUNTING FOR AND CLASSIFYING BUTTERFAT AND SKIM MILK

SECTION 1. *Definitions.* The terms used herein shall have the same definitions as are set forth in Order No. 27. In addition, the following terms shall have the following meanings:

(a) "Order No. 27" means the order regulating the handling of milk in the New York metropolitan milk marketing area, issued effective September 1, 1938, and as subsequently amended.

(b) The term "pooled," when used in conjunction with milk, butterfat, skim milk, or other dairy products, means that the butterfat or skim milk in such products is used, or should be used, in the computation of the uniform price, pursuant to § 927.7 of Order No. 27.

(c) The term "exempt," when used in conjunction with milk, butterfat, skim milk, or other dairy products, means that the butterfat or skim milk in such products is exempt from the computation of the uniform price, pursuant to § 927.7 of Order No. 27. Exempt butterfat or skim milk shipped to another plant shall be considered pooled butterfat or skim milk at such other plant.

(d) The term "non-pooled," when used in conjunction with milk, butterfat, skim milk, or other dairy products, means that the butterfat or skim milk in such products is neither pooled nor exempt butterfat or skim milk.

(e) "Fluid milk" means the combination of butterfat and skim milk which does not contain more than 10 percent or less than 3 percent butterfat. This definition shall not be deemed to include products that are included in other definitions of this section.

(f) "Fluid skim milk" means a product consisting principally of uncondensed skim milk and containing less than 3 percent butterfat. This definition includes buttermilk obtained from churning.

(g) "Milk beverage" means a flavored or cultured beverage containing skim milk but not more than 10 percent butterfat.

(h) "Cream" means the combination of butterfat and skim milk which contains more than 10 percent butterfat. This definition shall not be deemed to include products that are included in other definitions of this section.

(j) "Frozen cream" means pooled cream which is held in a licensed cold storage warehouse at an average temperature below 0° Fahrenheit for 7 consecutive days and below 15° Fahrenheit for at least 21 days thereafter, as shown by charts of a recording thermometer, and which is subject at all times to being inspected by a representative of the market administrator to determine the physical presence of the cream and the temperature of the room where stored. After the first 7 consecutive days, such cream may be moved from one licensed cold storage warehouse to another: *Provided,* That the market administrator receives notice of such removal within 48 hours thereafter.

(k) "Sour cream" means cream which has been fermented by means of a lactic acid or other harmless milk culture and which is sold under the name of sour cream.

(l) "Manufacturing cream" means cream which is permitted by local or State authorities to be used only in manufactured dairy products.

(m) "Plain condensed milk" means that unsweetened, unsterilized product resulting from the evaporation of water from fluid milk, which product contains not less than 7 percent butterfat and not less than 17.8 percent milk solids not butterfat.

(n) "Evaporated milk" means the product resulting from the evaporation of water from fluid milk, which product contains not less than 7.9 percent butterfat and not less than 25.9 percent total milk solids and which product is packed in hermetically-sealed cans.

(o) "Sweetened condensed milk" means the product resulting from the evaporation of water from fluid milk and the addition of sugar. It shall contain not less than 28 percent milk solids, 8.5 percent butterfat, and 38 percent sugar.

(p) "Condensed skim milk" means the product resulting from the evaporation of at least 50 percent of the water from fluid skim milk. This includes the products known as condensed skim milk, sweetened condensed skim milk, and condensed buttermilk.

(q) "Milk powder" means the product resulting from the removal of water from fluid milk, cream, plain condensed milk, condensed skim milk, or fluid skim milk. It shall contain not more than 5 percent of moisture and may contain substances other than milk solids, which substances may have been added either prior to or after the removal of the water. It includes products known as whole milk powder, malted milk powder, and ice cream powder.

(r) "Skim powder" means milk powder containing not more than 10 percent of butterfat. This definition includes products known as non-fat dry milk solids and dried buttermilk.

(s) "Cheese" means the product made from the separated curd obtained by coagulating the casein of fluid milk, fluid skim milk, or cream.

(t) "Cheddar cheese" means cheese made by the Cheddar process from the heated and pressed curd obtained by the action of rennet on fluid milk or fluid skim milk.

(u) "Cream cheese" means cheese made by the Neufchatel process from curd obtained by the action of lactic-acid-producing bacteria with or without rennet on fluid milk or cream and containing not less than 20 percent butterfat.

(v) "Frozen desserts" means those products commonly known as ice cream, frozen custard, and sherbet.

(w) "Mix" means the homogenized mixture containing milk solids, water, and sugar, with other ingredients, which is prepared for use in the manufacture of frozen desserts. It shall contain not less than 12 percent of sugar and not less than 0.5 percent of other solids not milk solids.

(x) "Butter" means the product resulting from churning with or without salt and containing at least 80 percent butterfat. This does not include the product known as plastic cream.

(y) Any handler may request the market administrator to hold a hearing for the purpose of amending the definitions in this section to include products not covered by such definitions.

SEC. 2. *Classification of butterfat and skim milk shipped in the form of fluid milk, cream, plain condensed milk, frozen desserts, or fluid skim milk.* (a) Butterfat shipped in the form of fluid milk from any plant to a plant

in the marketing area shall be classified as Class I–A, and any skim milk shipped in the form of fluid milk or fluid skim milk or milk beverage from any plant to a plant in the marketing area shall be classified as Class V–A.

(b) Butterfat shipped in the form of cream from any plant to a plant in the marketing area shall be classified as Class II–A and the skim milk in such cream shall be classified as Class V–A, unless the cream leaves the plant where first received in the marketing area in the form of frozen desserts or mix, in which case the butterfat and skim milk may be classified in the appropriate classes for butterfat and skim milk utilized in frozen desserts or mix. Likewise, butterfat shipped in the form of plain condensed milk from any plant to a plant in the marketing area shall be classified as Class III–A unless such plain condensed milk leaves the plant where first received in the marketing area in the form of frozen desserts or mix, in which case the butterfat may be classified in appropriate classes for butterfat utilized in frozen desserts or mix.

(c) Butterfat which is shipped in the form of fluid milk, cream, or plain condensed milk from a pool plant to another plant outside the marketing area (except as provided in (g), (h), (j), (k), and (l) of this section) may be classified at such other plant.

(d) Skim milk which is shipped in the form of fluid milk, cream, or fluid skim milk from a pool plant to another plant outside the marketing area (except as provided in (g), (h), (j), (k), and (l) of this section) may be classified at such other plant.

(e) Butterfat which in the form of fluid milk, cream, or plain condensed milk is held at, or shipped from, a non-pool plant shall be classified in accordance with the form in which it is held at or moved from such plant, except that butterfat received at such plant in the form of milk which leaves such plant in the form of cream or plain condensed milk, and is shipped less than 65 miles to another plant, may be classified at such other plant in accordance with the form in which it is held at or moved from such other plant.

(f) Skim milk which, in the form of milk, cream, or skim milk, is held at, or shipped from, a non-pool plant shall be classified in accordance with the form in which it is held at or moved from such plant, except that skim milk which is shipped less than 65 miles in the form of fluid skim milk from a non-pool plant where such skim milk was separated, to another plant, may be classified at such other plant in accordance with the form in which it is held at or moved from such other plant.

(g) Butterfat shipped in the form of milk from any plant outside the marketing area, or from any plant inside the marketing area receiving such milk directly from dairy farmers, to a plant in another area regulated by an order issued pursuant to the act, shall be classified as Class I–B and skim milk in such milk shall be classified as Class V–B.

(h) Butterfat shipped in the form of fluid milk from any plant to a plant located in an area outside the States of New York, Vermont, Pennsylvania, and New Jersey shall be classified as Class I–A, Class I–B, or Class I–C, and the skim milk in such milk shall be classified as Class V–A, V–B, or V–C, except that if the milk is moved less than 65 miles from the plant where received from dairy farmers, the butterfat and skim milk shall be classified in accordance with (c), (d), (e), or (f) of this section.

(j) Butterfat which is moved in the form of cream or plain condensed milk from any plant to a plant outside the New England cream area, outside New York, outside New Jersey, and outside Pennsylvania, shall be classified as Class II–D, and the skim milk shall be classified as Class V–D unless such cream or plain condensed milk is moved into the marketing area, or unless such cream is subsequently moved into the special cream area, except that if such cream or plain condensed milk is shipped less than 65 miles from the plant where it was separated or condensed, the butterfat and skim milk shall be classified in accordance with (c), (d), (e), or (f) of this section.

(k) Butterfat which is moved in the form of cream or plain condensed milk to a plant in the New England cream area shall be classified as Class II–E, and the skim milk shall be classified as Class V–D unless such cream or plain condensed milk is moved into the marketing area or unless such cream is subsequently moved into the special cream area, except that if such cream or plain condensed milk is shipped less than 65 miles from the plant where separated or condensed, the butterfat and skim milk shall be classified in accordance with (c), (d), (e), and (f) of this section.

(l) Butterfat which is shipped in the form of fluid milk or cream, and not classified as Class I–A or Class I–B to a plant, the handling of milk at which is subject to another order issued pursuant to the act, shall be classified as Class II–D, if the area for which the other order is applicable is outside the New England cream area, or Class II–E if the area for which the other order is applicable is in the New England cream area, unless such milk or cream is moved into the marketing area or the special cream area. All butterfat leaving a plant regulated by another order issued pursuant to the act in the form of fluid milk shall be classified as Class I–B unless such milk enters the marketing area.

(m) Butterfat which is shipped from a plant in the form of frozen desserts or mix to a plant or a purchaser in New York City shall be classified as Class IV–A unless such frozen desserts or mix is shipped from the first plant in New York City where the butterfat is handled outside New York City and remains outside New York City. In the latter case, the butterfat shall be classified as Class IV–B.

(n) Butterfat which is shipped from a plant in the form of frozen desserts or mix to a plant or a purchaser outside New York City shall be classified in accordance with the classification applicable to butterfat in frozen desserts or mix leaving a plant in such location, unless such frozen desserts or mix is subsequently moved into New York City.

(o) For purposes of this section, mileage shall be the shortest highway mileage as determined from the latest mileage guide issued by the Household Goods Carriers' Bureau, Agent, Washington, D. C.

SEC. 3. *Method of accounting for and classifying butterfat received in various forms and classifying of butterfat lost.* Butterfat shall be accounted for in accordance with the method outlined in the paragraphs of this section and shall be classified in accordance with the form in which it is held at or moved from the plant in accordance with § 927.4 (c) of Order No. 27, except that butterfat moved from a plant in the form of milk, cream, plain condensed milk, and frozen desserts and mix may be classified as provided in section 2 in accordance with the form in which it is held at or moved from some other plant. Any deductions or additions required in any paragraph shall be made to the result obtained after all additions or deductions required in the preceding paragraphs have been made.

(a) Compute the total pounds of butterfat in the opening inventories in all forms and received at the plant in all forms. This shall be known as the total butterfat to be accounted for.

(b) Classify the butterfat leaving the plant and in the closing inventories as follows:

(1) Classify or summarize the classification at another plant of butterfat leaving the plant in the form of milk and classify or summarize the classification at another plant of butterfat in the closing inventories at the plant in the form of milk.

(2) Classify or summarize the classification at another plant of butterfat leaving the plant in the form of cream and classify or summarize the classification at another plant of butterfat in the closing inventories at the plant in the form of cream.

(3) Classify or summarize the classification at another plant of butterfat leaving the plant in the form of plain condensed milk and classify or summarize the classification at another plant of butterfat in the closing inventories at the plant in the form of plain condensed milk.

(4) Classify or summarize the classification at another plant of butterfat leaving the plant in the form of frozen desserts or mix and classify or summarize the classification at another plant of butterfat in the closing inventories at the plant in the form of frozen desserts or mix.

(5) Classify the butterfat leaving the plant and the closing inventories at the plant in other forms in accordance with § 927.4 (c) of Order No. 27.

(6) Add together the total butterfat in (1) through (5) of this paragraph. The total shall be known as the butterfat accounted for at the plant.

(c) Subtract the total butterfat accounted for from the total butterfat to be accounted for at the plant. This shall be known as the plant loss.

(d) Deduct butterfat in opening inventories or received in forms other than milk, cream, plain condensed milk, and frozen desserts and mix, from butterfat leaving the plant or in closing inventories at the plant in like forms to the extent possible.

(e) Deduct any remaining butterfat in opening inventories or received in forms other than milk, cream, plain condensed milk, frozen desserts and mix, sweetened condensed milk, whole milk powder, and butter from plant loss.

(f) Deduct the opening inventories of butterfat in the form of frozen desserts or mix from butterfat leaving the plant or in closing inventories at the plant in accordance with section 5.

(g) Deduct the butterfat received in the form of frozen desserts or mix pro rata from the remaining classes of frozen desserts or mix leaving the plant or in closing inventories at the plant. Deduct any remaining butterfat received in the form of frozen desserts or mix from plant loss.

(h) Add to the remaining butterfat in each class leaving the plant or in the closing inventories at the plant in the form of:

(1) Frozen desserts or mix, ____ percent;

(2) Bottled cream (which cream was bottled at the plant during the month), ____ percent;

(3) Cream cheese, ____ percent;

(4) Butter, ____ percent;

*Provided*, That, if such additions are greater than the remaining plant loss, they shall be reduced pro rata to the point where they are equal to the remaining plant loss. Such additions shall be deducted from plant loss.

(j) Deduct remaining butterfat in the opening inventories or received in the form of butter, sweetened condensed milk, and whole milk powder, pro rata from the remaining butterfat leaving the plant or in the closing inventories at the plant in the form of frozen desserts or mix. Deduct any remaining butterfat received in the form of butter, sweetened condensed milk, or whole milk powder from plant loss.

(k) Deduct the opening inventories of butterfat in plain condensed milk from butterfat leaving the plant or in closing inventories at the plant in accordance with section 5.

(l) Deduct the butterfat received in the form of plain condensed milk pro rata from the classification of butterfat leaving the plant or in the closing inventories in the plant in the form of plain condensed milk. Deduct any remaining butterfat received in the form of plain condensed milk pro rata from butterfat on hand at or leaving the plant in the form of frozen desserts, mix, evaporated milk, sweetened condensed milk, whole milk powder, or candy products. If any butterfat received in the form of plain condensed milk still remains, it shall be deducted from plant loss and classified as Class III–A.

(m) Deduct butterfat in the opening inventories or received in the form of manufacturing cream from remaining butterfat leaving the plant or in the closing inventories at the plant in the form of the following products and in the order in which such products are listed:

(1) Butter.
(2) Cream cheese.
(3) Other cheese (to the extent that cream is used in the manufacturing of such cheese).
(4) Frozen desserts and mix (pro rata, except none from frozen desserts or mix the butterfat in which is classified as Class IV–A).
(5) Sweetened condensed milk, evaporated milk, and milk powder (pro rata, to the extent that cream is used in the manufacture of such products).
(6) Frozen desserts and mix (the butterfat of which is classified as Class IV–A).
(7) Sour cream.

(n) Deduct butterfat in the opening inventories or received in the form of frozen cream from remaining butterfat leaving the plant or in the closing inventories at the plant in the following forms and in the order in which they are listed:

(1) Frozen cream.
(2) Sour cream (butterfat of which is classified as Class II–A).
(3) Frozen desserts or mix (butterfat of which is classified as Class IV–A).
(4) Butter.
(5) Cream cheese.
(6) Other cheese (to the extent that cream is used in the manufacturing of such cheese).
(7) Other frozen desserts and mix (pro rata).
(8) Sweetened condensed milk, evaporated milk, and milk powder (pro rata to the extent that cream is used in the manufacture of such products).
(9) Other cream.

(o) Deduct the opening inventories of butterfat in other cream from butterfat leaving the plant or in closing inventories at the plant in accordance with section 5.

(p) Deduct butterfat received in the form of other cream pro rata from remaining butterfat leaving the plant in the form of cream, frozen desserts, mix, butter, and, to the extent that cream is used in the manufacture of such products, from butterfat leaving the plant in the form of plain condensed milk, evaporated milk, sweetened condensed milk, milk powder, and cheese.

(q) Deduct any remaining butterfat received in the form of cream from plant loss and classify it as Class II–A.

(r) Add to the remaining butterfat leaving the plant or in the closing inventories at the plant in the form of:

(1) Cream, ____ percent;
(2) Plain condensed milk, ____ percent;
(3) Evaporated milk, ____ percent;
(4) Sweetened condensed milk, ____ percent;
(5) Milk powder, ____ percent;
(6) Frozen desserts or mix, ____ percent;
(7) Cream cheese, ____ percent;
(8) Butter, ____ percent;

*Provided*, That, if such additions are greater than the remaining plant loss, they shall be reduced pro rata to the point where they are equal to the plant loss. Deduct such additions from the plant loss.

(s) Deduct opening inventories of butterfat in the form of milk from butterfat leaving the plant or in closing inventories at the plant in accordance with section 5.

(t) Deduct butterfat received in the form of milk from other plants and deduct exempt butterfat from remaining butterfat leaving the plant or in closing inventories at the plant.

(u) Add to remaining butterfat in all classes __ percent: *Provided*, That, if such additions are greater than the remaining plant loss, they shall be reduced pro rata to the point where they are equal to the plant loss. Deduct such additions from the plant loss. Classify any remaining plant loss as Class I–A.

(v) Classification of butterfat deducted pursuant to (p) may be interchanged with the classification of butterfat deducted pursuant to (t) from the same products covered by (p) or with the classification of butterfat in receipts from dairy farmers classified on the basis of the products covered by (p): *Provided*, That, such interchange does not change the total classification of total pooled butterfat, or *Provided, That*, such interchange results in more pooled butterfat classified as Class I–A or Class II–A and less non-pooled butterfat being classified as Class I–A or Class II–A.

SEC. 4. *Allocation of pooled, non-pooled, and exempt butterfat and skim milk to butterfat and skim milk classes*—(a) *Milk.* If butterfat is received at a plant in the form of pooled, non-pooled or exempt milk, such butterfat shall be allocated to the several classes established pursuant to section 3 for the butterfat received in the form of milk as follows:

(1) Butterfat in non-pooled milk, including non-pooled milk from dairy farmers, shall be allocated pro rata as far as possible to the classes, except Class I–A and Class II–A, which have been established for butterfat received in the form of milk. Any remaining non-pooled butterfat shall be allocated to Class I–A and Class II–A butterfat.

(2) Butterfat in exempt milk shall be allocated after the allocation in (1) of this paragraph, pro rata to the remaining butterfat in the classes established for butterfat received in the form of milk.

(3) After the allocations in (1) and (2) of this paragraph, at the option of the handler or handlers involved, butterfat in pooled milk from other plants may be allocated to any of the remaining butterfat in the classes established for butterfat received in the form of milk.

(b) *Cream.* If pooled and non-pooled cream is received at a plant, the butterfat in the non-pooled cream shall be allocated pro rata as far as possible to the separate classes, except Class I–A and Class II–A, which have been established pursuant to section 3, for all of the butterfat received at that plant in the form of cream. Any excess butterfat in the non-pooled cream shall be allocated to Class I–A or to Class II–A. The butterfat received in the form of pooled cream from the separate sources may be allocated, at the option of the handler or handlers involved, to the remaining butterfat in the classes established for butterfat received in the form of cream.

(c) *Skim milk.* If pooled, non-pooled or exempt skim milk in the form of milk, cream, or fluid skim milk is received at a plant, the skim milk shall be allocated to the classes of skim milk at the plant as follows:

(1) The non-pooled skim milk shall be allocated pro rata as far as possible to Class V–B, Class V–C, and Class V–D. Any remaining non-pooled skim milk shall be allocated to Class V–A.

(2) The exempt skim milk shall be allocated pro rata to all classes of skim milk in the plant remaining after the allocation in (1) of this paragraph.

(3) Pooled skim milk from other plants may be allocated, at the option of the handler or handlers involved, to any of the classes of skim milk remaining after the allocations in (1) and (2) of this paragraph.

(d) *Plain condensed milk.* If pooled and non-pooled plain condensed milk is received at a plant, the butterfat in the non-pooled plain condensed milk shall be allocated pro rata to the separate classes which have been established pursuant to section 3 for all of the butterfat received at that plant in the form of plain condensed milk. The butterfat in the pooled plain condensed milk from the separate sources may be allocated to any remaining butterfat in the classes established for butterfat received in the form of plain condensed milk at the option of the handler or handlers involved.

(e) *Frozen desserts or mix.* If pooled and non-pooled frozen desserts or mix is received at a plant the butterfat in the pooled frozen desserts or mix shall be allocated to that part of the total butterfat received in the form of frozen desserts or mix which is classified as Class IV–A.

SEC. 5. *Inventories.* Closing inventories may be classified by the handler at the time for filing reports in accordance with § 927.6 (a) of Order No. 27 in the class in which he believes such inventories will be classified during the month following the receipt of such butterfat from dairy farmers. In classifying the butterfat received during the next month, the opening inventories of butterfat shall be deducted from the class or classes of butterfat, if any, leaving the plant, in which it was classified for the preceding month. If there is not sufficient butterfat in such class or classes leaving the plant, the remaining butterfat in the opening inventories shall be allocated by the market administrator at the time of audit to other classes on hand at or leaving the plant, and the audit for the previous month shall be adjusted accordingly. Butterfat in opening inventories of cream which must be allocated to butterfat in closing inventories of cream shall be classified as Class II–A. Butterfat in opening inventories of plain condensed milk that must be allocated to butterfat in closing inventories of plain condensed milk shall be classified as Class III–A. In classifying butterfat and in allocating classes of butterfat to the various sources, pursuant to sections 3 and 4, any opening inventories which are allocated to closing inventories shall be deducted pro rata from all classes of butterfat receipts. For the first month for which an audit must be made by the market administrator, opening inventories shall be treated as receipts of non-pooled product.

SEC. 6. *Conversion factors.* In the absence of specific weights or butterfat tests, the market administrator shall use the following conversion factors in determining weights and tests of products.

(a) *Weights.* Weights of products shall be as shown in the following table:

| Product | Unit | Net weight |
|---|---|---|
| Cream (11% butterfat) | 40-quart can | |
| Cream (12% butterfat) | 40-quart can | |
| Cream (13% butterfat) | 40-quart can | |
| Cream (14% butterfat) | 40-quart can | |
| Cream (15% butterfat) | 40-quart can | |
| Cream (16% butterfat) | 40-quart can | |
| Cream (17% butterfat) | 40-quart can | |
| Cream (18% butterfat) | 40-quart can | |
| Cream (19% butterfat) | 40-quart can | |
| Cream (20% butterfat) | 40-quart can | |
| Cream (21% butterfat) | 40-quart can | |
| Cream (22% butterfat) | 40-quart can | |
| Cream (23% butterfat) | 40-quart can | |
| Cream (24% butterfat) | 40-quart can | |
| Cream (25% butterfat) | 40-quart can | |
| Cream (26% butterfat) | 40-quart can | |
| Cream (27% butterfat) | 40-quart can | |
| Cream (28% butterfat) | 40-quart can | |
| Cream (29% butterfat) | 40-quart can | |
| Cream (30% butterfat) | 40-quart can | |
| Cream (31% butterfat) | 40-quart can | |
| Cream (32% butterfat) | 40-quart can | |
| Cream (33% butterfat) | 40-quart can | |
| Cream (34% butterfat) | 40-quart can | |
| Cream (35% butterfat) | 40-quart can | |
| Cream (36% butterfat) | 40-quart can | |
| Cream (37% butterfat) | 40-quart can | |
| Cream (38% butterfat) | 40-quart can | |
| Cream (39% butterfat) | 40-quart can | |
| Cream (40% butterfat) | 40-quart can | |
| Cream (41% butterfat) | 40-quart can | |
| Cream (42% butterfat) | 40-quart can | |
| Cream (43% butterfat) | 40-quart can | |
| Cream (44% butterfat) | 40-quart can | |
| Cream (45% butterfat) | 40-quart can | |
| Cream (46% butterfat) | 40-quart can | |
| Cream (47% butterfat) | 40-quart can | |
| Cream (48% butterfat) | 40-quart can | |
| Cream (49% butterfat) | 40-quart can | |
| Cream (50% butterfat) | 40-quart can | |
| Cream (51% butterfat) | 40-quart can | |
| Cream (52% butterfat) | 40-quart can | |
| Cream (53% butterfat) | 40-quart can | |
| Cream (54% butterfat) | 40-quart can | |
| Cream (55% butterfat) | 40-quart can | |
| Plain condensed milk | 40-quart can | |
| Evaporated milk | Case, tall cans | |
| Evaporated milk | Case, baby cans. | |
| Sweetened condensed milk | 40-quart can | |
| Mix | 40-quart can | |

(b) *Butterfat tests.* Butterfat tests of products shall be as shown in the following table:

| Product | Test (percent) |
|---|---|
| Cream (except New Jersey) (sold as cream) | 18 |
| Cream (New Jersey) (sold as cream) | 16 |
| Victory-mix | 11 |
| Plain condensed milk | 7 |
| Evaporated milk | 7.9 |
| Sweetened condensed milk | 8.5 |
| Cream cheese (sold as cream cheese) | 33 |
| Cream cheese (sold as Neufchatel) | 20 |
| Mix (except chocolate) | 10 |
| Mix (chocolate) | 8 |
| Butter (salt) | 80 |
| Butter (unsalted) | 82 |

SEC. 7. *Butterfat in byproducts.* (1) Butterfat on hand at or leaving the plant in the form of whey, whey cream, or whey butter, obtained from the manufacture of Cheddar cheese, shall be classified as Class III–C.

(2) Butterfat in byproducts of milk or milk products manufacturing or shipping operations except that classified pursuant to (1) of this section shall be considered plant loss. Such byproducts shall include but not be limited to fluid skim milk, skim powder, condensed skim milk, and rinsings.

SEC. 8. *Exceptional cases.* In the event that operations at a plant are such that, in the opinion of the market administrator, the provisions of these rules and regulations are not applicable, the market administrator shall make exceptions to such rules and regulations to fit the specific cases, pending a hearing to amend the rules and regulations, and such exceptions shall be binding until such time as the rules and regulations are amended. This provision does not prevent the handler from petitioning the War Food Administrator, pursuant to section 8 (c) 15 (A) of the act, for review of the exceptions to the rules by the market administrator.

Copies of this notice of hearing may be procured from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, in Room 1331 South Building, Washington, D. C., or may be there inspected.

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

JULY 14, 1944.

[F. R. Doc. 44–10443; Filed, July 14, 1944; 11:54 a. m.]

## Office of Distribution.

### ORDER ADMINISTRATOR AND MEAT ORDER REPRESENTATIVES

### DELEGATION OF AUTHORITY WITH RESPECT TO LIVESTOCK AND MEATS

Pursuant to the authority vested in me by War Food Order No. 75, as amended (8 F.R. 11119, 9 F.R. 4319, 5333, 5767), and to effectuate the purposes of that order and of War Food Order No. 75–1, as amended (8 F.R. 11327, 9 F.R. 4319, 5888), the following delegations of authority are hereby made, subject to such general instructions with respect to policy and procedure as may from time to time be issued by me or by the Deputy Director:

(a) *Order Administrator.* The Order Administrator and Alternate Order Administrator of War Food Order No. 75–1, are authorized, subject to the supervision of the Chief of the Livestock and Meats Branch, Office of Distribution, War Food Administration, to grant or deny petitions for relief from hardship submitted by any slaughterer, and with respect to all slaughterers designated as "national packers" by the said Livestock and Meats Branch:

(1) To issue licenses and deny applications for licenses; and

(2) To establish, assign, adjust and revise quotas or quota bases.

(b) *Meat Order Representatives.* Subject to the supervision of the Order Administrator, Meat Order Representatives of the Office of Distribution, War Food Administration, are authorized, with respect to custom slaughterers and all other slaughterers except national packers as referred to in (a) hereof:

(1) To issue licenses and permits, and deny applications for licenses and permits.

(2) To establish, assign, adjust and revise quotas or quota bases;

(3) To classify and reclassify slaughterers; and

(4) To grant or deny petitions for relief from hardship.

Nothing contained herein shall be construed to affect any power or authority vested in the Director of Distribution.

This delegation of authority supersedes the delegation of authority to the Order Administrator, regional directors, State supervisors, area supervisors, and County War Boards, issued under Food Distribution Order No. 75 on August 26, 1943 (8 F.R. 11893, 12161).

Issued this 15th day of July 1944.

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

[F. R. Doc. 44–10585; Filed, July 17, 1944; 11:17 a. m.]

## WAR PRODUCTION BOARD.

[Certificate 203, Amdt. 1]

### PRODUCERS OF PENICILLIN

### APPROVAL OF COLLABORATION IN EXCHANGE OF TECHNICAL INFORMATION

The ATTORNEY GENERAL:

Referring to Certificate No. 203 issued pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), on June 21, 1944 (7 F.R. 7036), concerning a proposal, described in 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, that certain named producers of penicillin, as well as others who might 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 from penicillium notatum and of any raw material or intermediate components of penicillin, I submit herewith a supplementary memorandum dated July 13, 1944,[1] proposing the addition to the group exchanging information of other producers of penicillin not listed in the earlier memorandum or falling within the classification of producers who might be added in accordance with the terms of that memorandum.

For the purposes of the statute cited, I approve the proposal described in the memorandum of June 5, 1944, as amended by the memorandum of July 13, 1944; 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.*

JULY 14, 1944.

[F. R. Doc. 44–10548; Filed, July 17, 1944; 10:33 a. m.]

[1] Not filed with the Division of the Federal Register.