

FEDERAL REGISTER



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Washington, Tuesday, October 24, 1944

The President

EXECUTIVE ORDER 9490

TRANSFER OF FUNCTIONS OF THE SECRETARY OF WAR AND THE SECRETARY OF THE NAVY UNDER SECTION 124 OF THE INTERNAL REVENUE CODE, TO THE CHAIRMAN OF THE WAR PRODUCTION BOARD

By virtue of the authority vested in me by Title I of the First War Powers Act, 1941 (55 Stat. 838), and as President of the United States, and in order to enable the Chairman of the War Production Board more effectively to carry out his responsibilities with respect to the regulation of production and supply of materials, articles, equipment, and services, required for the national defense, it is ordered as follows:

1. There are hereby transferred to the Chairman of the War Production Board all functions, powers, and duties, not heretofore transferred, of the Secretary of War and the Secretary of the Navy under (a) section 124 of the Internal Revenue Code, (b) regulations and all amendments thereof issued under such section, and (c) any Executive order relating to such section, including particularly, but not by way of limitation, the functions, powers, and duties with respect to amending necessity certificates issued pursuant to section 124 (f) of the Internal Revenue Code, and with respect to certification pursuant to section 124 (h) of the Internal Revenue Code.

2. So much as the Director of the Bureau of the Budget shall determine of the appropriations, allocations, and other funds available for, and of the records, property, and civilian personnel used primarily in, the administration of the functions, powers, and duties transferred by this order, shall be transferred from the War and Navy Departments to the War Production Board.

3. All prior Executive orders in conflict with this order are amended accordingly.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
October 20, 1944.

[F. R. Doc 44-16251; Filed, Oct. 21, 1944;
11:41 a. m.]

EXECUTIVE ORDER 9491

REGULATIONS GOVERNING THE ISSUANCE OF PAYMENT CERTIFICATES UNDER SECTION 124 (H) OF THE INTERNAL REVENUE CODE

WHEREAS the President of the United States is authorized by the provisions of section 124 (h) of the Internal Revenue Code to prescribe regulations governing the issuance of payment certificates under said section, and

WHEREAS the functions, powers and duties of the Secretary of War and the Secretary of the Navy with respect to such certificates have been transferred to the Chairman of the War Production Board by Executive order of this date:

NOW, THEREFORE, by virtue of the authority so vested in me as President, the following regulations are hereby prescribed:

1. *Definitions.* As used throughout these regulations—

a. "Emergency facility" means any facility, land, building, machinery, or equipment, or part thereof, the construction, reconstruction, erection, or installation of which was completed after December 31, 1939, or which was acquired after such date, and with respect to which a necessity certificate has been made pursuant to section 124 (f) of the Internal Revenue Code.

b. "Payment certificate" means a certificate made pursuant to section 124 (h) of the Internal Revenue Code.

c. "Certifying authority" means the Chairman of the War Production Board or his duly authorized representative.

d. "Contracting agency" means any Government agency which has been or hereafter may be authorized to make contracts pursuant to section 201 of the First War Powers Act, 1941, and includes the Reconstruction Finance Corporation and any corporation organized pursuant to the Reconstruction Finance Corporation Act (47 Stat. 5), as amended, the Smaller War Plants Corporation, and the War Production Board.

2. *Circumstances under which a Payment Certificate may be issued.* The certifying authority may issue a payment certificate when it is determined that a payment has been made by the United States with respect to an emergency facility, as compensation to the taxpayer

✓ Read

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NOTICE

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

- Book 1: Titles 1-3 (Presidential documents) with tables and index.
- Book 2: Titles 4-9, with index.
- Book 3: Titles 10-17, with index.
- Book 4: Titles 18-25, with index.
- Book 5, Part 1: Title 26, Parts 2-178.
- Book 5, Part 2: Title 26, completed; Title 27; with index.
- Book 6: Titles 28-32, with index.

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for the unamortized cost of the emergency facility because—

a. A contract with the United States involving the use of the facility has been terminated by its terms or by cancellation, or.

b. The taxpayer had reasonable grounds (either from provisions of a contract with the United States involving the use of the facility, or from written or oral representations made under authority of the United States) for anticipating future contracts involving the use of the facility, which future contracts have not been made.

3. *Procedure.* The certifying authority is empowered to obtain a certified statement from the officer of the contracting agency who authorized the payment (or his successor in office or duly authorized representative) as proof of—

a. the date of payment,
b. the amount of payment,
c. the facility for which the payment was made, and

d. the fact that the payment was made as compensation for the unamortized cost of an emergency facility for one of the reasons stated in paragraph 2 hereof.

4. *Administrative matters.* The certifying authority may from time to time issue supplemental rules relating to payment certificates, including rules with respect to the form of application, the time and place of filing, and other administrative matters pertaining to such certificates.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
October 20, 1944.

[F. R. Doc. 44-16252; Filed, Oct. 21, 1944;
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Regulations

TITLE 10—ARMY: WAR DEPARTMENT Chapter III—Claims and Accounts

PART 308—ALLOTMENTS OF PAY

Sections 308.1 to 308.7 inclusive are rescinded and the following §§ 308.1—308.11 are substituted therefor: The regulations contained in §§ 308.1 to

308.11 are also contained in AR 35-5520, 30 September 1944.

Sec.	
308.1	Definitions.
308.2	Eligible allottees.
308.3	Eligible allottees and authorized purposes.
308.4	Power of attorney.
308.5	Pay which can be allotted.
308.6	Allotment offices.
308.7	Payment to allottees in foreign countries.
308.8	Commencing date.
308.9	Allotments to joint bank accounts.
308.10	Effect of certain changes in status on class E, D, and N allotments.
308.11	Missing, missing in action, beleaguered, besieged, interned in a neutral country, or captured by enemy.

AUTHORITY: Sec. 16, 30 Stat. 981; 40 Stat. 384; 52 Stat. 354; 10 U. S. C. 894 [AR 35-5520, 30 September 1944].

§ 308.1 Definitions—(a) Allotment.

The word "allotment" as used herein, refers to a definite portion of the pay and allowances of a person in the military service, active or retired, or of a civilian employee of the War Department assigned for duty in Alaska or outside the continental limits of the United States, which is authorized to be paid to an allottee in a manner prescribed by the Secretary of War.

(b) *Class E allotment.* An allotment made to an individual, a fiduciary, a banking institution, or a commercial life insurer is designated as a "class E" allotment.

(c) *Class D allotment.* An allotment made for the payment of premiums on United States Government life insurance is designated as a "class D" allotment.

(d) *Class N allotment.* An allotment made for the payment of premiums on National Service life insurance is designated as a "class N" allotment.

(e) *Class B allotment.* An allotment made for the purchase of United States Savings Bonds is designated as a "class B" allotment.

(f) *Allotter.* The "allotter" is the person from whose pay the allotment is made, either by himself, or by another on his account.

(g) *Allottee.* The "allottee" is the person or institution to whom the allotment is made payable.

(h) *Alternate allottee.* The "alternate allottee" is the person or institution to whom the allotment is to be paid in the event of the death of the first-named allottee, or if the first-named allottee refuses the allotment or becomes physically or mentally incapable of transacting business, or if the first-named allottee is an institution and it ceases to transact business or is otherwise unable to accept the allotment. "Alternate allottee" is applicable only to class E allotments.

(i) *Dependent.* The term "dependent" as used herein includes a lawful wife, unmarried child under 21 years of age, a dependent mother, father, or unmarried dependent stepchild or adopted child under 21 years of age, or such dependent as has been designated in official records, or an individual determined to be a dependent by the Secretary of War or by a subordinate designated by him.

§ 308.2 *Eligible allottees—(a) Military personnel.* Commissioned officers and

others who certify their own pay vouchers, and enlisted persons, active or retired, and commissioned officers of other services or departments who may be detailed or assigned to the War Department and who are carried on War Department pay rolls, wherever serving, may make allotments of pay.

(b) *Civilian personnel.* Civilian employees of the War Department who have National Service life insurance or United States Government life insurance may make class D and N allotments to pay for such insurance, during such time as they may be assigned for duty outside the continental United States or in Alaska. Civilian employees of the War Department may make class E allotments during such time as they may be assigned to duty outside the continental limits of the United States or in Alaska. They may make class B allotments when stationed where the Class A Pay Reservation Plan for the purchase of United States Savings Bonds is not in effect.

§ 308.3 *Eligible allottees and authorized purposes*—(a) *Class E allotments.* The following are eligible for designation as allottees for class E allotments:

(1) An individual, for the support of the allotter's family, dependent relative, or divorced wife.

(2) A fiduciary (person or institution acting in a capacity of trust or confidence) for the support of the allotter's family, dependent relative, or divorced wife, or for contribution to a retirement fund.

(3) A banking institution in any country where payment in United States currency is not blocked, for the support of the allotter's family, dependent relatives, divorced wife, or for savings, including a checking account provided the allotter has made satisfactory arrangements with the bank for acceptance of the allotment.

(4) A commercial life insurer for the payment of premiums for insurance on the life of the allotter, or for repayment of loans or interest thereon. All payments to an insurer will be made to the home office of the institution issuing the insurance.

(5) Federal savings and loan association, and State building and loan associations which are members of the Federal Home Loan Bank System.

(b) *Class D and N allotments.* The Veterans' Administration, Washington, D. C., will in all cases be designated as allottee for class D or N allotments.

§ 308.4 *Power of attorney.* A power of attorney will not be accepted to establish a new allotment or to change or discontinue an existing allotment.

§ 308.5 *Pay which can be allotted*—(a) *Commissioned officers.* A commissioned officer, or other person who certifies his own pay voucher, may allot his base and longevity pay, monthly subsistence allowance based on a 30-day month, rental allowance, foreign service pay, and any additional pay for distinguished service awards, but no amount in excess of the total thereof. Other items of pay may be allotted only in case of a person officially reported as missing, missing in action, interned in a neutral coun-

try, captured by an enemy, beleaguered, or besieged.

(b) *Enlisted personnel.* An enlisted person may allot so much of his base, longevity, and foreign service pay, additional pay for distinguished service awards, and monetary allowance in lieu of quarters for dependents as will leave, after class F and other deductions have been made, a monthly balance of \$10, or such other amount as may be determined by his commanding officer to be necessary to meet his essential personal needs. Other items of pay may be allotted only in case of a person who is officially reported as missing, missing in action, interned in a neutral country, captured by an enemy, beleaguered, or besieged.

(c) *Civilian employees.* An eligible civilian employee may allot any amount not in excess of his basic salary, less retirement deductions, and Federal withholding tax. Per diem and other allowances may not be allotted.

§ 308.6 *Allotment offices*—(a) *Class E allotments.* Class E allotments are processed by the Office of Dependency Benefits, Class E Allotment Division, 213 Washington Street, Newark 2, New Jersey.

(b) *Class D and N allotments.* Class D and N allotments are processed by the Office of Special Settlement Accounts, Government Insurance Allotment Division, 27 Pine Street, New York 5, New York.

§ 308.7 *Payment to allottees in foreign countries.* Payment of class E allotments will be made to allottees residing in foreign countries as follows:

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

(b) In local currency by appropriate disbursing officers (or by military attache where there is no disbursing officer) in the theater or country or residence of the allottee, where payment in United States currency is blocked by Treasury Department regulations. In this instance disbursing officers will receive from the Fiscal Director, Army Service Forces, properly certified vouchers on which payment will be made, together with appropriate instructions.

(c) Allotments to dependents having residence in countries where payment is blocked in all currencies, are unauthorized, except where allotments are required under provisions of AR 35-4520 in the case of enlisted men continuing to receive monetary allowances in lieu of quarters for dependents after 1 November 1943. In such cases, allotments will be accepted and processed, but the checks will be drawn to the order of the allottees and will be sent to the Treasury Department where the proceeds will be held in trust until claimed at a later date.

§ 308.8 *Commencing date*—(a) *Class E allotments.* Ordinarily, class E allotments will be made effective the first of the month following that in which the authorization form is executed. In an emergency, or when a class E allotment

is required in order to pay monetary allowance in lieu of quarters for dependents, an allotment authorization made retroactive to a previous date will be accepted. A class E allotment will not be made effective with the month in which an officer or enlisted person enters on duty except when an enlisted person is commissioned, or appointed a warrant officer, or when a warrant officer is commissioned. A class E allotment will always commence as of the first day of the month in which it is to be effective; for example, for an allotment to be effective in February, it will commence 1 February. The first pay deduction will be made from the pay for February, and the allotment office will make the first payment shortly after the end of that month.

§ 308.9 *Allotments to joint bank accounts.* Class E allotments to joint bank accounts are acceptable provided the allotter has made satisfactory arrangements with the bank for acceptance of the allotment. In such case, checks will be drawn to the order of the bank for the credit of only one of the two individuals in whose name the account has been established. Therefore, the authorization will bear the name of only one of the individuals to whose credit the allotment will be made. Care must be exercised that the full and correct name, branch, if any, and address of the banking institution where the account is maintained are given.

§ 308.10 *Effect of certain changes in status on class E, D, and N allotments*—(a) *Death of allotter.* Allotments are in the nature of powers of attorney, which are revoked by the death of the allotter. No further payment of an allotment will be made after receipt of advice of the allotter's death, even though it is known that deductions were made from the allotter's pay and not paid to the allottee. Such amounts become a part of the estate of the allotter. See 10 Comp. Dec. 208, 26 id. 855. Deaths of allotters occurring outside the continental limits of the United States or in Alaska will be reported to the allotment offices by the Adjutant General. Allotments of personnel who die in the United States will be discontinued as provided in AR 35-5560.¹

(b) *Death of allottee.* Upon receipt of information of the death of any person to whom an allotment is payable when there is no alternate allottee, the allotment office will discontinue the allotment and report the death of the allottee through his commanding officer giving the date of discontinuance. When an allotment check, even though indorsed, is not collected or negotiated prior to the death of the allottee, the amount thereof does not become a part of the allottee's estate or subject to any expense incurred by, or on behalf of, the allottee before or after death. See 26 Comp. Dec. 855. All such checks should

¹ Administrative regulations of the War Department relative to notification to allotment office upon death, discharge, release from active duty, or retirement occurring in the United States.

be returned to the allotment office. Unless the allotter has been separated from the service and has received final payment, the allotment office will, upon receipt of the returned check, give authority to credit the amount on the current pay roll or pay voucher.

(c) *Desertion and dishonorable discharge.* Allotments of pay do not give a vested right to the money allotted, and an allottee is not entitled to be paid the amount of an allotment made by a person who deserted or who was dishonorably discharged with forfeiture of all pay and allowances before payment of the allotment could be made. If the allottee failed to collect or negotiate the allotment checks prior to the dismissal or dishonorable discharge of the allotter from the service with forfeiture of all pay and allowances then due, payment of the allotment is not authorized. If, however, payment to the allottee was made between the date of commencement of the unauthorized absence and the date when the allotter was reported as a deserter, the amount so paid should be allowed as an offset in settling the allotter's accounts.

(d) *Honorable discharge or relief from active duty.* When an allotter is honorably discharged or relieved from active duty within the continental United States (excluding Alaska) his allotments will be discontinued as outlined in AR 35-5560.¹

(e) *Retirement.* A person entering upon a retired status may, if he desires, continue class E allotments for commercial life insurance and also Class D and N allotments. However, on retirement, all allotments will be discontinued in accordance with the procedure outlined in AR 35-5560.

§ 308.11 Missing, missing in action, beleaguered, besieged, interned in a neutral country, or captured by the enemy—
(a) *Notification to dependents.* Whenever any person is officially reported to be missing, missing in action, beleaguered, besieged, interned in a neutral country, or captured by the enemy (but not when change occurs from one such status to another) the emergency addressee shall be promptly informed, by the office designated to do so, of the beneficial provisions of the act of 7 March 1942 (56 Stat. 145) as amended, of the regulations governing allotments from pay of such persons, of the information required in or to accompany allotment applications, and of the name and address of the allotment office to which applications should be directed. The emergency addressee will be requested to notify interested relatives and dependents of the benefits and to advise insurers, or other persons who may have knowledge of life insurance premiums that should be paid by allotment, to communicate information thereof to the allotment office.

(b) *Accounts.* The pay and allowance accounts of persons absent in a missing

¹ Administrative regulations of the War Department relative to notification to allotment office upon death, discharge, release from active duty, or retirement occurring in the United States.

status are set up and maintained in the Office of Special Settlement Accounts, 27 Pine Street, New York 5, N. Y. During the period of absence there are credited the pay and allowances due, and for the same period there are charged against such pay and allowances all allotments paid on account of the absent person and all prescribed deductions from pay for family allowances paid on his account. Allotment payments so charged shall be recrated in any case in which it is determined by the Secretary of War, or by such subordinate as he may designate, that such payments were induced by fraud or misrepresentation to which the absent person was not a party.

(c) *Effective date of allotments.* Such allotments will ordinarily be made effective for the month in which they are granted.

(d) *Termination of absence.* When the absence of any person in a missing status is terminated by death or finding of death, all allotment and allowance payments will be discontinued and the account closed for settlement. When any such status is terminated by a return to the controllable jurisdiction of the War Department, the person will be advised of the allotments and family allowances in effect which constitute a charge to his account and will be afforded an opportunity to execute such changes therein as he desires. In the absence of discontinuance or changes by him, the allotments and allowances continued or established during the period of his absence will continue in effect.

[SEAL]

J. A. Ulio,
Major General,
The Adjutant General.

[F. R. Doc. 44-16209; Filed, Oct. 20, 1944;
4:55 p. m.]

TITLE 20—EMPLOYEES' BENEFITS

Chapter I—United States Employees' Compensation Commission

Subchapter A—United States Employees' Compensation Act

[Administrative Order 1, Amdt.]

SOUTHWEST PACIFIC THEATER OF OPERATIONS

AUTHORIZATION OF LOCAL PAYMENTS OF BENEFITS

By virtue of the authority vested in the United States Employees' Compensation Commission by the Employees' Compensation Act of September 7, 1916, as amended (sec. 42, 56 Stat. 725; 5 U.S.C. Sup. 793), the Office of the Coordinator of Inter-American Affairs and its corporations in South America are authorized to arrange and provide for the initial furnishing of medical and other benefits as authorized by section 9 of such act of September 7, 1916, as amended, and pursuant to the regulations of the Commission promulgated thereunder (20 CFR, Chapt. I, Subchapter A), and such supplementary instructions as may from time to time be issued by the Commission, in cases of civilian employees of the United States, employees under such Coordinator, who are injured while in the performance of their

duties for the United States in employment in the Southwest Pacific Theater of Operations.

As used herein the phrase "to process claims" means (1) to receive, assemble, and file reports of injury, medical reports, reports of investigation, and other papers relating to cases of injury; (2) to make investigations and to secure necessary supplementary information in connection with cases or claims; (3) to obtain medical examinations; (4) to arrange for medical, surgical, and hospital services and supplies in the treatment and care of employees in disability cases; (5) to examine and adjudicate claims for compensation in injury cases, including making of findings of fact and award; (6) to prepare vouchers for local disbursement of benefits and local payment of medical and other expenses; (7) to review cases for readjustment of compensation.

As used herein the phrases "to make initial payments of compensation" and "to furnish other benefits initially" means the payment of compensation in cases of injury, and the furnishing of any other benefits provided for by such act, except compensation for death, for a period not to exceed 180 days.

The action of the Foreign Claims Commission in any case, and the payments made under this authority, are subject to final review by the Commission and readjustment if found necessary.

Order approved by the Commission March 5, 1943, as amended October 20, 1944.

WILLIAM McCauley,
Secretary.

[F. R. Doc. 44-16276; Filed, Oct. 23, 1944;
9:37 a. m.]

[Administrative Order 5, Amdt.]

CERTAIN EMPLOYEES IN SOUTH AMERICA

AUTHORIZATION TO FURNISH MEDICAL BENEFITS

By virtue of the authority vested in the United States Employees' Compensation Commission by the Employees' Compensation Act of September 7, 1916, as amended (sec. 42, 56 Stat. 725; 5 U.S.C. Sup. 793), the Office of the Coordinator of Inter-American Affairs and its corporations in South America are authorized to arrange and provide for the initial furnishing of medical and other benefits as authorized by section 9 of such act of September 7, 1916, as amended, and pursuant to the regulations of the Commission promulgated thereunder (20 CFR, Chapt. I, Subchapter A), and such supplementary instructions as may from time to time be issued by the Commission, in cases of civilian employees of the United States, employees under such Coordinator, who are injured while in the performance of their

duties for the United States in employment in South America.

As used herein, the phrase "to arrange and provide for the initial furnishing of medical and other benefits as authorized by section 9" of such act, means the furnishing of such medical benefits within a period not to exceed 90 days after date of injury.

The action of the Office of the Coordinator of Inter-American Affairs and its

corporations under this authority, is subject to final review by the Commission.

Order approved by the Commission October 20, 1944.

WILLIAM McCUALEY,
Secretary.

[F. R. Doc. 44-16277; Filed, Oct. 23, 1944;
9:37 a. m.]

TITLE 22—FOREIGN RELATIONS

Chapter III—Proclaimed List of Certain Blocked Nationals

[Cumulative Supp. 2, Oct. 20, 1944 to Revision VIII of Sept. 13, 1944]

ADMINISTRATIVE ORDER

By virtue of the authority vested in the Secretary of State, acting in conjunction with the Secretary of the Treasury, the Attorney General, the Secretary of Commerce, the Administrator of Foreign Economic Administration, and the Coordinator of Inter-American Affairs, by Proclamation 2497 of the President of July 17, 1941 (6 F.R. 3555), Cumulative Supplement 2 containing certain additions to, amendments to, and deletions from The Proclaimed List of Certain Blocked Nationals, Revision VIII of September 13, 1944 (9 F.R. 11389), is hereby promulgated.¹

By direction of the President:

[SEAL] CORDELL HULL,
Secretary of State.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

FRANCIS BIDDLE,
Attorney General.

JESSE H. JONES,
Secretary of Commerce.

LEO T. CROWLEY,
Administrator, Foreign
Economic Administration.

NELSON A. ROCKEFELLER,
Coordinator of Inter-American Affairs.

OCTOBER 20, 1944.

[F. R. Doc. 44-16259; Filed, Oct. 21, 1944;
2:28 p. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter E—Administrative Provisions Common to Various Taxes

[T. D. 5409]

PART 473—PERIOD OF LIMITATIONS IN CASE OF RELATED TAXES UNDER CHAPTER 1 AND CHAPTER 2 OF THE INTERNAL REVENUE CODE

Regulations prescribed under section 3807 of the Internal Revenue Code, as added by section 513 of the Revenue Act

¹ Filed with the Division of the Federal Register in the National Archives. Requests for printed copies should be addressed to the Federal Reserve Banks or the Department of State.

of 1943, relating to period of limitations in case of related taxes under chapter 1 and chapter 2 of the Internal Revenue Code.

Sec.

- 473.0 Numbering of sections.
- 473.1 Purpose and scope of section 3807.
- 473.2 Tax previously determined.
- 473.3 The same taxable year.
- 473.4 Extension of period of limitations.
- 473.5 Types of adjustments permissible under section 3807.
- 473.6 Ascertainment of amount of increase or decrease.
- 473.7 Application to affiliated groups.

AUTHORITY: §§ 473.0 to 473.7, inclusive, issued under sec. 3791, Internal Revenue Code, 53 Stat. 467; 26 U.S.C. 1940 ed. 3791; and sec. 513, Revenue Act of 1943, Pub. Law 235, 78th Cong.

Section 513 of the Revenue Act of 1943 provides as follows:

SEC. 513. PERIOD OF LIMITATIONS IN CASE OF RELATED TAXES UNDER CHAPTER 1 AND CHAPTER 2.

(a) *In general.* The Internal Revenue Code is amended by inserting at the end of Chapter 38 a new section to read as follows:

SEC. 3807. PERIOD OF LIMITATIONS IN CASE OF RELATED TAXES UNDER CHAPTER 1 AND CHAPTER 2.

(a) *Definitions.* As used in this section—
(1) The term "tax previously determined" shall have the meaning assigned to such term by section 3801 (d).

(2) The term "the same taxable year" shall include any taxable year which coincides in whole or in part with the taxable year for which the determination referred to in subsection (b) is made.

(b) *Extension of period of limitations.* If—

(1) under a determination in respect of a tax imposed by Chapter 1 or Chapter 2, a deficiency is assessed or a credit or refund of an overpayment is allowed, within the period of limitations properly applicable thereto, and

(2) the application of the law or facts determined in the ascertainment of such deficiency or overpayment to any other such tax of the taxpayer under Chapter 1 or Chapter 2 for the same taxable year would result in an increase or decrease in the amount of the tax previously determined in respect of such other tax, and

(3) on any date prior to the expiration of one year from the assessment of a deficiency or the allowance of a credit or refund in respect of the tax referred to in paragraph (1), the assessment of a deficiency or the allowance of a credit or refund in respect of the tax referred to in paragraph (2) is prevented (except for the provisions of section 3801 or 734) by the operation (whether before, on, or after the date of enactment of the Revenue Act of 1943) of any law or rule of law other than this section and other than section 3761 (relating to compromises),

then upon such date the increase or decrease in the tax referred to in paragraph (2) shall be considered a deficiency or an overpayment, as the case may be. Such deficiency may be assessed and collected or such overpayment may be credited or refunded as if on the date the deficiency is assessed or the credit or refund allowed in respect of the tax referred to in paragraph (1) one year remained before the expiration of the periods of limitation upon assessment or filing claim for refund in respect of the tax referred to in paragraph (2) for the same taxable year.

(c) *Adjustment unaffected by other items, etc.* In determining whether an increase or decrease in the amount of the tax previously determined shall be considered to result

from the application of the law or facts under a determination referred to in subsection (b) (1) changes shall be made in items which are the subject of such determination and in items which are affected thereby, and in no others. The amount which may be assessed or allowed as a credit or refund under subsection (b) shall not be diminished by any credit or set-off based upon any item which was not the subject of such determination or affected thereby. Such amount, if paid, shall not be recovered by a claim or suit for refund or suit for erroneous refund based upon any item which was not the subject of such determination or affected thereby, except in connection with a subsequent application of this section.

(d) *Application to affiliated groups.* As used in subsection (b) the term "any other such tax of the taxpayer" shall, if the taxpayer was a member of an affiliated group, also include any other such tax of any other member of the group.

(b) *Taxable years to which applicable.* The amendment made by this section shall apply to taxable years beginning after December 31, 1939.

Pursuant to the above-quoted provisions of the Revenue Act of 1943, the following regulations are hereby prescribed:

§ 473.0 *Numbering of sections.* Inasmuch as these regulations constitute Part 473 of Title 26 of the 1944 Supplement to the Code of Federal Regulations, each section of the regulations bears a number beginning with 473 and a decimal point. References to sections preceded by "473" are references to sections of these regulations. References to sections not preceded by "473" and references to chapters are references to sections and chapters of the Internal Revenue Code unless otherwise expressly indicated.

§ 473.1 *Purpose and scope of section 3807.* Section 3807 provides for an adjustment under the circumstances specified in section 3807 (b) with respect to any tax imposed by chapter 1 or chapter 2 when one or more provisions of law, such as the statute of limitations, or one or more rules of law, such as res judicata, would otherwise prevent such adjustment. Section 3807 and these regulations are applicable to taxable years beginning after December 31, 1939.

§ 473.2 *Tax previously determined.* For purposes of section 3807, the term "tax previously determined" shall have the meaning assigned to such term by section 3801 (d).

§ 473.3 *The same taxable year.* For purposes of section 3807, the term "the same taxable year" includes any taxable year which coincides in whole or in part with the taxable year for which the determination specified in section 3807 (b) is made.

§ 473.4 *Extension of period of limitations.* If as a result of a determination (including a determination under section 124, 3801, 3806, or 3807 itself) in respect of any tax imposed by chapter 1 or chapter 2 (hereinafter referred to as "the first tax") a deficiency is assessed or a credit or refund of an overpayment of such tax is allowed, within the period of limitations properly applicable there-

to, certain adjustments described in § 473.5 may be made in certain instances for the same taxable year in respect of any other tax of the same taxpayer imposed by chapter 1 or chapter 2. If (1) the application of the law or facts which were the subject of such determination to any other tax imposed by chapter 1 or chapter 2 of the same taxpayer for the same taxable year would result in an increase or decrease in the amount of such other tax as previously determined, and if (2) on the date such deficiency in respect of the first tax was assessed, or credit or refund allowed, or at any time within one year from such date, the assessment of a deficiency, or the allowance of a credit or refund, as the case may be, in respect of such other tax is prevented (except for the provisions of section 3801 or 734) by the operation of any provision of law or rule of law (other than section 3807 or section 3761, relating to compromises), then upon the date the deficiency was assessed, or credit or refund allowed, in respect of the first tax the increase or decrease specified in (1) of this sentence in such other tax shall be considered a deficiency or any overpayment, as the case may be, in respect of such other tax. Such deficiency may be assessed and collected, or credit or refund of such overpayment allowed, as if on the date the deficiency is assessed, or credit or refund allowed, in respect of the first tax one year remained before the expiration of the period of limitations upon assessment, or filing claim for refund of overpayment, of the tax in respect of which the increase or decrease is determined.

All provisions of law, for example, the suspension of the running of the statute of limitations under the provisions of section 277 in case a statutory notice of deficiency is sent to the taxpayer, not inconsistent with the provisions of section 3807, will be applicable to the assessment of such increase or the refunding of such decrease. Such increase may be assessed, or decrease refunded, notwithstanding any provision of law, such as section 272 (f) or 322 (c), or any rule of law, e. g., *res judicata*, other than section 3807 itself or section 3761, relating to compromises.

Any increase determined under section 3807 may be assessed and collected, or any decrease may be credited or refunded, even though no deficiency, as defined in section 271, or no overpayment, as the case may be, in respect of the given tax for the given taxable year would be found to exist were consideration permitted of all the factors which enter into the computation of the tax liability for the given taxable year, including those items in which no change may be made under the provisions of section 3807 (c). If an assessment or a refund, as the case may be, is permissible during all or part of the above one-year period without regard to section 3807, then on any date during such period on which an assessment or a refund could be made or allowed without regard to section 3807 only such an amount may be assessed as a deficiency or allowed as a credit or refund as could be assessed or allowed without regard to the provisions of section 3807. If an as-

essment or refund could be made or allowed without regard to section 3807 during part of such one-year period and not during the remainder of such period, any increase or decrease determined under section 3807 may be assessed or credited or refunded during such remainder of the one-year period without regard to whether or not any deficiency, as defined in section 271, or any overpayment, as the case may be, in respect of the given tax for the given taxable year would be found to exist were consideration permitted of all the factors which enter into the computation of the tax liability for the given taxable year, including those items in which no change may be made under the provisions of section 3807 (c).

If a deficiency has been assessed, or a credit or refund allowed, in respect of any tax imposed by chapter 1 or chapter 2, the adjustments permitted under section 3807 may be made even though such assessment or such credit or refund is made or allowed pursuant to a determination prior to the time such determination becomes final.

The extension of the period of limitations upon making an assessment, or allowing a refund, under the provisions of section 3807 may be illustrated by the following example:

Example. Corporation X on March 15, 1941 filed a return and paid a tax as a personal holding company for the calendar year 1940. The period of limitations provided in section 322 upon filing a claim for refund of such personal holding company tax expired on March 15, 1944. The Commissioner within the applicable period of limitations asserted a deficiency against Corporation X in respect of the excess profits tax for such taxable year. On March 1, 1946, it was determined under a decision of The Tax Court of the United States that Corporation X was not a personal holding company and was therefore subject to excess profits tax. Such excess profits tax was assessed on May 1, 1946. Under the provisions of section 3807 Corporation X may file a claim for refund of the personal holding company tax which it paid, or credit or refund may be allowed or made if no claim is filed, as if the period of limitations upon filing claim for credit or refund, or the allowing of credit or refund if no claim is filed, did not expire until May 1, 1947.

§ 473.5 Types of adjustments permissible under section 3807. If as a result of a determination in respect of any tax imposed by chapter 1 or chapter 2 (hereinafter referred to as "the first tax") a deficiency is assessed, or a credit or refund of an overpayment of such tax is allowed, within the period of limitations properly applicable thereto, adjustments which may be made for the same taxable year in respect of any other tax (hereinafter referred to as "the second tax") of the same taxpayer imposed by chapter 1 or chapter 2 include the following:

(a) The item, or items, which was the subject of the determination in respect of the first tax shall be treated in conformity with such determination in computing the amount of income subject to the second tax;

(b) If the first tax is allowable as a deduction in computing the amount of income subject to the second tax, or if the income subject to the first tax is a

credit against net income for purposes of computing the amount of income subject to the second tax, the amount which may be deducted or credited, as the case may be, shall be the amount of the first tax paid or accrued, or the amount of income subject to the first tax, as the case may be, determined after making the adjustments in the first tax resulting from the determination specified in (a); and

(c) In computing any deduction or credit which is limited to or by net income or the amount of income from property, the amount to or by which such deduction or credit is limited shall be the net income or the amount of income from property computed after making the adjustments specified in (a) and (b).

The adjustments permissible under section 3807 may be illustrated by the following example:

Example. Assume that Corporation X, which makes its income and excess profits tax returns on the calendar year basis, filed returns on March 15, 1942 for the year 1941 showing a net income of \$1,500,000 before taking into account the deduction for contributions, a net income of \$1,425,000 after taking such deduction into account, and an excess profits tax of \$1,000,000. Corporation X made charitable contributions of \$100,000 in 1941, and deducted 5 percent of \$1,500,000, or \$75,000, in respect of such contributions in computing its normal tax net income and its surtax net income. On March 1, 1944 a deficiency in income tax due to an adjustment in respect of long-term capital gains was assessed pursuant to a decision of The Tax Court of the United States which had become final. This adjustment did not affect the excess profits tax since long-term capital gains are not subject to such tax.

In computing its net income, Corporation X deducted from gross income an amount of \$100,000 as depreciation on a given property. It was later determined that the correct amount which should have been deducted for such depreciation is \$50,000. A deficiency of \$30,000 in excess profits tax was assessed pursuant to such determination on March 1, 1945. The following adjustments may be made under section 3807 in respect of Corporation X's income tax, i. e., normal tax and surtax, for the year 1941:

(1) \$50,000 instead of \$100,000 shall be allowed as a deduction for depreciation in computing normal tax net income and surtax net income;

(2) \$1,030,000 instead of \$1,000,000 shall be allowed as a deduction for excess profits tax paid or accrued in computing normal tax net income and surtax net income; and

(3) \$76,000, or 5 percent of \$1,520,000, shall be allowed as a deduction for contributions.

Corporation X's normal tax net income and surtax net income each is therefore to be increased by \$19,000 (i. e., \$50,000 less \$30,000 less \$1,000), and the increase in normal tax and surtax computed on the basis of such increased normal tax net income and surtax net income over the amount of normal tax and surtax previously determined is to be considered a deficiency under the provisions of section 3807. The amount of such increase shall be determined and shall be assessed in accordance with the provisions of section 3807 (b) and (c) and of §§ 473.4 and 473.6.

Section 3807 may operate several times upon the same tax and, likewise, may operate simultaneously upon several taxes. However, an adjustment under the provisions of section 3807 in respect of any tax for a given taxable year does

not of itself authorize an adjustment in any tax for any prior or subsequent taxable year by reason of a carry-over or a carry-back of a net operating loss or of an unused excess profits credit or a carry-over of a net capital loss from the given taxable year to such prior or subsequent taxable year. Adjustments in such prior or subsequent taxable year may be made only if the assessment of a deficiency or the allowing of a credit or refund, as the case may be, in the case of such prior or subsequent taxable year, is not prevented by the operation of any law or rule of law.

§ 473.6 Ascertainment of amount of increase or decrease. The tax previously determined must be recomputed to ascertain the increase or decrease in tax, if any, resulting from the adjustments specified in section 3807 (b) and in § 473.5. The difference between the tax previously determined and the tax as recomputed after such adjustments have been made will be the amount of the increase or decrease. In recomputing the tax previously determined to ascertain whether any increase or decrease in the amount of the tax previously determined shall be considered to result from the adjustment specified in section 3807 (b) and in § 473.5, only those items which were the subject of the determination specified in section 3807 (b) (1) and in § 473.4 or which were affected by such determination, and no other items, shall be considered in making such recomputation. If the treatment of any item upon which the tax previously determined was based, or if the application of any provision of the internal revenue laws with respect to such tax depends upon the amount of income or the amount of income from property (e. g., charitable contributions, depletion, or foreign tax credit), readjustments must be made in such items as part of the recomputation in conformity with the change in the amount of income or the amount of income from property which results from the correct treatment of the item or items in respect of which the above determination was made. Interest on any increase or decrease shall be assessed or allowed under the general rule applicable to the assessment of interest in connection with amounts determined as deficiencies and to the allowance of interest in connection with amounts determined as overpayments.

The amount of any increase or decrease determined under section 3807 and under these regulations shall not be diminished by any credit or set-off based upon any item which (1) was not the subject of the determination specified in section 3807 (b) (1) and in § 473.4, or (2) was not affected by such determination. For example, if the Commissioner asserts a deficiency in respect to any tax imposed by chapter 1 or chapter 2 under the provisions of section 3807, no question relating to a deficiency or an overpayment of tax, unless based upon an item which (1) was the subject of the determination specified in section 3807 (b) (1) and in § 473.4, or (2) was affected by such determination, may be raised either

by the Commissioner or by the taxpayer in a proceeding before The Tax Court of the United States. The fact that an adjustment is made in a given tax for a given taxable year under the provisions of section 3807 shall not mean, however, that any deficiency which could otherwise be assessed, or any refund which could otherwise be allowed, without regard to section 3807 cannot be assessed or allowed either simultaneously with or on some date after the adjustment in such tax is made under the provisions of section 3807. Thus, if the taxpayer petitions The Tax Court for a redetermination of a deficiency which the Commissioner has asserted under the provisions of section 3807, the decision of The Tax Court shall not be res judicata as to the taxpayer's liability in respect of the given tax for the taxable year in question, and neither such decision of The Tax Court nor section 322 (c) shall prevent the taxpayer from being allowed a credit or refund otherwise allowable in respect of such tax for such taxable year or from instituting suit in any court for the recovery of any part of such tax, except in respect of items which were the subject of the determination specified in section 3807 (b) (1) and in § 473.4 or which were affected by such determination.

If the Commissioner has assessed and collected the amount of any increase under section 3807, no part thereof may be recovered by the taxpayer in any suit for refund (except in connection with the subsequent application of section 3807) based upon any item other than the one which was the subject of the determination specified in section 3807 (b) (1) and in § 473.4 or was affected by such determination. If the Commissioner has refunded the amount of any decrease under section 3807, the amount so refunded may not subsequently be recovered by the Commissioner in a suit for erroneous refund (except in connection with a subsequent application of section 3807) based upon any item other than the one which was the subject of the determination specified in section 3807 (b) (1) and in § 473.4 or was affected by such determination.

If any decrease in tax is determined under the provisions of section 3807, it may be credited, under the applicable law and regulations thereunder, against any tax imposed by chapter 1 or chapter 2, including the tax in respect of which the decrease was determined, on installment thereof, due from the taxpayer. Likewise, if any increase in tax is determined under the provisions of section 3807, any overpayment by the taxpayer of any tax imposed by chapter 1 or chapter 2, including the tax in respect of which the increase was determined, may be credited against the amount of such increase in accordance with the applicable law and regulations thereunder. (See section 322 and the regulations promulgated thereunder.) Accordingly, it may be possible for the Commissioner and the taxpayer to settle at one time the taxpayer's tax liability with respect to all the taxes imposed by chapter 1 and chapter 2 for the taxable year for which the determination specified in section 3807 (b) (1) and in § 473.4 was made.

Adjustments permitted by section 3807 are in addition to and do not affect other adjustments in the tax increased or decreased which are permissible under any other law or rule of law. Thus, if any decrease in tax determined under section 3807 is to be credited against an amount due from the taxpayer in respect of the same tax, or if any overpayment of tax is to be credited against an increase in respect of the same tax determined under section 3807, such decrease or such overpayment shall not be so credited until all other items, including barred deficiencies and barred overpayments, have been taken into account in determining the amount of such tax due from the taxpayer or the amount of overpayment in respect of such tax. The rule that adjustments made under section 3807 in the tax previously determined do not affect other adjustments to such tax which may be made under any other law or rule of law is illustrated by the following example:

Example. Corporation X filed its income tax return for the calendar year 1940 on March 15, 1941 and on that date paid the full amount of tax shown on such return. The Commissioner granted Corporation X an extension of six months for filing its excess profits tax return for the calendar year 1940. Corporation X filed its excess profits tax return for 1940 on September 15, 1941 and on that date paid the full amount shown on such return. On March 1, 1943 Corporation X paid a deficiency of \$1,500 in respect of its income tax for 1940.

It was determined on June 1, 1944 that there was a deficiency in respect of excess profits tax, and such deficiency was assessed on September 15, 1944. Adjustments which could be made in the income tax for 1940 under the provisions of section 3807 as a result of such assessment of excess profits tax would produce an increase of \$750 in such income tax as previously determined. On October 1, 1944 Corporation X filed a claim for refund of \$1,000 in respect of its income tax for 1940 based upon an adjustment in respect of long-term capital gains, and the Commissioner agreed that such adjustment would be a proper one. The Commissioner asserts, however, and Corporation X agrees, that Corporation X claimed a deduction for interest on its income tax return for 1940 to which it was not entitled and that Corporation X's income tax for 1940 would properly be increased by \$400 if such deduction were eliminated. This \$400 cannot be assessed inasmuch as the ordinary period of limitations upon assessment of income tax for 1940 expired on March 15, 1944. However, such \$400 can be used to offset the \$1,000 which Corporation X claims is an overpayment of income tax. There is, therefore, an overpayment of \$600 in income tax for 1940. The \$750 increase in income tax for 1940 which was determined under section 3807 may be assessed as if on September 15, 1944 one year remained before the expiration of the period of limitations upon assessment of income tax for 1940. The \$600 overpayment of income tax for 1940 may then be credited against the assessment of \$750 increase in income tax for 1940. The remaining \$150 of such increase in income tax may be collected under the law and regulations applicable to the collection of such tax.

The crediting of the above \$600 overpayment of income tax against the above \$750 increase in income tax is, moreover, the allowance of a credit under a determination in respect of a tax imposed by chapter 1 within the meaning of section 3807 (b) (1) so as to serve as the basis for a further adjustment

in excess profits tax for 1940 under the provisions of section 3807.

§ 473.7 Application to affiliated groups. Section 3807 is applicable to affiliated groups which filed consolidated returns, and operates whether the determination specified in section 3807 (b) (1) and in § 473.4 is made in respect of a tax reported on the basis of a consolidated return or in respect of a tax reported on the basis of a separate return. In the case of a member of an affiliated group, the words "any other tax of the taxpayer" are to include any other tax imposed by chapter 1 or chapter 2 upon any other member of the group, whether such tax is reported on the basis of a consolidated return or on the basis of a separate return. Thus, if a deficiency is assessed, or a refund allowed, in respect of a tax reported on the basis of a consolidated return, adjustments under section 3807 may be made in respect of the other taxes of the affiliated group reported on the basis of a consolidated return and also in respect of the taxes of all the members of such group not reported upon the basis of such a consolidated return. Similarly, if the deficiency or refund is in respect of a tax of a member of an affiliated group not reported on the basis of a consolidated return, adjustments may be made not only in other taxes of such member, but also in any tax which such group reported upon the basis of a consolidated return and in any tax of any other member of the group which was reported on the basis of a separate return. These adjustments may be made even though the several taxable periods involved are not the same if the taxable year for which the adjustments are made coincides in whole or in part with the taxable year for which the deficiency was assessed or the refund allowed.

The application of section 3807 to affiliated groups may be illustrated by the following example:

Example: Corporation X, which makes its tax returns upon the basis of the calendar year, becomes a member of an affiliated group on July 1, 1940. Such group likewise makes its returns on the basis of the calendar year. A consolidated excess profits tax return was filed for the group for the year 1940 on March 15, 1941. Likewise, Corporation X filed an excess profits tax return for the short taxable year January 1 through June 30, 1940, and an income tax return for the calendar year 1940. On December 1, 1945 Corporation X is allowed a refund of income tax for 1940 attributable to a casualty loss. Proper adjustments, though barred under other provisions of law or rules of law, may be made under section 3807 in the consolidated excess profits tax (1) to reflect such loss, (2) to reflect any other deductions, credits, allowances, or adjustments which are limited to or by net income or the amount of income from property, and (3) to reflect the proper deduction for Corporation X's income tax in computing consolidated excess profits net income. Similarly, such adjustments may be made in Corporation X's separate excess profits tax return for the short taxable year January 1 through June 30, 1940. Adjustments may likewise be made in the taxes of other members of the group which were reported on the basis of separate returns. Any adjustment to taxes of other members of the affiliated group reported on the basis of separate returns which flow from the adjustments made in the consolidated excess profits tax, or from adjustments made to Corporation X's taxes reported on the

basis of separate returns, may likewise be made. All such adjustments may be made as if the period of limitations upon assessment or upon allowance of refunds, as the case may be, did not expire until December 1, 1946.

If a deficiency or refund is assessed or allowed in respect of a tax reported on the basis of a consolidated return, appropriate adjustments can be made in any tax of the affiliated group reported on the basis of a consolidated return, or in any tax of any member of such group reported on the basis of a separate return.

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

Approved: October 21, 1944.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 44-16297; Filed, Oct. 23, 1944;
11:37 a. m.]

TITLE 29—LABOR

Chapter VI—National War Labor Board

PART 803—GENERAL ORDERS

RETAIL COAL DISTRIBUTORS AND GROCERY STORES AND MEAT MARKETS IN DENVER AREA

The National War Labor Board under paragraph (d) of § 803.4 (General Order 4) has approved the following amendments to exceptions (8) and (11) to the exemption provided for in paragraph (a) of this order:

(8) Retail coal distributors in the Denver labor market area. (Approved as of October 29, 1943.)

(11) Grocery stores and meat markets in the Denver labor market area. (Approved as of November 13, 1943.)

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

Adopted October 17, 1944.

THEODORE W. KHEEL,
Executive Director.

[F. R. Doc. 44-16271; Filed, Oct. 23, 1944;
9:38 a. m.]

PART 803—GENERAL ORDERS

CLEANING AND DYEING PLANTS IN ENGLEWOOD, COLO.

The National War Labor Board, under this paragraph (d) of § 803.4 (General Order 4) has amended paragraph (39) by striking out the word "California" and inserting the word "Colorado" in lieu thereof, to read as follows:

(39) Cleaning and dyeing plants in the town of Englewood, Colorado. (Approved, September 19, 1944.)

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

THEODORE W. KHEEL,
Executive Director.

[F. R. Doc. 44-16272; Filed, Oct. 23, 1944;
9:38 a. m.]

PART 803—GENERAL ORDERS

LABORATORY TECHNICIANS, ETC. IN REGION X

The National War Labor Board, under this paragraph (d) of § 803.4 (General

Order 4) has approved the following exceptions to the exemption provided for in paragraph (a) of this order:

(43) All employers of laboratory technicians pharmacists, anesthetists, nurses, X-ray technicians, and physical therapists in Region X (Approved October 6, 1944)

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

THEODORE W. KHEEL,
Executive Director.

[F. R. Doc. 44-16273; Filed, Oct. 23, 1944;
9:38 a. m.]

PART 803—GENERAL ORDERS

CIGAR MANUFACTURERS IN PENNSYLVANIA AND MARYLAND

The National War Labor Board, under this paragraph (d) of § 803.4 (General Order 4) has approved the following exceptions to the exemption provided for in paragraph (a) of this order:

(44) All manufacturers of cigars in York, Adams, Cumberland, Dauphin, Lebanon and Lancaster Counties in Pennsylvania; Frederick, Carroll, Baltimore and Harford counties in Maryland. (Approved October 17, 1944.)

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

THEODORE W. KHEEL,
Executive Director.

[F. R. Doc. 44-16274; Filed, Oct. 23, 1944;
9:38 a. m.]

PART 803—GENERAL ORDERS

INCREASES ALLOWED WITHOUT THE APPROVAL OF REGIONAL WAR LABOR BOARD

§ 803.36 General Order No. 36. * * *

General Resolution No. 9. Increases in wage or salary rates which do not bring such rates above 40¢ per hour may be made without the approval of the Territorial War Labor Board. For the purposes of this resolution bonuses which are an integral part of the Employee's wage or salary shall be used in computing the hourly rate. (Adopted September 13, 1944)

General Resolution No. 10. Adjustments may be made in the wage and salary rates of employees in domestic employment in or about a private home without the approval of the Territorial War Labor Board for Hawaii. (Adopted September 29, 1944)

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

THEODORE W. KHEEL,
Executive Director.

[F. R. Doc. 44-16270; Filed, Oct. 23, 1944;
9:38 a. m.]

Chapter X—Committee on Fair Employment Practice

PART 1202—INTERPRETATION OF EXECUTIVE ORDER 9346

CONTRACTS

Pursuant to the authority vested in the Committee on Fair Employment Practice by Executive Order No. 9346 (8 F.R. 7183) approved May 27, 1943, and to effectuate the purposes of said order it is hereby ordered as follows:

Paragraph (1) is added to § 1202.1 (9 F.R. 1592, 7126) as follows:

§ 1202.1 *Contracts.* * * *

(1) The requirement that parties to contracts with the Government of the United States (or agencies of said Government) include a non-discrimination clause "in all sub-contracts" is applicable only in those cases in which the sub-contract is entered into solely for the purpose of enabling the prime contractor to fulfill an obligation (or obligations) imposed by the Government contract.

Dated: September 30, 1944.

For the Committee.

MALCOLM ROSS,
Chairman.

[F. R. Doc. 44-16214; Filed, Oct. 21, 1944;
9:52 a. m.]

Chapter IX—War Food Administration
(Agricultural Labor)

[Specific Wage Ceiling Reg. 35]

PART 1106—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF FLORIDA

WORKERS ENGAGED IN EMERGENCY HARVESTING OF CITRUS FRUIT

§ 1106.2 *Wages of workers engaged in the emergency harvesting of citrus fruit in the State of Florida.* Pursuant to § 4001.7 of the regulations of the Economic Stabilization Director 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), as amended on July 11, 1944 (9 F.R. 7645), entitled "Specific Wage Ceiling Regulations" and based upon relevant facts submitted by the Florida WFA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Area, crops and classes of workers.* Persons engaged in picking up, grading, and loading grapefruit and oranges dropped in groves in the State of Florida by the storm occurring on or about October 19, 1944 (herein referred to as "the storm") are agricultural labor as defined in § 4001.1 (1) of the regulations of the Economic Stabilization Director issued on August 28, 1943 (8 F.R. 11960, 12139), as amended December 9, 1943 (8 F.R. 16702) and June 1, 1944 (9 F.R. 6035).

(b) *Wage rates; maximum wage rates for picking up, grading, and loading grape fruit and oranges dropped by the storm—(1) Grapefruit.*

(1) For picking up, grading in grove to meet packing house and canning plant regulations, loading in boxes, and dumping in bulk in trucks in grove—9 cents per standard field box or equivalent measure or weight.

(ii) Where all grapefruit are cleaned up off the ground and not graded in the grove—4 cents for picking up and placing in boxes, with an additional 2 cents for loading in bulk in trucks in grove, making a total of 6 cents per standard field box or equivalent measure or weight.

(2) *Oranges.*

(i) For picking up, grading in the grove to meet packing house and canning plant regulations, loading in boxes, and dumping in bulk in trucks in grove—17 cents per standard field box or equivalent measure or weight.

(ii) Where all oranges are cleaned up off the ground and not graded in the grove—8 cents for picking up and placing in boxes, with an additional 2 cents for loading in bulk in trucks in grove, making a total of 10 cents per standard field box or equivalent measure or weight.

(c) *Administration.* The Florida WFA Wage Board located at Lake Wales, Florida, 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), as amended July 11, 1944 (9 F.R. 7645).

(d) *Applicability of specific wage ceiling regulations.* This specific wage ceiling regulation No. 35 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), as amended July 11, 1944 (9 F.R. 7645), and the provisions of such regulations shall be applicable to this Specific Wage Ceiling Regulation No. 35 and any violation of this Specific Wage Ceiling Regulation No. 35 shall constitute a violation of such specific wage ceiling regulations.

(e) *Relationship with specific wage ceiling regulation No. 21.* This Specific Wage Ceiling Regulation No. 35 does not amend, modify, or supersede specific wage ceiling regulation No. 21 (9 F.R. 9042, 9970), except in those instances where and to the extent that the services included in this Specific Wage Ceiling Regulation 35 are performed on grapefruit and oranges dropped by the storm.

(f) *Termination.* This Specific Wage Ceiling Regulation No. 35 shall expire at 11:59 p. m., eastern war time, November 10, 1944: *Provided, however,* That the provisions of this Specific Wage Ceiling Regulation No. 35, after that time, shall continue to remain in full force and effect for the purpose of allowing or sustaining any suit, action, prosecution, or administrative or other proceeding theretofore or thereafter commenced with respect to any violation committed or right or liability accruing under or pursuant to the terms of those provisions of this Specific Wage Ceiling Regulation No. 35.

(g) *Records.* Any person, including an independent contractor, paying workers described as agricultural labor in this specific wage ceiling regulation, shall keep records showing the names and residence addresses of all such employees, the dates which each employee works, the number of boxes and kind of fruit picked and loaded each day by each employee employed on a piece work basis, the name or number and the location of the grove in which the picking and loading are done, the rate paid each employee, the number of hours worked by each employee who works on an hourly basis, the

total compensation paid to each employee and the aggregate compensation paid to all such employees. If a person himself does not directly hire or pay any employee described as agricultural labor in this specific wage ceiling regulation, but employs an independent contractor to furnish such labor, such person shall keep a record showing the total compensation paid such independent contractor and the basis, including units of work performed or other method, upon which such compensation was paid.

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

(56 Stat. 765, 50 U.S.C. App. Supp. 961 et seq.; 57 Stat. 63; Pub. Law 34, 78th Cong.; Pub. Law 383, 78th Cong.; E.O. 9250; 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035; regulations of the War Food Administrator, 9 F.R. 12117, 12611, 9 F.R. 831, 7645)

Effective this 19th day of October 1944.

PHILIP BRUTON,
Director of Labor,
War Food Administration.

[F. R. Doc. 44-16296; Filed, Oct. 23, 1944;
11:17 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[No. 264]

OCCUPATIONAL DEFERMENTS OF FEDERAL GOVERNMENT EMPLOYEES

ORDER PRESCRIBING FORMS

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

Discontinuance of DSS Form 38-A, entitled "Report, Occupational Deferment of Federal Government Employees."¹

Discontinuance of DSS Form 39, entitled "Changes in Occupational Deferments of Federal Government Employees."¹

Addition of a new form designated as DSS Form 39-A, entitled "Report on Changes in Occupational Deferment of Federal Government Employees."¹

The foregoing addition shall become a part of the Selective Service Regulations effective within the Continental United States immediately upon the filing hereof with the Division of the Federal Register and effective outside the Continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHHEY,
Director.

OCTOBER 19, 1944.

[F. R. Doc. 44-16327; Filed, Oct. 23, 1944;
12:00 m.]

¹ Filed as part of the original document.

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-586, Revocation]

GOLDEN PEACOCK CO., INC.

Section 1010.586 *Suspension Order No. S-586* was issued against the Golden Peacock Company, Incorporated, Paris, Tennessee, a firm engaged in packing and distributing cosmetics for an affiliated corporation. An appeal was filed with the Chief Compliance Commissioner on August 16, 1944. The case was reviewed by the Deputy Chief Compliance Commissioner, as a result of which on October 19, 1944, the Deputy Chief Compliance Commissioner directed that Suspension Order S-586 be revoked forthwith.

In view of the foregoing: It is hereby ordered, That: § 1010.586, *Suspension Order No. S-586* be revoked.

Issued this 20th day of October 1944.

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

[F. R. Doc. 44-16208; Filed, Oct. 20, 1944;
4:01 p. m.]PART 1293—HAND TOOLS SIMPLIFICATION
[Limitation Order L-157, Schedule IV, as
Amended Oct. 21, 1944]

HEAVY FORGED HAND TOOLS

§ 1293.5 *Schedule IV to Limitation Order L-157—(a) Definitions.* For the purposes of this schedule:

(1) "Producer" means any person who manufactures, stamps, forges, or otherwise fabricates heavy forged hand tools.

(2) "Heavy forged hand tools" means such (i) bars, (ii) blacksmiths' anvil tools, (iii) mauls and hammers or sledges weighing 4 pounds or over, (iv) hoes weighing 3½ pounds or over, (v) mattocks, (vi) picks, (vii) railway track tools, (viii) tongs, (ix) wedges, (x) mine blasting hand tools, mine breast drills and miscellaneous forged hand tools, as are listed in Table 1 through Table 10 of Appendix A of this schedule, and all other tools as are listed in said tables.

(b) *Limitations.* Parts manufactured for repair and maintenance of any heavy forged hand tools are not subject to the limitations of this schedule.

(c) *Simplified practices.* Pursuant to Limitation Order L-157 the sizes, types, grades, weights and finishes set forth in Appendix A and Tables 1 through 10 of this schedule are established for the manufacture of heavy forged hand tools.

(d) *Effective date of simplified practices.* On and after the 3d day of November, 1942, no heavy forged hand tool

which does not conform to the size, type, grade, finish, weight and standard established by paragraph (c) of this schedule (and set forth in Appendix A and tables hereto) shall be produced by any producer except upon approval of the War Production Board.

(e) *Records covering materials, work in progress, etc.* Each producer of heavy forged hand tools shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time require.

Issued this 21st day of October 1944.

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

APPENDIX A

EXPLANATIONS AND LIMITATIONS

(1) *Finishes.* Faces, bits, points, and other commonly ground parts of a heavy forged hand tool shall not have a finish finer than the finish resulting from the use of a 60-grit emery wheel, dry, when good commercial technique is employed, except that sample tools selected from a lot for inspection may be polished to as fine a degree as may be necessary for such inspection. All other surfaces of heavy forged hand tools shall not be finished other than by applying a coating of paint, enamel, or lacquer over the natural forged surface, free from scale.

(2) *Sizes.* Weights given herein are exclusive of wooden handles. Dimensions and weights are subject to commercial tolerances.

(3) *Eyes.* The shapes of eyes specified by number herein and the dimensions of eyes, except those for which dimensions are given herein, shall conform with the diagrams and data on eye shapes and sizes shown pp. 10 to 18, inclusive, of Simplified Practice Recommendation R17-35, Forged Tools, issued by the National Bureau of Standards.

NOTE: Paragraphs (4) and (5), formerly (5) and (6), redesignated Oct. 21, 1944.

(4) No producer shall manufacture the tools listed in the Tables of this Schedule in more than one grade, finish, or kind of steel except the following tools which may be made of carbon steel or National Emergency alloy steels.

Chisels cold, chisels hot, as set forth in Table 2 of this Appendix;

Chisels, track (designs 1 and 2, A. R. E. A.)

as set forth in Table 7 of this Appendix;

Mauls, Pittsburgh or Bell pattern (designs 1 and 2, A. R. E. A.) as set forth in Table 3 of this Appendix;

Blacksmiths' double faced sledges in 6-, 8-, 10- and 12-pound sizes as set forth in Table 3 of this Appendix.

(5) Reference herein to "the forged hammers schedule" and to "the forged hatchets schedule" refer to Schedule II of Limitation Order L-157.

TABLE 1—BARS

<i>Chisel point:</i>	inch..	1/8	3/4	7/8	1
Diameter of octagon or hexagon	inch..	1/8	3/4	7/8	1
Length	inches..	18	24	30	36
<i>Claw, carpenters' and wrecking:</i>					
<i>Carpenters, gooseneck</i> (the nail-pulling claw end bent around to form an angle of approximately 30 degrees with shaft of the bar, the other end wedge shaped and offset at an angle of about 30 degrees):	inch..	1/8	3/4	7/8	1
Size of hexagon or octagon	inches..	12	24	30	36
Length	inches..	24	30	36	
<i>Carpenters', gooseneck</i> (the nail-pulling claw end bent by a double bend to an angle of from 90 to 120 degrees with the shaft of the bar, the other end wedge shaped and offset at an angle of about 30 degrees):	inch..	1/8	3/4	7/8	1
Size of octagon or hexagon	inches..	24	30	36	
Over all length	inches..	24	30	36	
<i>Wrecking or straight</i> (both ends offset at an angle of approximately 30 degrees, in opposite directions, one end wedge shaped and the other provided with a claw):	inch..	1/8	3/4	7/8	1
Diameter of octagon or hexagon	inches..	24	30	36	
Length	inches..	24	30	36	
<i>Claw, railroad:</i>					
<i>A. R. E. A. design No. 1:</i> 5 feet long, approximately 28 pounds.					
<i>A. R. E. A. design No. 2:</i> 5 feet long, approximately 28 pounds.					
<i>Double end</i> (for railroad and boat spikes): 30-pound.					
<i>Flextoe.</i>					
<i>Light, with railroad standard heel:</i> 4-foot, 20-pound, for 1/2-inch spike.					
<i>Small, without heel:</i>					
3-foot, 8-pound, for 1/2 and 1/4-inch spikes.					
2 1/2 foot, 6-pound, for 1/2 and 1/4-inch spikes.					
<i>Other railroad claw-bars:</i> None.					
<i>Coal or slate</i> (one end tapered to a point, the other wedge-shaped and offset): 4 1/2-foot, 1-inch octagon or hexagon, 11 1/2-pound.					
<i>Crow, pinch-point:</i> 3-pound, 3/4-inch, 2-foot; and 6-pound, 1 1/2-inch, 3-foot.					
<i>Crow, pinch-and wedge-point:</i>					
Weight each	pounds..	12	18	22	26
Size	inches..	1 1/2	1 1/4	1 3/8 or 1 1/2	1 1/2
Length	do..	51	60	63	66
<i>Crow, pinch, locomotive (with toothed heel):</i>					
None.					
<i>Crow, pinch, with heel:</i> 29-pound, 66-inch.					
<i>Crow, pinch or Jimmy</i> (or miners, or Dillon-ville. Has offset wedge-shaped point):					
None.					
<i>Digging, post-hole:</i>					
With tamper: 5 1/2 to 6 feet long, 1 inch in diameter; blade 3 inches wide, tamper 2 1/4 inches in diameter, one model only.					
<i>With loop end:</i> None.					
<i>With point end:</i> 8 feet long 1 1/4-inch octagon or hexagon.					

* See Specifications and Plans for Track Tools, published by the American Railway Engineering Association, Construction and Maintenance Section, Association of American Railroads, 1942, annual edition.

TABLE 1—BARS—continued

Flagging or paving:	None.		
Lining, diamond-shaped, point:			
Weight each..... pounds.....	18	26	1 1/2
Size..... inches.....	1 1/2	1 1/2	1 1/2
Length..... inches.....	60	66	60
Living, round point:	None.		
Pinch or Jimmy bar (one end wedge-shaped and offset, other end straight, round, and tapered):			
Size of octagon or hexagon..... inches.....	1	1	1
Length..... inches.....	26	30	36
Shackle: None.			
Tamping, chisel end: A. R. E. A. plan No. 14; approximately 13 pounds.			
Tamping, diamond tamp, spear end: None.			
Tamping, end (offset loop handle): None.			
Tamping, plain end: None.			
Tamping, spade end: None.			
Tamping, spear end: 15-pound, 68-inch, 4-inch tamper, 4 1/4-inch spear.			
Tamping, telegraph (wide tamp): None. (See Digging.)			
Tamping, with wooden handle: None.			
Timber (both ends offset at an angle of approximately 30 degrees, diamond-shaped point on one end, and chisel point on the other): 17-pound, 1 1/2-inch stock, 5-foot.			

TABLE 2—BLACKSMITHS' ANVIL TOOLS

Chisels, cold:			
Sizes of stock at eye..... inches.....	1 1/4	1 1/2	1 3/4
Length..... do.....	6	7	8
Weight..... pounds.....	2	3	6

TABLE 2—BLACKSMITHS' ANVIL TOOLS

Diameter (inches)	Length (inches)	Size of head (inches)
1/4	15	1 1/2 x 2 1/4
1/4	15	1 1/2 x 2 1/4
1/4	15	1 1/2 x 2 1/4
1/4	15	1 1/2 x 2 1/4
1/4	15	1 1/2 x 2 1/4
1/4	16	1 1/2 x 2 1/4
1/4	16	1 1/2 x 2 1/4

TABLE 2—BLACKSMITHS' ANVIL TOOLS

Sizes of face..... inches.....	2	2 1/2	3	4
Fullers, top:				
Sizes of groove, inches, 1/4, 3/8, 1/2, 1 1/4, 1 1/2, 1 3/4, 2.				
Fullers, bottom (shank 2 1/2 inches long for all sizes); Sizes of groove, inches, 1/4, 3/8, 1/2, 3/4, 1, 1 1/4, 1 1/2, 1 3/4, 2.				
Hardies (shank 2 1/2 inches long for all sizes): Sizes of square shank, inches, 1/2, 3/4, 7/8, 1, 1 1/4, 1 1/2, 1 3/4, 2.				
Bit, inches, 1 1/8, 1 3/4, 1 1/2, 2, 2 1/2, 2 1/2, 3.				
Heading tools:				

TABLE 2—BLACKSMITHS' ANVIL TOOLS

Sizes of face..... inches.....	2	2 1/2	3	4
Fullers, top:				
Sizes of groove, inches, 1/4, 3/8, 1/2, 1 1/4, 1 1/2, 1 3/4, 2.				
Fullers, bottom (shank 2 1/2 inches long for all sizes); Sizes of groove, inches, 1/4, 3/8, 1/2, 3/4, 1, 1 1/4, 1 1/2, 1 3/4, 2.				
Hardies (shank 2 1/2 inches long for all sizes): Sizes of square shank, inches, 1/2, 3/4, 7/8, 1, 1 1/4, 1 1/2, 1 3/4, 2.				
Bit, inches, 1 1/8, 1 3/4, 1 1/2, 2, 2 1/2, 2 1/2, 3.				
Heading tools:				

TABLE 2—BLACKSMITHS' ANVIL TOOLS

Sizes of face..... inches.....	2	2 1/2	3	4
Fullers, top:				
Sizes of groove, inches, 1/4, 3/8, 1/2, 1 1/4, 1 1/2, 1 3/4, 2.				
Fullers, bottom (shank 2 1/2 inches long for all sizes); Sizes of groove, inches, 1/4, 3/8, 1/2, 3/4, 1, 1 1/4, 1 1/2, 1 3/4, 2.				
Hardies (shank 2 1/2 inches long for all sizes): Sizes of square shank, inches, 1/2, 3/4, 7/8, 1, 1 1/4, 1 1/2, 1 3/4, 2.				
Bit, inches, 1 1/8, 1 3/4, 1 1/2, 2, 2 1/2, 2 1/2, 3.				
Heading tools:				

TABLE 2—BLACKSMITHS' ANVIL TOOLS

Sizes of face..... inches.....	2	2 1/2	3	4
Fullers, top:				
Sizes of groove, inches, 1/4, 3/8, 1/2, 1 1/4, 1 1/2, 1 3/4, 2.				
Fullers, bottom (shank 2 1/2 inches long for all sizes); Sizes of groove, inches, 1/4, 3/8, 1/2, 3/4, 1, 1 1/4, 1 1/2, 1 3/4, 2.				
Hardies (shank 2 1/2 inches long for all sizes): Sizes of square shank, inches, 1/2, 3/4, 7/8, 1, 1 1/4, 1 1/2, 1 3/4, 2.				
Bit, inches, 1 1/8, 1 3/4, 1 1/2, 2, 2 1/2, 2 1/2, 3.				
Heading tools:				

TABLE 2—BLACKSMITHS' ANVIL TOOLS

Sizes of face..... inches.....	2	2 1/2	3	4
Fullers, top:				
Sizes of groove, inches, 1/4, 3/8, 1/2, 1 1/4, 1 1/2, 1 3/4, 2.				
Fullers, bottom (shank 2 1/2 inches long for all sizes); Sizes of groove, inches, 1/4, 3/8, 1/2, 3/4, 1, 1 1/4, 1 1/2, 1 3/4, 2.				
Hardies (shank 2 1/2 inches long for all sizes): Sizes of square shank, inches, 1/2, 3/4, 7/8, 1, 1 1/4, 1 1/2, 1 3/4, 2.				
Bit, inches, 1 1/8, 1 3/4, 1 1/2, 2, 2 1/2, 2 1/2, 3.				
Heading tools:				

TABLE 2—BLACKSMITHS' ANVIL TOOLS

Sizes of face..... inches.....	2	2 1/2	3	4
Fullers, top:				
Sizes of groove, inches, 1/4, 3/8, 1/2, 1 1/4, 1 1/2, 1 3/4, 2.				
Fullers, bottom (shank 2 1/2 inches long for all sizes); Sizes of groove, inches, 1/4, 3/8, 1/2, 3/4, 1, 1 1/4, 1 1/2, 1 3/4, 2.				
Hardies (shank 2 1/2 inches long for all sizes): Sizes of square shank, inches, 1/2, 3/4, 7/8, 1, 1 1/4, 1 1/2, 1 3/4, 2.				
Bit, inches, 1 1/8, 1 3/4, 1 1/2, 2, 2 1/2, 2 1/2, 3.				
Heading tools:				

TABLE 2—BLACKSMITHS' ANVIL TOOLS

Sizes of face..... inches.....	2	2 1/2	3	4
Fullers, top:				
Sizes of groove, inches, 1/4, 3/8, 1/2, 1 1/4, 1 1/2, 1 3/4, 2.				
Fullers, bottom (shank 2 1/2 inches long for all sizes); Sizes of groove, inches, 1/4, 3/8, 1/2, 3/4, 1, 1 1/4, 1 1/2, 1 3/4, 2.				
Hardies (shank 2 1/2 inches long for all sizes): Sizes of square shank, inches, 1/2, 3/4, 7/8, 1, 1 1/4, 1 1/2, 1 3/4, 2.				
Bit, inches, 1 1/8, 1 3/4, 1 1/2, 2, 2 1/2, 2 1/2, 3.				
Heading tools:				

TABLE 2—BLACKSMITHS' ANVIL TOOLS

Sizes of face..... inches.....	2	2 1/2	3	4
Fullers, top:				
Sizes of groove, inches, 1/4, 3/8, 1/2, 1 1/4, 1 1/2, 1 3/4, 2.				
Fullers, bottom (shank 2 1/2 inches long for all sizes); Sizes of groove, inches, 1/4, 3/8, 1/2, 3/4, 1, 1 1/4, 1 1/2, 1 3/4, 2.				
Hardies (shank 2 1/2 inches long for all sizes): Sizes of square shank, inches, 1/2, 3/4, 7/8, 1, 1 1/4, 1 1/2, 1 3/4, 2.				
Bit, inches, 1 1/8, 1 3/4, 1 1/2, 2, 2 1/2, 2 1/2, 3.				
Heading tools:				

TABLE 2—BLACKSMITHS' ANVIL TOOLS

Sizes of face..... inches.....	2	2 1/2	3	4
Fullers, top:				
Sizes of groove, inches, 1/4, 3/8, 1/2, 1 1/4, 1 1/2, 1 3/4, 2.				
Fullers, bottom (shank 2 1/2 inches long for all sizes); Sizes of groove, inches, 1/4, 3/8, 1/2, 3/4, 1, 1 1/4, 1 1/2, 1 3/4, 2.				
Hardies (shank 2 1/2 inches long for all sizes): Sizes of square shank, inches, 1/2, 3/4, 7/8, 1, 1 1/4, 1 1/2, 1 3/4, 2.				
Bit, inches, 1 1/8, 1 3/4, 1 1/2, 2, 2 1/2, 2 1/2, 3.				
Heading tools:				

TABLE 2—BLACKSMITHS' ANVIL TOOLS

Sizes of face..... inches.....	2	2 1/2	3	4
Fullers, top:				
Sizes of groove, inches, 1/4, 3/8, 1/2, 1 1/4, 1 1/2, 1 3/4, 2.				
Fullers, bottom (shank 2 1/2 inches long for all sizes); Sizes of groove, inches, 1/4, 3/8, 1/2, 3/4, 1, 1 1/4, 1 1/2, 1 3/4, 2.				
Hardies (shank 2 1/2 inches long for all sizes): Sizes of square shank, inches, 1/2, 3/4, 7/8, 1, 1 1/4, 1 1/2, 1 3/4, 2.				
Bit, inches, 1 1/8, 1 3/4, 1 1/2, 2, 2 1/2, 2 1/2, 3.				
Heading tools:				

TABLE 2—BLACKSMITHS' ANVIL TOOLS

Sizes of face..... inches.....	2	2 1/2	3	4
Fullers, top:				
Sizes of groove, inches, 1/4, 3/8, 1/2, 1 1/4, 1 1/2, 1 3/4, 2.				
Fullers, bottom (shank 2 1/2 inches long for all sizes); Sizes of groove, inches, 1/4, 3/8, 1/2, 3/4, 1, 1 1/4, 1 1/2, 1 3/4, 2.				
Hardies (shank 2 1/2 inches long for all sizes): Sizes of square shank, inches, 1/2, 3/4, 7/8, 1, 1 1/4, 1 1/2, 1 3/4, 2.				
Bit, inches, 1 1/8, 1 3/4, 1 1/2, 2, 2 1/2, 2 1/2, 3.				
Heading tools:				

TABLE 2—BLACKSMITHS' ANVIL TOOLS

Sizes of face..... inches.....	2	2 1/2	3	4
Fullers, top:				
Sizes of groove, inches, 1/4, 3/8, 1/2, 1 1/4, 1 1/2, 1 3/4, 2.				
Fullers, bottom (shank 2 1/2 inches long for all sizes); Sizes of groove, inches, 1/4, 3/8, 1/2, 3/4, 1, 1 1/4, 1 1/2, 1 3/4, 2.				
Hardies (shank 2 1/2 inches long for all sizes): Sizes of square shank, inches, 1/2, 3/4, 7/8, 1, 1 1/4, 1 1/2, 1 3/4, 2.				
Bit, inches, 1 1/8, 1 3/4, 1 1/2, 2, 2 1/2, 2 1/2, 3.				
Heading tools:				

TABLE 2—BLACKSMITHS' ANVIL TOOLS

Sizes of face..... inches.....	2	2 1/2	3	4

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TABLE 3—HAMMERS, MAULS, AND SLEDGES—continued

Sledges—Continued.			
<i>Blacksmiths', straight peen:</i>			
Weight.	.....	.....	.....
Length.	.....	.....	.....
Eye No.	.....	.....	.....
Eye size.	.....	.....	.....
<i>Blacksmiths', double face:</i>	.....	.....	.....
Weight (pounds)	Length (inches)	Eye No.	Eye size (inches)
4	5 $\frac{1}{4}$	2	3 $\frac{1}{4}$ by 1 $\frac{1}{4}$
6	6	2	1 $\frac{1}{2}$ by 1 $\frac{1}{4}$
8	6 $\frac{1}{4}$	2	1 $\frac{1}{2}$ by 1 $\frac{1}{4}$
10	7	2	1 $\frac{1}{2}$ by 1 $\frac{1}{4}$
12	7 $\frac{1}{4}$	2	1 $\frac{1}{2}$ by 1 $\frac{1}{4}$
20	8 $\frac{1}{4}$	2	1 $\frac{1}{2}$ by 1 $\frac{1}{4}$

Moulder: None.

New England pattern, cross peen: None.

Ore: None.

Stone, flat face: None.

Stone, oval face: None.

Weight (pounds)	Length (inches)	Eye No.	Eye size (inches)
8	5 $\frac{1}{4}$	8	12
8	6	2	8 $\frac{1}{4}$
10	7	2	2
12	7 $\frac{1}{4}$	2	2
20	8 $\frac{1}{4}$	2	1 $\frac{1}{4}$ by 1 $\frac{1}{4}$

TABLE 4—HOSE

Accomac: 5-pound (nominal), blade 5 $\frac{1}{2}$ to 6 $\frac{1}{2}$ inches, length 11 to 11 $\frac{1}{4}$ inches.

Clay: None.

Grub: 3 $\frac{1}{2}$ -pound, 3 $\frac{3}{4}$ -inch bit, 10 $\frac{1}{2}$ inches long, No. 8 eye.

Grub, Baltimore pattern: None.

Hazel: None.

Palmetto (Accomac type, but with heavier blade): None.

TABLE 5—MATTOCKS

Vineyard: None.

Asphalt, double eye: 10-pound, 3-inch bits, 20 inches long.

Asphalt, single eye: None.

Brush: None.

Cutter:

3-pound, 13 inches over all, eye No. 7.

5-pound, 15 $\frac{1}{2}$ inches over all, eye No. 6.

Nursery: None.

Pick: 5-pound, 3 $\frac{1}{2}$ -inch blade, 19 inches over all, eye No. 6.

Flick and cutter: None.

Pick, intrenching: To be in accordance with U. S. Army Specification No. 17-171.

TABLE 6—PICKS

Boiler, or scaling hammer: 1-pound.

Canadian pattern, with sleeve: None.

Coal miners, lip eye:

Cutting or straight pattern

Mining or anchored pattern, short, and

Mining or anchored pattern, long:

1 $\frac{1}{2}$ -pound: eye No. 10, but with larger opening 2 $\frac{3}{4}$ by $\frac{3}{4}$ inch.

2-pound.

2 $\frac{1}{2}$ -pound.

3-pound.

3 $\frac{1}{2}$ -pound.

4-pound.

5-pound.

eye No. 10, but with larger opening 3 by 1 inch.

TABLE 6—PICKS—continued

Coal miners anthracite pattern: None.	.....	.....	.....
Coal miners, adze eye: None.	.....	.....	.....
Coal, special construction (attached to handle by means of a collar and bolt): None.	.....	.....	.....
Concrete (similar in shape to quarry pick): None.	.....	.....	.....
Contractors, diamond pointed: None.	.....	.....	.....
Contractors, point and chisel ends: 9-pound, 30-inch, eye No. 6.	.....	.....	.....
Contractors, round pointed, or Yankee pattern: 8-pound, 30-inch, eye No. 6.	.....	.....	.....
<i>Drifting:</i>	.....	.....	.....
Weight.	.....	.....	.....
Length.	.....	.....	.....
Eye No.	.....	.....	.....
Drifting (all other models): None.	.....	.....	.....
Mill: 2-pound.	.....	.....	.....
Poll, or mining: 5-pound, 16-inch, eye No. 10.	.....	.....	.....
Poll, or locomotive: 5 to 6 pound. One model only.	.....	.....	.....
Poll, or zinc mining: None.	.....	.....	.....
Prospectors': (See forged hammers schedule.)	.....	.....	.....
Quarry: None.	.....	.....	.....
Railroad or clay:	.....	.....	.....
Double pointed: 7-pound (A.R.E.A. design) 25-inch, eye No. 6, 8-pound, 26-inch, eye No. 6; Point and chisel ends: 6-pound, 23-inch, eye No. 6; 7-pound (A.R.E.A. design) 25-inch, eye No. 6, and 9-pound, 27-inch, eye No. 6.	.....	.....	.....
Eyeless: None.	.....	.....	.....
Rock or ore:	.....	.....	.....
Point and chisel ends: 7-pound, 22-inch, eye No. 6.	.....	.....	.....
Double pointed: 7-pound, 22-inch, eye No. 6.	.....	.....	.....
Stone: None.	.....	.....	.....
Surface: None.	.....	.....	.....
Tamping:	.....	.....	.....
A.R.E.A. V-tamp: 8-pound approximately, 24 $\frac{1}{2}$ -inch, eye No. 6; 10-pound tamp, 24 $\frac{1}{2}$ inches long, eye No. 6, T or V tamp (one only).	.....	.....	.....
T-tamp: eyeless: None.	.....	.....	.....
Diamond tamp: None.	.....	.....	.....
Diamond tamp, eyeless: None.	.....	.....	.....
Trimmers: None.	.....	.....	.....

TABLE 7—BAILWAY TRACK TOOLS NOT ELSEWHERE CLASSIFIED

Chisel, broom: None.	.....	.....	.....
Chisel, track (alloy or open hearth steel):	.....	.....	.....
Asphalt, design No. 1, 5 $\frac{1}{4}$ -pound, 9 $\frac{1}{4}$ inches long;	.....	.....	.....
A.R.E.A. design No. 2, 5 $\frac{1}{2}$ -pound, 10 $\frac{1}{2}$ inches long.	.....	.....	.....
Fork, rail: A.R.E.A. design, 13-pound.	.....	.....	.....
Puller, spike: A.R.E.A. design, 4-pound.	.....	.....	.....
Punch, tie plug: A.R.E.A. design, 4-pound.	.....	.....	.....
Punch, track, round point: A.R.E.A. design, 5 $\frac{1}{2}$ -pound.	.....	.....	.....
Tongs, girder rail: Maximum weight 18 pounds.	.....	.....	.....
Tongs, rail: A.R.E.A. design, 22-pound.	.....	.....	.....
Tongs, tie: A.R.E.A. design, 10-pound. (May be furnished with lugs.)	.....	.....	.....
Tongs, timber: Old or new A.R.E.A. design.	.....	.....	.....
Wrenches, track, single and double end: A.R.E.A. design, jaw openings as desired.	.....	.....	.....
Wrenches, track, mine:	.....	.....	.....
Double end, S pattern:	.....	.....	.....
For $\frac{1}{2}$ - and $\frac{3}{4}$ -inch bolts, 10 $\frac{1}{2}$ inches long over all, maximum weight 1 $\frac{1}{2}$ pounds, jaw opening as desired.	.....	.....	.....
Single end, other end tapered for lining up holes:	.....	.....	.....
For $\frac{1}{2}$ -inch bolts, 11 $\frac{1}{2}$ inches long over all, maximum weight 1 $\frac{1}{2}$ pounds, jaw opening as desired.	.....	.....	.....

TABLE 8—TONGS

Bit, with oblong boxed jaws:	.....	.....	.....
Curved pattern: 3 $\frac{1}{2}$ -pound:	.....	.....	.....
Straight pattern: None.	.....	.....	.....
Blacksmiths' bolt, curved tip, fluted jaw:	.....	.....	.....
Diameter of bolt: do.....	.....	.....	.....
Length: do.....	.....	.....	.....

TABLE 8—TONGS—continued

Gad, flat jaw: 24-inch.
 Horseshoers': 16-inch.
 Pick: 24-inch.
 Pick-up, double: 24-inch.
 Pick-up, single: 24-inch.
 Rivet: 24-inch.
 Rivet heaters: 30-inch and 42-inch.
 Sticker, straight or curved: 20-inch.
 Straight fluted lip: 18-, and 24-inch.

TABLE 9—WEDGES

Bucking, Pacific coast: 6-pound.
 Coal: 2-, 2½-, 3-, and 3½-pound (one pattern only, to be proportioned as desired between the present short and long patterns.)
 Coal, anthracite pattern: 2-, 2½-, 3-, and 3½-pound.
 Falling, broad pattern with ear: None.
 Falling, Pacific coast: 5- and 8-pound.
 Falling, Lake Superior pattern (sometimes called a splitting wedge): None.
 Falling, narrow pattern: None.
 Falling, Oregon pattern: None.
 Falling, Puget Sound pattern: None.
 Falling, Townsend pattern: None.
 Frost: 16-pound.
 Hanging (any wedges with holes in center of head): None.
 Rock: None.
 Saw, heavy pattern, with ear: None.
 Saw, improved: ½-, 1-, 2-, and 3-pound.
 Splitting, cedar: None.
 Splitting, Oregon: 6-pound.
 Standard or square head: 3-, 4-, 5-, and 6-pound.
 Stave: 3- and 4-pound.
 Stone: 2- and 4-pound.
 Tie: None.
 Truckee, or round head: 4-, 5-, and 6-pound.
 Truckee, flared bit: None.
 Wood, prouty: None.

TABLE 10—MISCELLANEOUS FORGED HAND TOOLS, MINE BLASTING HAND TOOLS, AND MINE BREAST DRILLS

Axe, stone, double bit: None.	
Bull points, hand:	
Length.....	inches.. 12 15 24
Bar size.....	do..... ½ 1 1½
Chisel, side: 5-pound.	
Chisels, welders' hot, alloy steel: 5-pound, 2-inch bit, stock at eye 1¼-inches, eye No. 2, eye size ¾ x 1 inch.	
Chisels (varieties similar to blacksmiths' cold and hot chisels, such as drift, splitting, car, foundry, etc.): None.	
Drift pin, barrel type and plug or taper type:	
Diameter of stock.....	inches.. ½ ¾ 1 ½ 1¾ 1½ 1¾
Length.....	inches.. 6 6½ 7 7½ 8 8½ 9
Froes, cooper: 5-pound, 14-inch.	
Gouge, handle: None.	
Punch, backing out:	
Diameter of face.....	inches.. ¾ ½ ¾ ¾ ¾ 1
Stock at eye.....	do..... 1½ 1¼ 1¾ 1¾ 1½ 1½
Over all length.....	do..... 7¼ 7½ 7¾ 8 8¼ 8½
Rivet header or rivet set (also known as button sets): To be made in one type only:	
Size of rivet.....	inches.. ½ ¾ ¾ ¾ ¾
Weight.....	pounds.. 2½ 3 4 5

MINE BLASTING TOOLS

Needles, copper: diameter ⅛"; lengths 6' and 7'.
 Needles, steel: None.
 Tamp drills, copper headed: diameter 1¼" to 1½"; length 6'.
 Tamp drills, all steel: None.
 Scraper and copper headed tamper (with steel scraper): None.
 Tamper, copper headed, and scraper, copper headed: with ½" diameter, steel body; length 6'.
 Scrapers, double end (one end detachable copper): None.
 Scrapers, double end, all steel; Diameter of steel body, ⅛"; lengths 6' and 7'.
 Scrapers, spoon and sump type: None.

Scrapers and tamper, all steel: None.

Scrapers, all steel, with loop handles: None.

MINE BREAST DRILLS

Breast augers, complete, single and double crank:

Length, including that of twist and crank stem (feet)	Length of twist (feet)	Sizes of oval augers (inches)	Size of conveyor augers (inches)
6	5	1¼, 1½	1½
7	6	1¼, 1½, 2	1½
8	7	1½	1½
9	8	1½	1½

Crank, for breast augers, single and double: Lengths of stems (distance from threaded end to crank) 6- and 18-inch.
 Twists, for single and double crank breast augers (with 6-inch shanks threaded for coupling to crank):

Length of twist, exclusive of shank (feet)	Sizes of oval augers (inches)	Size of conveyor augers (inches)
5	1¼, 1½	1½
6	1¼, 1½, 2	1½
7	1½	1½
8	1½	1½

[F. R. Doc. 44-16227; Filed, Oct. 21, 1944; 11:26 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Revocation of Schedule 3]

THIAMINE HYDROCHLORIDE

Section 3293.1003 Schedule 3 to General Allocation Order M-300, and all authorizations and directions issued under this section, are hereby revoked. This revocation does not affect any liabilities incurred under the order.

Issued this 21st day of October 1944.

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

[F. R. Doc. 44-16229; Filed, Oct. 21, 1944; 11:27 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 56]

ACRYLONITRILE

§ 3293.1056 Schedule 56 to General Allocation Order M-300—(a) Definition. "Acrylonitrile" means acrylonitrile (vinyl cyanide) in any form and from whatever source derived.

(b) General provisions. Acrylonitrile is subject to the provisions of General Allocation Order M-300 as an Appendix B material. The initial allocation date is May 14, 1942, when acrylonitrile first became subject to allocation under Order M-153 (revoked). The allocation period is the calendar month. The small order exemption without use certificate is 50 pounds per person per month.

(c) Transition from M-153. Specific authorizations heretofore issued under Order M-153 are effective under this schedule, but are limited in duration as if originally issued under this schedule.

(d) Suppliers' applications on WPB-2947. Each supplier seeking authorization to use or deliver shall file application on Form WPB-2947 (formerly PD-602). Filing date is the 20th day of the month before the proposed delivery month. Send three certified copies to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-56. The unit of measure is pounds. An aggregate quantity may be requested, without specifying customers' names, for delivery on uncertified exempt small orders. Fill in Table II.

(e) *Certified statements of use.* Each person placing orders for delivery of more than 50 pounds of acrylonitrile per month in the aggregate from all suppliers, shall furnish each supplier with a certified statement of proposed use, in the form prescribed in Appendix D of Order M-300. End use may be specified as "Synthetic Rubber under Order R-1", or in terms of any other product (specify the number of the allocation order, if any, governing the primary product, or describe the end use in detail). Proposed use may also be specified as "for resale on further authorization", "for resale on exempt small orders", or "for export" (specify destination and export license number).

(f) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(g) *Communications to War Production Board.* Reports and communications concerning this schedule shall be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-56.

Issued this 21st day of October, 1944.

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

[F. R. Doc. 44-16221; Filed, Oct. 21, 1944;
11:27 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300,
Schedule 57]

CHLORINATED PARAFFINS

§ 3293.1057 Schedule 57 to General Allocation Order M-300—(a) *Definition.* "Chlorinated paraffins" means those chlorinated derivatives of paraffin wax containing 20% or more of chlorine by weight.

(b) *General provisions.* Chlorinated paraffins are subject to allocation under General Allocation Order M-300 as Appendix A materials. The initial allocation date is November 1, 1944. The allocation period is the calendar month and the small order exemption is 200 pounds per person per month.

(c) *Suppliers' applications on WPB-2946.* Each supplier seeking authorization to deliver shall file application on Form WPB-2946 (formerly PD-601). Filing date is the 20th day of the month before the requested allocation month. File separate sets of forms for each grade. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-57. The unit of measure is pounds. Specify grade in terms of percentage of chlorine content. An aggregate quantity may be requested, without specifying customers' names, for delivery on exempt small orders. Fill in Table II.

(d) *Customers' applications on Form WPB-2945.* Each person seeking authorization to use or accept delivery shall file application on Form WPB-2945 (formerly PD-600). Filing date is the 15th

day of the month before the requested allocation month. File separate sets of forms for each supplier and for each grade. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-57, and one copy (reverse side blank) to the supplier. The unit of measure is pounds. In Columns 1 and 11 specify grade in terms of chlorine content. Fill in Column 3 in terms of the following:

Name of compound and specification number.

Other primary product (specify).
Export (in original form).
Inventory (in original form).
Resale (in original form).

Opposite each primary product in Column 3 specify in Column 4 the end use and military prime contract number. Quantities of chlorinated paraffin must be itemized for each military contract. Opposite "Export", "Inventory" or "Resale" in Column 3 fill in Column 4 in accordance with paragraph (11-a) of Appendix B of Order M-300. Fill in other columns of Table I, and fill in Tables II, III and IV as indicated. Leave Table V blank.

(e) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(f) *Communications to War Production Board.* Communications concerning this schedule shall be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-57.

Issued this 21st day of October 1944.

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

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11:27 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300,
Schedule 58]

PENICILLIN

§ 3293.1058 Schedule 58 to General Allocation Order M-300—(a) *Definitions.* For the purpose of this schedule:

(1) "Penicillin" means a chemotherapeutic agent isolated from *Penicillium notatum*, *P. chrysogenum* and variants. The term includes penicillin in any medicinal tablet, ampoule or other dosage form as well as crude penicillin in any form.

(2) "Supplier" means any person who produces penicillin, imports penicillin, or purchases penicillin for resale as penicillin, but shall not include any retail pharmacist, hospital or physician.

(b) *General provisions.* Penicillin is subject to the provisions of General Allocation Order M-300 as an Appendix B material. The initial allocation date is July 16, 1943, when penicillin first became subject to allocation under Order M-338 (revoked). The allocation period is the calendar month.

(c) *Exemptions.* Application and specific authorization are not required for the following use or delivery of penicillin:

(1) Use and delivery by any person who is not a supplier as defined in this schedule.

(2) Deliveries of samples to the Food and Drug Administration, Washington 25, D. C.

(3) Use by any producer of samples of his own production for making production control and standardization tests solely for potency, sterility, toxicity, pyrogens, moisture and stability.

(d) *Transition from Order M-338.* Specific authorizations heretofore issued under Order M-338 are effective under this schedule, but are limited in duration as if originally issued under this schedule. The procedure under this schedule remains substantially the same as under Order M-338.

(e) *Suppliers' applications on WPB-2947.* Each supplier seeking authorization to use or deliver shall file application on Form WPB-2947 (formerly PD-602). Filing date is the 20th day of the month before the proposed delivery month. File separate sets of forms for crude penicillin and penicillin in dosage form. Send three certified copies to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-58. The unit of measure is Oxford Units.

In Table I list each customer in Column 1. In the case of Army, Navy, Maritime Commission, War Shipping Administration, Lend-Lease or export purchase orders, specify in Column 1a the contract or export license number. In the case of other purchase orders, specify briefly in Column 1a whether the customer requires the penicillin for research or resale. An aggregate amount will be allocated for civilian reallocation pursuant to paragraph (h) below.

Fill in Table II as indicated, leaving Column 8 blank and reporting only unallocated stocks in Columns 10 and 13.

(f) *Suppliers' month-end reports on WPB-2947.* Each supplier who has received authorization on Form WPB-2947 for any month shall file a report on Form WPB-2947 not later than the 5th day of the following month. A single certified copy should be sent to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-58. In the heading "This schedule is for deliveries to be made during the month/quarter ending _____, 19____", strike out the words "to be" and "quarter" and specify the month and year for which the report is made. Fill in Column 1 as shown on the previously authorized Form WPB-2947, substitute "suppliers' actual deliveries" under Column 5 and fill in Column 5 accordingly. Leave Columns (1) (a), (4), (5) (a), (6) and (7) blank. At the bottom of Table I specify actual unallocated stocks on the last day of the month reported. Leave Table II blank.

(g) *Certified statements of use.* The usual end use certificates required for Appendix B materials are not required for penicillin.

(h) *Penicillin for civilians.* From the total supply of penicillin each month the

War Production Board in Washington may allocate an aggregate quantity from each supplier for delivery for general civilian distribution, subject to further allocation to specific customers by the War Production Board from the Regional Office in Chicago. This sub-allocation will usually be from the suppliers to hospitals. Hospitals shall submit application on Form WPB-3725 to the Civilian Penicillin Distribution Unit, War Production Board Regional Office, 226 West Jackson Blvd., Chicago 6, Illinois, and these applications will be screened and transmitted to the suppliers with a War Production Board authorization for shipment.

Shipments will then be made accordingly by the suppliers from the aggregate quantities allocated by the War Production Board in Washington for civilian distribution.

(i) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(j) *Communications to War Production Board.* (1) Communications to the Civilian Penicillin Distribution Unit shall, unless otherwise directed, be addressed to: Civilian Penicillin Distribution Unit, War Production Board Regional Office, 226 West Jackson Blvd., Chicago 6, Illinois.

(2) All other communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-58.

Issued this 21st day of October 1944.

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

[F. R. Doc. 44-16223; Filed, Oct. 21, 1944;
11:26 a. m.]

PART 3296—SAFETY AND TECHNICAL EQUIPMENT

[General Limitation Order L-144, as Amended Oct. 21, 1944]

LABORATORY EQUIPMENT

The fulfillment of requirements for the defense of the United States has created shortages in the supplies of laboratory equipment and the materials entering into the manufacture thereof for the national 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:

§ 3296.56 General Limitation Order L-144—(a) *Definitions.* For the purposes of this order:

(1) "Laboratory equipment" means any apparatus, instrument, appliance, device, equipment, or part thereof, designed primarily for use in laboratories. However, the restrictions of this order cover only those items of laboratory equipment which are on List A, attached hereto. (The language at the top of List A should be examined closely to determine what items are on List A.)

(2) "Distributor" means any person located in the United States, its territories or possessions, or the Dominion of Canada, who purchases laboratory equipment for the purpose of resale.

(3) [Deleted Oct. 9, 1943]

(b) *Restrictions on the delivery of laboratory equipment.* (1) No manufacturer or distributor shall deliver any item of laboratory equipment on List A of this order to any person, other than a distributor, unless such delivery has been specifically authorized and given a preference rating by the War Production Board on Form WPB-1319.

(2) No manufacturer or distributor shall deliver any item on List A of this order directly to a user, in behalf of a distributor, until the distributor has extended to that person the user's WPB-1319 case number authorization and preference rating.

(c) *Restrictions on accepting delivery of laboratory equipment.* No person other than a distributor shall accept delivery of any item of laboratory equipment on List A of this order from a manufacturer or distributor unless such delivery has been specifically authorized and given a preference rating by the War Production Board on Form WPB-1319.

(d) *Authorizations on Form WPB-1319 and extensions of such authorizations.* (1) Each person seeking authorization, pursuant to paragraph (c) of this order, to receive laboratory equipment shall prepare Form WPB-1319 in the manner prescribed therein and shall file such form with the War Production Board, Washington 25, D. C., Ref: L-144.

(Copies of Form WPB-1319 may be obtained at the local offices of the War Production Board.)

(2) Any person receiving specific authorization and a rating on Form WPB-1319 shall notify his supplier of such authorization and rating by furnishing him with a certification in substantially the following form:

The undersigned hereby certifies that he has been specifically authorized on Form WPB-1319, under the provisions of Order L-144, to receive delivery of the laboratory equipment described in his order #-----, dated ----- and to apply Preference Rating. Case No. -----

Name -----
Date ----- By ----- Authorized Official -----

Any such certification shall be signed by an authorized official, either manually or as provided in Priorities Regulation 7, and shall constitute a representation to the supplier and to the War Production Board of the facts certified therein. The supplier may rely upon such representation, unless he knows or has reason to believe such representation to be false. The standard form of certification contained in Priorities Regulation 7 may not be used.

(e) *Restrictions on the use of preference ratings.* When granting specific authorizations to deliver or accept delivery of laboratory equipment on Form WPB-1319 pursuant to paragraphs (b) and (c) of this order, the War Production Board will also assign preference ratings to the authorized deliveries on such form. Only the preference rating assigned on Form WPB-1319 may be used to get any item on List A of this order, and preference ratings assigned by any other preference rating certificate or any order or regulation of the War Production Board may not be used. Any preference rating so assigned on Form WPB-1319 shall be applied and extended only in accordance with the terms of Priorities Regulation 3.

(f) *Substitutions.* No person receiving authorization on Form WPB-1319 for an item on List A shall use the authorization for any other List A item; nor shall he substitute a different model for the one authorized, whether made by the same or a different manufacturer.

(g) *Reports by distributors.* Whenever the War Production Board shall so direct, any distributor shall give to the War Production Board in writing complete information regarding his inventory and all transactions in any item of laboratory equipment, subject to the approval of the Bureau of the Budget in

PART 3293—CHEMICALS
[Allocation Order M-338, Revocation]
PENICILLIN

Section 3293.486 Allocation Order M-338 is hereby revoked. This revocation does not affect any liabilities incurred under the order.

Penicillin is subject to allocation under General Allocation Order M-300 as an Appendix B material, subject to Schedule 58 issued simultaneously with this revocation.

Specific authorizations heretofore issued under Order M-338 are effective under schedule 58, but are limited in duration as if originally issued under that schedule. The procedure under schedule 58 remains substantially the same as under Order M-338.

Issued this 21st day of October 1944.

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

[F. R. Doc. 44-16220; Filed, Oct. 21, 1944;
11:27 a. m.]

accordance with the Federal Reports Act of 1942.

(h) *Reports by manufacturers.* Whenever the War Production Board shall so direct, any manufacturer of any item of laboratory equipment shall file a report on Form WPB-3449, setting forth complete information regarding his inventory, production, deliveries and unfilled orders as indicated in the report form, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

NOTE: Paragraphs (i), (j), (k), (l) and (m), formerly (f), (g), (h), (i) and (j), redesignated, Oct. 21, 1944.

(i) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records of all sales, deliveries and purchases of laboratory equipment.

(j) *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.

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

(l) *Violations and false statements.* 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.

(m) *Communications with the War Production Board.* All communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Safety and Technical Equipment Division, Washington 25, D. C., Ref.: L-144.

The above paragraph (a) (2) supersedes Interpretation 1 of the order, issued July 17, 1943.

Issued this 21st day of October 1944.

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

LIST A

Both the delivery and the acceptance of delivery of items on List A are subject to the restrictions set forth in paragraphs (b), (c) and (e) of this order. List A includes only the items listed below, and only those models which are designed primarily for use in laboratories. Any item of laboratory equipment which is not on this list does not require the filing of form WPB-1319. Used

equipment is not included nor are parts, accessories or attachments when sold separately.

Analytical balances (sensitivity 1/20 mg. or more sensitive).

Centrifuges (having a value, individually, of more than \$80).

Hydrogen ion meters (electrometric type).

Metalloscopes and metallographs.

Microscopes, stereoscopic wide field.

Refractometers, Abbe.

Spectographs (quartz), spectrophotometers (quartz) and spectrometers (infrared).

Vacuum pumps (1 micron or higher vacuum).

Issued this 21st day of October 1944.

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

INTERPRETATION 1

[Superseded October 9, 1943.]

[F. R. Doc. 44-16224; Filed, Oct. 21, 1944;
11:26 a. m.]

PART 1114—TIRE RETREADING, RECAPPING AND REPAIR EQUIPMENT

[General Limitation Order L-61, Revocation]

Section 1114.1 *General Limitation Order L-61* as amended July 18, 1944, is hereby revoked in its entirety. This revocation does not affect any liabilities incurred under the order. The manufacture and delivery of tire retreading, recapping or repair equipment remains subject to all other applicable orders and regulations of the War Production Board.

Issued this 21st day of October 1944.

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

[F. R. Doc. 44-16225; Filed, Oct. 21, 1944;
11:26 a. m.]

PART 1232—ACRYLONITRILE

[Allocation Order M-153, Revocation]

Section 1232.1 *Allocation Order M-153* is hereby revoked. This revocation does not affect any liabilities incurred under the order.

Acrylonitrile is subject to allocation under General Allocation Order M-300 as an Appendix B material, subject to Schedule 56, issued simultaneously with this revocation.

Specific authorizations heretofore issued under Order M-153 are effective under Schedule 56, but are limited in duration as if originally issued under that schedule.

Issued this 21st day of October 1944.

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

[F. R. Doc. 44-16228; Filed, Oct. 21, 1944;
11:27 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-641]

MARLISS MANUFACTURING CO.

Marliss Manufacturing Company, a corporation of Chicago, Illinois, is engaged in the manufacture and sale of portable lamps. Between January 1, 1944 and May 23, 1944 the corporation manufactured or produced approximately 18,000 portable lamps on orders which were other than preferred orders, and in violation of General Limitation Order L-33. The responsible officer of Marliss Manufacturing Company was aware of the provisions of General Limitation Order L-33, and its actions constituted wilful violations of the order.

These violations of General Limitation Order L-33 have diverted scarce material to uses not authorized by the War Production Board and have hampered and impeded the war efforts of the United States of America. In view of the foregoing, it is hereby ordered, that:

§ 1010.641 *Suspension Order No. S-641.* (a) Marliss Manufacturing Company, its successors and assigns, shall not directly or indirectly put into process, continue to process, manufacture or assemble any material to make any portable lamps or parts thereof, nor make any deliveries of portable lamps or parts thereof, except as hereafter specifically authorized in writing by the War Production Board.

(b) Marliss Manufacturing Company shall not for three months from the effective date of this order apply or extend any preference ratings or use any CMP allotment symbols, regardless of the delivery date named in any purchase order to which such ratings may be applied or extended or on which CMP allotment symbols are used.

(c) Marliss Manufacturing Company shall cancel immediately all preference ratings which it has applied or extended to orders which have not yet been filled, except that if it has extended a customer's rating to get an item for delivery without change in form to that customer, (as distinct from replacing it in inventory), it need not cancel the rating provided the item when received is promptly delivered to the customer whose rating has been extended.

(d) All preference ratings, allotments and allocations presently outstanding in connection with orders for delivery of material to Marliss Manufacturing Company or placed prior to January 22, 1945 are void and shall not be given any effect by suppliers of Marliss Manufacturing Company or by any other person. This does not apply to material already delivered or in transit to it on the effective date of this order.

(e) Nothing contained in this order shall be deemed to relieve Marliss Manufacturing Company, 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.

(f) This order shall take effect on October 22, 1944, and shall expire on January 22, 1945.

Issued this 12th day of October 1944.

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

[U. S. Doc. 44-16260; Filed, Oct. 21, 1944;
3:30 p. m.]

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

[Priorities Reg. 3 as Amended Oct. 21, 1944]

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

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

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

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

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

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

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

(2) When a War Production Board order or certificate states the quantities and kinds of material or the particular services which are rated, the person to whom it is assigned may use the rating to get only that quantity and kind of material or that particular service named

in the order or certificate. If the quantities of material are not stated in the order or certificate assigning the rating it may be applied only to get the minimum amount needed.

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

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

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

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

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

(4) A person to whom a rating has been applied or extended to get material may not extend that rating to get containers or closures to pack the material except as permitted by any order in the Containers, Part 3270, Series (Orders P-140 and P-146 are the only ones that now permit the extension of such ratings). Nor may he extend such rating to get any material for his own plant improvement, expansion or construction, or to get machine tools or other items

which he will carry as capital equipment, or to get business machines for his own use whether purchased or leased, or to get maintenance, repair or operating supplies for his own use. Other orders or regulations, such as CMP Regulation 5 and some orders in the "P" series, assign ratings which may be used by the proper persons to get maintenance, repair or operating supplies and minor capital additions.

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

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

(2) *Items to which blanket MRO ratings do not apply; List B.* Blanket MRO ratings may not be applied to get any item on List B, except as permitted by the list. A blanket MRO rating means a rating assigned by CMP Regulation 5 or 5A, or by any other War Production Board regulation, order (including an order in the "P" series), form or certificate which assigns a rating for maintenance, repair or operating supplies without specifying the kind and quantity of the material to which the rating may be applied. Where the quantity of material is specified in terms of dollar value only, the rating is a blanket MRO rating. No person shall give any effect to any rating applied to his deliveries of any item on List B if he knows or has reason to believe that it is a blanket MRO rating. Any blanket MRO rating applied to an order for any item on List B which was not delivered before the date the item was added to the list shall be deemed void. The restrictions of this paragraph are not applicable when the blanket MRO rating is applied to get an item on the list for use on board ship, but in such a case the rating may not be extended by the person to whom it is applied.

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

(f) *Use of ratings for services—(1) Ratings may not be used for personal*

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

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

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

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

(iii) *For repairs.* A blanket MRO rating may be applied by the person to whom it is assigned to get his plant, machinery or equipment repaired even if the repair job does not involve the delivery of repair parts or materials. See paragraph (e) (2) for definition of a blanket MRO rating. A rating assigned on Form WPB-541 (formerly PD-1A) or WPB-542 (formerly PD-3A), or any other rating which may be applied to the delivery of specific repair parts or materials, may also be applied to the installation of the repair parts or materials or to the repair job alone if it is found that installing the parts or materials is not necessary. However, in the case of ordinary plumbing, heating, electrical, automotive or refrigeration repairs, a rating may not be applied to repair work even if the rating is expressly applicable to repair parts or materials. As used in this subparagraph, "repair" means to fix a plant, machinery or equipment after it has broken down or when it is about to break down. "Repair" does not mean upkeep or maintenance service such as periodic inspection, cleaning, painting, lubricating, etc.

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

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

CERTIFICATION

The undersigned purchaser hereby represents to the seller and to the War Production Board that he is entitled to apply or extend the preference ratings indicated opposite the items shown on this order, and

that such application or extension is in accordance with Priorities Regulation 3 as amended, with the terms of which the undersigned is familiar.

(Name of Purchaser)

(Address)

By _____
(Signature and Title of
Duly Authorized Officer)

(Date)

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

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

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

(5) Each person who applies or extends a rating must keep at his regular place of business all documents including purchase orders and preference rating orders and certificates which authorize him to apply or extend the rating. These documents, orders and certificates must be kept in such a way that they can be readily segregated and furnished to representatives of the War Production Board for inspection.

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

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

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

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

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

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

(i) *Restrictions in other orders.* When any person applies or extends a rating he shall be subject to any applicable rule or restriction which may be set forth in the order of the War Production Board which assigns the rating or any other order which regulates transactions in the material or the facilities for which he is using the rating. This includes restrictions as to the kind and amount of material to which ratings may be applied or extended, requirements for written approval of any particular transaction, restrictions on certain uses of material or facilities and any other rules which may be applicable to the particular transaction. However, the rules of paragraphs (g) (4) and (g) (6) apply unless some other order or certificate expressly says that they do not.

Issued this 21st day of October 1944.

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

LIST A

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

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

a. Antioxidants (gum inhibitors) for motor fuels.

b. Chemical additives and compound bases for heavy duty gasoline engine, diesel engine and aviation engine oils.

c. Chemical additives and compound bases for hypoid gear oils.

d. Synthetic catalysts for oil cracking operation.

e. Synthetic catalysts for cumene and co-dimer manufacture.

f. Synthetic catalysts for petroleum isomerization operations.

g. Synthetic catalysts for petroleum sweetening operations.

Communications services.

Dental burs.

Electric energy.

Gas, manufactured combustible, of the type generally distributed by utilities.

Gas, natural.

Petroleum; restricted products as defined in Order M-201.

Silicon carbide settling tank and dust collector fines.

Steam heating, central.

Sterilizer equipment, as defined in Order L-266.

Track-laying tractor repair parts (See Limitation Order L-53-b).

Ice.

Tobaccos.

Vegetable, fish, marine animal and animal fats and oils, whether edible or inedible, and including their by-products and residues (whether resulting from refining, distillation, saponification, pressing or settling).¹

Sulfated, sulfonated, and sulfurized fats and oils.

Tall oil.¹

Wool grease.¹

Soap (other than metallic).¹

Fatty acids.¹

Food for human or animal consumption.¹

Glycerine.¹

Graphite crucibles.

Pig iron.

Alarm clocks.

Waste paper.

Water.

Containerboard, as defined in Order M-290.

Low and high temperature fractional distillation equipment for gas and gasoline analysis.

Roofing granules.

LIST B

NOTE: List B amended Oct. 21, 1944.

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

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

Animal traps.

Anti-freeze, all types.

Athletic and sport equipment.

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

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

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

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

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

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

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

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

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

Cellulose caps or bands of any gauge.

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

Chinaware.

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

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

¹ Subject to War Food Order 71 (formerly FD Regulation No. 1) of the War Food Administration.

b. Blackouts or dimouts; or
c. The protection of civilians, either individually or collectively, against enemy action or attack.

Clocks and watches.

Clock and watch repair materials including mainsprings.²

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

- a. Closures for glass containers.
- b. Gummed stay and sealing tape, paper and cloth.
- c. Paper and paperboard bottle caps, closures, and hoods.

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

- a. Bags, all types, and specialty envelopes (including those made of paper, textile, combinations of materials, transparent films, metallic foils, parchment, kraft or sulphite).
- b. Baskets and hampers.
- c. Cans, as defined in Order M-81.
- d. Collapsible tubes.
- e. Cooperage, tight and slack.
- f. Fibre cans, fibre tubes (except shell containers), fibre bottles, fibre mailing cases, and fibre drums.
- g. Folding and set-up boxes (paperboard).
- h. Gas cylinders, as defined in M-233.
- i. Glass containers.
- j. Ice cream cans (paperboard) and paraffin cartons and pails.
- k. Paper cups and paper food containers, except as permitted by Order L-336.
- l. Paper milk containers.
- m. Steel shipping drums as defined in Order L-197.

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

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

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

Electrical appliances as defined in Order L-65.

Electronic heating generators.

Electronic intercommunicating systems, including public address systems.

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

Filing cabinets, wooden.

Fire protective equipment, including only:

- a. Fire hose.
- b. Fire pumps.
- c. Fire sprinkler systems.
- d. Portable fire extinguishers, except pump tank and back pack extinguishers.

e. Fire sprinkler systems;

f. Foam generators;

g. Indicator posts;

h. Lightning rod systems;

i. Piped extinguishing systems;

j. Portable fire extinguishers;

k. Stirrup pumps;

l. Water spray nozzles.

Flatware.

Frying pans.

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

Galvanized ware and non-metal coated metal articles as governed by Limitation Order L-30-a (except for funnels, oil and

gasoline cans having a capacity of from 1 to 5 gallons, inclusive, and flexible spout measures).

Glass tableware.

Glass tumblers.

Industrial air circulators, new.

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

- a. Bakery utensils;
- b. Butcher benches;
- c. Butcher blocks;
- d. Canopies or hoods;
- e. Carriers, food;
- f. Carriers, tray;
- g. Coffee mills and grinders;
- h. Counters, cafeteria, lunch and serving;
- i. Counter protectors;
- j. Cutters, french fry;
- k. Cutters, meat, bone and fish;
- l. Dispensers, milk and cream;
- m. Display racks;
- n. Dough dividers;
- o. Dough troughs;
- p. Knife sharpeners and grinders;
- q. Pans, cold;
- r. Potato mashers;
- s. Potato and vegetable parers or peelers;
- t. Racks, bread (bakery);
- u. Racks, dump (bakery);
- v. Racks, pans (bakery);
- w. Sandwich units;
- x. Slicers, meat and bread;
- y. Tables, bakers;
- z. Tables, cooks, chef, salad and work;
- aa. Tables, soiled and clean dish;
- bb. Toaster stands;
- cc. Tray stands;
- dd. Trucks, food;
- ee. Urn stands;

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

- (a) Internal combustion engines, or electric motors.
- (b) Blowers.
- (c) Speed reduction units.

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

Laboratory instruments and equipment, including parts thereof. (Except ratings assigned by Preference Rating Orders P-43, P-68, P-89 and P-98-b, and ratings assigned pursuant to Order P-56; but those ratings may not be used for items on List A of Order L-144.)

Lawn mowers, including power and gang mowers.

Lighting fixtures, fluorescent (as defined in Order L-78), and electric floodlights. Blanket MRO ratings of AA-2 or higher may, however, be used.

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

a. Anaesthesia and oxygen equipment and accessories;

b. Atomizers;

c. Clinical thermometers;

d. Crutches;

e. Dental consumable supplies;

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

g. Diagnostic instruments and apparatus;

h. Electric light bulbs for diagnostic instruments;

i. Hearing aids;

j. Hospital and medical rubber drug sundries, except surgeons' gloves when acquired in accordance with Appendix III of Order R-1.

K. Hospital enamelware and stainless steel ware:

1. Hypodermic needles and syringes;

m. Operating and examining room furniture;

n. Operating and examining room lights;

o. Ophthalmic goods.

² It is not contemplated that any preference ratings will be assigned by the War Production Board on Form WPB-541 for clock and watch repair materials including mainsprings.

p. Orthopedic appliances including splints, belts and trusses;
 q. Physical therapy equipment and supplies;
 r. Sterilizers;
 s. Surgical dressings;
 t. Suture needles;
 u. Sutures;
 v. X-ray equipment and supplies, including X-ray tubes, X-ray valve tubes, X-ray developing hangers, X-ray timers, and similar supplies and accessories.

Medical, surgical and dental instruments. Medicinal preparations, including vitamins.

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

Pails and tubs, wooden, including wooden mop pails.

Paper and paperboard and products manufactured therefrom and molded pulp products; excluding carbon paper, tracing paper, reproduction paper, sensitized paper, engineering graph paper, chemically treated paper for engineering use, litmus paper and filter paper and paper tags.

Paper charts for recording instruments.

Pencils, mechanical.

Pencils, wood cased.

Pens, fountain.

Pen holders.

Pen nibs, steel.

Photographic film sensitized, as controlled by Order L-233.

Pins, common and safety.

Printing and publishing:

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

b. Processed printing plates;

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

d. Printing paper, paperboard and binders board;

e. Book cloth;

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

g. Mechanical bindings.

Radio transmitters, receivers and transceivers.

Refrigeration and air conditioning systems and parts, except as permitted by Order L-38.

Signal and alarm equipment, including:

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

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

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

Tire retreading, recapping and repair equipment, except for recapping or repair of truck tires 8.25 x 20 and larger.

Venetian blinds.

Wooden shelving.

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

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

INTERPRETATION 1. REVOCATION

Interpretation 1 of Priorities Regulation 3
 [Revoked. Nov. 17, 1943.]

INTERPRETATION 2

EFFECT OF LISTS A AND B ON UNFILLED ORDERS

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

INTERPRETATION 4

CMPL-224 AND CMPL-127 AUTHORIZATIONS

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

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

It is set forth in CMPL-127:

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

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

INTERPRETATION 5

RESTRICTIONS OF OTHER ORDERS; "MASKING" TAPE

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

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

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

INTERPRETATION 6

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

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

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

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

INTERPRETATION 7

LIMITATIONS ON THE RIGHT TO USE RATINGS TO GET MATERIALS PROCESSED

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

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

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

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

INTERPRETATION 9

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

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

specific kind and quantity of the material desired.

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

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

INTERPRETATION 10

USE OF RATING TO OBTAIN LEASED MACHINERY

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

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

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

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

INTERPRETATION 11

IDENTIFICATION OF BLANKET MRO RATINGS

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

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

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

INTERPRETATION 12

RECORDS OF EXPORTERS

Paragraph (g) (5) of Priorities Regulation No. 3 requires each person who applies or

extends a rating to keep all documents including preference rating orders and certificates which authorize him to apply or extend the rating at his regular place of business. The Foreign Economic Administration and its predecessors, the Board of Economic Warfare and the Office of Economic Warfare, have assigned preference ratings to exporters for export by endorsing appropriate legends upon export licenses. The original of every export license, however, is required by other government regulations to be surrendered to export officials at the time of shipment. Consequently, persons who receive their assignments of preference ratings on export licenses are not in a position to retain the original of the export license and thus are not required to do so by paragraph (g) (5) except only in those cases where other government regulations do not require the surrender to the government of the documents referred to. (Issued April 25, 1944.)

INTERPRETATION 13

TIME LIMIT ON USE OF RATINGS

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

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

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

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

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

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

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

The fact that a person has not been able to get his rated order accepted by a supplier does not lengthen the time within which he may use his rating. (Issued June 23, 1944.)

[F. R. Doc. 44-16226; Filed, Oct. 21, 1944; 11:26 a. m.]

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

[Priorities Reg. 3, Interpretation 8 as Amended Oct. 21, 1944]

FIRE PROTECTIVE EQUIPMENT

The following amended interpretation is issued with respect to Priorities Reg. 3:

The term "Fire protective equipment" on List B of Priorities Regulation 3 includes only

the end items listed and does not include materials or parts required for the repair or maintenance of those items.

For example, fire pumps and fire sprinkler systems are listed and therefore may not be obtained on blanket MRO ratings, whereas a part required to repair a pump or sprinkler system may be obtained on blanket MRO ratings. Similarly, blanket MRO ratings may not be used to extend an existing sprinkler system, but such ratings may be used to repair or replace sprinkler heads which have been opened up by fire or damaged in any other way.

Issued this 21st day of October 1944.

By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-16262; Filed, Oct. 21, 1944; 11:26 a. m.]

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

[Priorities Reg. 3, Interpretation 8 as Amended Oct. 21, 1944]

ELECTRONIC INTERCOMMUNICATING SYSTEMS

The following amended interpretation is issued with respect to Priorities Reg. 3:

List B of Priorities Regulation 3 (§ 944.23) forbids the use of blanket MRO ratings to obtain electronic intercommunicating systems. This restriction applies only to getting systems not yet installed. Therefore, blanket MRO ratings may be used to obtain repair parts and materials for existing intercommunicating systems. Also, those blanket MRO ratings which may be used for minor capital additions, may within prescribed dollar limits be used to add stations to an existing intercommunicating system to bring it to its designed capacity. Thus, if an intercommunicating system is designed for 16 stations, with only 12 stations originally installed, four stations may be added by the use of blanket MRO ratings. However, an expansion beyond the 16 stations, or any enlargement of or an extension beyond the designed capacity, may not be obtained by use of blanket MRO ratings.

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

Issued this 21st day of October 1944.

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

[F. R. Doc. 44-16261; Filed, Oct. 21, 1944; 11:26 a. m.]

PART 921—ALUMINUM AND MAGNESIUM

[General Preference Order M-1-h, Revocation]

BAUXITE AND ALUMINA

Section 921.10 General Preference Order M-1-h is hereby revoked. This action shall not be construed to affect in

any way any liability or penalty incurred under said order.

Issued this 23d day of October 1944.

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

[F. R. Doc. 44-16287; Filed, Oct. 23, 1944;
11:05 a. m.]

PART 1157—CONSTRUCTION MACHINERY

[General Limitation Order L-53-b, as
Amended Oct. 23, 1944]

REPAIR PARTS FOR TRACK-LAYING TRACTORS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain repair parts necessary to service track-laying tractors 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:

§ 1157.7 General Limitation Order L-53-b—(a) What this order does. The purposes of this order are to regulate the sale and delivery of repair parts for track-laying tractors; to prohibit tractor owners from getting more repair parts than they actually need; and to allocate deliveries of repair parts between military and non-military purchasers. The order tells how repair parts can be sold and who can buy them.

(b) Restrictions on sales and deliveries of repair parts. (1) A producer, dealer or distributor located in the United States must not sell or deliver repair parts to any person except for export unless he has received from such person an emergency certificate. (Certain exemptions are explained in paragraph (c) below and special restrictions on export sales are explained in paragraph (d) below.) The emergency certificate must be in substantially the form set forth below, signed by hand or signed as provided in Priorities Regulation 7:

In accordance with Order L-53-b, I certify, subject to criminal penalties for misrepresentation, that all the repair parts covered by this order are immediately necessary to put my tractor(s) in serviceable condition and are not for stock; that I do not have like parts on hand; that I have not placed another order for any of these parts with any other person, and that the parts will only be used on the following tractor(s):

(Give serial number(s))

Name of Purchaser

Address of Purchaser

The certificate shall constitute a representation to the seller and to the War Production Board that all the statements in it are true. Any producer, dealer or distributor who receives this certificate may rely on it unless he knows or has reason to believe it to be false.

(2) The standard certification of Priorities Regulation 7 must not be used instead of the emergency certificate pro-

vided for above. The emergency certificate must not be waived in the manner provided in Priorities Regulation 7; however, the seller may sign the emergency certificate in his own name for the buyer if he knows all the facts and is willing to assume full responsibility for the truth of every statement contained in it. Telegraph, telephone and verbal orders may be accepted by complying with the applicable provisions for telegraph, telephone and verbal orders of Priorities Regulation 7.

(c) Exemptions. The following sales and deliveries are exempt from the requirement of an emergency certificate:

(1) Where the producer, dealer or distributor receives from the purchaser Form WPB-1319 approved by the War Production Board or a certification as explained below. Any person who is unable to furnish an emergency certificate may apply for this approval by filing the required number of copies of this form in accordance with the current instructions for the form. When a person receives such approval on Form WPB-1319, he may give it to the producer, dealer or distributor along with his purchase order, or, if he prefers, he may give a certification in substantially the following form: "Authorized under Order L-53-b on Form WPB-1319, Case No. _____. This certification shall constitute a representation to the War Production Board that the purchase or delivery of the repair parts ordered has been specifically authorized by the War Production Board on Form WPB-1319;

(2) Where the purchaser is a producer, or a dealer or distributor located in the United States or Canada;

(3) Where a military agency is buying repair parts direct from a producer;

(4) Where the order is for fuel filter or oil filter elements.

(d) Repair parts for export. (1) A producer, dealer or distributor located in the United States must not sell or deliver repair parts for export outside the United States unless he receives from the purchaser Form WPB-1319 approved by the War Production Board. Application for this approval may be made by filing the required number of copies of this form in accordance with the current instructions for the form.

(2) The following sales and deliveries for export are exempt from this requirement:

(i) Sales and deliveries to dealers and distributors located in Canada;

(ii) Sales and deliveries by a producer to an export dealer or distributor;

(iii) Direct sales to military agencies by producers;¹

¹ Military agencies must not purchase repair parts for overseas use from dealers or distributors located in the United States unless the purchases are approved on Form WPB-1319 in accordance with paragraph (d) (1).

(iv) Any sale or delivery not exceeding \$100 to any other person for export;²

(e) Allocation of repair parts deliveries by manufacturers of track-laying tractors. (1) [Deleted Oct. 23, 1944.]

(2) Whenever unfilled orders in the hands of a manufacturer of track-laying tractors calling for immediate delivery of any repair part shall exceed his inventory of that repair part, he shall, so long as such condition exists, make no delivery of that part to dealers or distributors in the United States and Canada for stock until he has filled all other orders and shall apportion his deliveries of such repair part as follows:

(i) Deliveries directly to military agencies: not more than 65% of his total deliveries of such repair part, if there are unshipped orders on hand from other persons for such repair part.

(ii) Deliveries to or for the account of other persons: not more than 35% of his total deliveries of such repair part, if there are unshipped orders on hand from military agencies for such repair part.

(3) Whenever a manufacturer of track-laying tractors receives a repair parts order from a dealer or distributor located in the United States or Canada, he must, for the purposes of paragraph (e) (2) above, treat it as a stock order unless the dealer or distributor states that the parts are to fill customers' orders actually received which he is unable to fill from his stock. Each such statement shall constitute a representation of the truth thereof, and any producer may rely on it unless he knows or has reason to believe it to be false.

(f) [Deleted Oct. 23, 1944.]

(g) Filling orders upon specific direction of the War Production Board. A producer, dealer or distributor shall, upon specific direction of the War Production Board, make delivery of any repair part in accordance with such direction.

(h) Preference ratings. No person shall apply or extend any rating to get any repair parts from a producer, dealer or distributor, and no producer, dealer or distributor shall require a rating as a condition of the sale or delivery of repair parts. Any rating purporting to be applied or extended to any such transaction shall be void and no producer, dealer or distributor shall give any effect to it in filling an order.

(i) Definitions. (1) "Track-laying tractor" means a vehicle powered by an internal combustion engine, used for pushing or pulling heavy loads, obtaining traction and steered by a full crawler or track-type device; but not Ordnance models of tank-type construction such as models M-2, M-4, M-5 and M-6 or U. S. Engineer models specifically designed for transport by air (airborne tractors).

² A producer, dealer or distributor must not accept any order under this provision if he knows or has reason to believe that the purchaser has subdivided his purchase for the purpose of coming within the exemption.

(2) "Repair part" means:

(i) Any part manufactured or sold by a producer, for use in the repair of track-laying tractors, but not parts sold by a producer to other manufacturers for incorporation into or for repair of other products manufactured by them;

(ii) Tools which bear a producer's standard parts number and which are used in servicing track-laying tractors.

(3) "Producer" means any person engaged in the business of manufacturing track-laying tractors; it also includes any other person to the extent that he is engaged in the business of manufacturing parts specifically designed for use in the repair of track-laying tractors. It does not include any person primarily engaged in the business of manufacturing common components or any person to the extent that he supplies parts to a manufacturer of track-laying tractors.

(4) "Dealer or distributor" means any person engaged in the business of buying repair parts for the purpose of resale but the term does not include any producer.

(5) "Export dealer or distributor" means any dealer or distributor who is engaged in the business of selling repair parts outside the United States and Canada.

(6) "United States" means the forty-eight states of the United States and the District of Columbia.

(7) "Military agency" means the Army, Navy, Maritime Commission, War Shipping Administration and any other agency or person so designated by the War Production Board.

(j) *Miscellaneous provisions*—(1) *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, except where otherwise stated.

(2) *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.

(3) *Reporting requirements*. The form of application (Form WPB-1319) provided for in this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(4) *Appeals*. Any appeal from the provisions of this order shall be made by filing a letter, in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal. The letter must be filed with the field office of the War Production Board in the district in which is located the plant or branch of the appellant to which the appeal relates.

(5) *Communications*. All reports required to be filed hereunder and all other communications concerning this

order shall, unless otherwise directed, be addressed to the War Production Board, Construction Machinery Division, Washington 25, D. C., Ref: L-53-b.

(6) *Effective date*. Paragraph (e) of this order shall become effective June 2, 1944, and all other provisions shall become effective July 3, 1944. All provisions of Order L-53-b, as amended March 6, 1944, except paragraph (e) of that amendment, shall remain in full force and effect until July 3, 1944.

Issued this 23d day of October 1944.

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

NOTE: Change in WPB-1319 Instructions.
Since producers no longer have to file application on Form WPB-1319 for an export dealer's or distributor's quota as formerly required by paragraph (d) (2) (ii), that part of the instructions relating to such applications in the October-November WPB-1319 Instruction Pamphlet under the heading "Tractors, Track-Laying, Repair Parts" is obsolete.

[F. R. Doc. 44-16285; Filed, Oct. 23, 1944;
11:04 a. m.]

PART 1178—FISHING TACKLE

[General Limitation Order L-92, Revocation]

FISHING TACKLE

Section 1178.1 *General Limitation Order L-92* is hereby revoked.

This revocation does not affect any liabilities accrued under the order. The manufacture and delivery of fishing tackle remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 23d day of October 1944.

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

[F. R. Doc. 44-16286; Filed, Oct. 23, 1944;
11:04 a. m.]

PART 3216—MATERIAL ENTERING INTO THE OPERATION OF TRANSPORTATION SYSTEMS

[Preference Rating Order P-142, as Amended Oct. 23, 1944]

§ 3216.1 *Preference Rating Order P-142*. This order explains how "operators" of transportation systems, as defined below, get materials to carry on their operations, and it must be used by them in place of CMP Regulation 5. With a few exceptions, this order gives preference ratings for up to 110% per quarter of each item or group of items specifically authorized for the operator for the first quarter of 1944. Controlled materials (except aluminum and rail and track accessories) are allotted on the same basis. This means that, in most cases, quarterly applications on Form WPB-2585 are no longer necessary, but material may be scheduled for delivery on the new basis only three quarters in advance. Use of the ratings and allotments is explained in the order.

Definitions

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

(1) "Transportation system" means a steam railroad, an electric railroad, a terminal railroad, a switching railroad, a private car line company, a rapid transit system, an electric street railway system, a trolley coach system, or a common carrier passenger motor bus system.

(2) "Operator" means any person to the extent that he is engaged in the business of transporting passengers or property over a transportation system. The term does not include any person who can obtain all of his controlled material requirements at retail, or from warehouses or distributors under the provisions of CMP Regulation 4, and who has not elected to operate under this Order P-142 pursuant to paragraph (k) (1); such person must continue to operate under the provisions of CMP Regulation 5 and all other applicable regulations.

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

(4) "Controlled material" means steel, copper and aluminum in the forms and shapes indicated in Schedule I of CMP Regulation 1.

(5) "Maintenance and repair" means the upkeep or restoration of any unit of the operator's property or equipment by using the minimum amount of material necessary (i) to keep the unit usable for the purpose intended in its existing design, (ii) to restore parts of the unit to their original usefulness, or (iii) to renew parts to restore the unit to its usefulness for the purpose intended in its existing design. The term also includes "heavy repair of locomotives" and "heavy repair of railroad cars," as those terms are defined in paragraphs (a) (8) and (a) (9) below.

(6) "Operating supplies" means those materials and supplies which are essential to the operations of the operator's transportation system, the rendering of services, and the collection of revenues in connection therewith.

(7) "Construction" means the use of material to provide additional facilities or to rehabilitate existing facilities for a purpose not intended in the existing design.

(8) "Heavy repair of locomotives" includes only:

(i) Such repair to boiler, machinery and tender as is necessary to put the unit in thorough order and in condition to run out a new term of assigned mileage (sometimes known as class 1, 2 and 3 repair), and also such intermediate repair thereto as is necessary to enable the unit to run out its full mileage assignment (sometimes known as class 4 and 5 repair); or

(ii) Conversion, which means any change in the general machinery or wheel arrangement of the locomotive; or

(iii) Modernization, which means the addition of accessories and/or specialties to the locomotive.

(9) "Heavy repair of railroad cars" includes only:

(i) Program repair for any group of cars, or, if the operator does not program

such repairs, repair of any car requiring 50 or more man hours per car for freight cars, or 100 or more man hours per car for passenger cars; or

(ii) Conversion, which means the modification of the structure of an existing car to such an extent as to change the type of the car.

Ratings and Allotment Symbol

(b) *Preference ratings for materials other than controlled materials.* Subject to the provisions of this order, preference ratings are hereby assigned to deliveries of material to be made to an operator after March 31, 1944, as follows:

(1) *Quotas.* Each operator may use the rating assigned for the purchase of each item or group of items under sections D and E of his authorization on Form WPB-2585 (original and supplements) for the first calendar quarter of 1944, to order for delivery to him during any calendar quarter not more than his quota for that item or group of items for uses permitted under paragraphs (f) and (g) of this order. This quota is in each case 110% of the amount authorized for him in column (k) of the above form, with the exception of the items listed in paragraph (b) (2) below, which are handled on a special basis. If this 110% quota is not enough in any quarter to provide for permitted uses under this order, application for additional amounts may be made as explained in paragraph (k) (2). Also, if an operator has received authorization on Form WPB-2585 for the second calendar quarter of 1944 or later quarters for any item or group of items in excess of the above 110% quota, he may use this authorization for the particular quarter instead of his quota unless otherwise directed by the War Production Board.

(2) *Special items and track material.* The ratings assigned above in paragraph (b) (1) may not be used to order the following items:

- Steam injectors.
- Mechanical lubricators.
- Roller bearings (driving box, tender truck, and engine truck).
- Stokers.
- Superheaters and headers.
- Air brakes—AB.
- Hand brakes (power).
- Brake beams.
- Car bolster springs.
- Couplers and coupler bodies.
- Track material of the following kinds:
 - Frogs.
 - Crossings.
 - Switches.
 - Switch stands.
 - Rail anchors.
 - Rail braces.
 - Guard rails.
 - Guard rail clamps.
 - Gauge rods.
 - Clip bolts.
 - Rail clips.
 - Nut locks.

The amounts of these items which an operator can get for permitted uses and the proper ratings will be authorized from time to time on Form WPB-2585. Application for such authorization should be made by the operator as explained under paragraph (k) (3) of this order.

(3) *Emergency repairs.* The War Production Board may also assign in writing preference ratings to deliveries of specific materials essential for emergency repairs, application for which should be made as explained in paragraph (k) (2) of this order.

(4) Use of the ratings for advance quarters is subject to paragraph (e).

(c) *Assignment of allotment symbol for controlled materials.* Each operator may use the CMP allotment symbol T-7 to order controlled material for delivery to him after March 31, 1944, for a use authorized by paragraph (f) or (g) of this order, in amounts per quarter as follows:

(1) Aluminum to the extent required for maintenance, repair and operating supplies.

(2) Steel and copper (except rail and track accessories) up to 110% per quarter of the respective amounts authorized for the operator for each item or group of items under section C of Form WPB-2585 (original and supplements) for the first calendar quarter of 1944. If this 110% quota is not enough in any quarter to provide for permitted uses under this order, application for additional amounts may be made as explained in paragraph (k) (2). Also, if an operator has received authorization on Form WPB-2585 for the second calendar quarter of 1944 or later quarters for any such item or group of items in excess of the above 110% quota, he may use this authorization for the particular quarter instead of his quota unless otherwise directed by the War Production Board.

(3) Rail and track accessories (Code No. 2026) in amounts authorized for each quarter by the War Production Board upon Form WPB-2585. Application should be made by the operator only as required under paragraph (k) (3). (Note that the items of track material listed in paragraph (b) (2) are no longer controlled materials).

Use of these authorizations for advance quarters is subject to paragraph (e).

(d) *How to use the ratings and allotment symbol—(1) Certification.* An operator may use the above ratings and allotment symbol T-7 to get materials under this order by placing on his purchase orders a certification in substantially the following form, signed manually or as provided in Priorities Regulation 7:

Preference rating—(specify rating if necessary); CMP allotment symbol T-7; P-142, serial No. _____.

The undersigned operator 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, for transportation MRO under P-142, the item(s) ordered; and to use any preference rating or allotment symbol which the undersigned has placed on this order.

However, the certifications provided in CMP Regulation 7 and Priorities Regulation 7 may be used instead of the above.

if they include the following identification:

Preference rating—(specify rating if necessary); CMP allotment symbol T-7; P-142, serial No. _____.

(2) An order for controlled materials which bears the above certification and allotment symbol is an authorized controlled material order, except that, when placed with a producer, the order must conform to paragraph (s) (4) of CMP Regulation 1 relating to content of the order and time for placing it. On orders for controlled materials, no preference rating should be shown.

(3) The ratings applied by operators under paragraph (d) (1) may be extended in the manner provided in Priorities Regulation 3.

(4) The ratings assigned under this order may not be used to get items shown on List A or B of Priorities Regulation 3.

(e) *Advance authorizations.* Neither the preference ratings nor the allotment symbol assigned by this order may be used by an operator to place orders for delivery farther ahead than the three calendar quarters following the quarter during which the order is placed, unless otherwise indicated with respect to any authorization issued on Form WPB-2585. For example, during the second quarter of 1944, orders may be placed for delivery during that quarter and in each of the last two quarters of 1944 and the first quarter of 1945 to the full extent authorized per quarter under the above paragraphs; during the third quarter of 1944, orders may be placed in corresponding amounts for delivery in the second quarter of 1945, and so on. Any special authorization, unless otherwise indicated, is valid only for the quarter for which issued.

Permitted Uses of Materials and Inventories

(f) *Maintenance, repair, etc.* No operator shall acquire any material under the provisions of this order, nor make withdrawals from inventory of any material acquired with priorities assistance of any kind, except for the following purposes:

(1) Maintenance, repair and operating supplies (including materials required for MRO by the operator for its own use in carrying out authorized construction projects and in manufacturing transportation equipment);

(2) Heavy repair of locomotives;

(3) Heavy repair of railroad cars;

(4) Minor items of productive capital equipment not exceeding \$500 per unit (excluding cost of labor);

(5) Replacement of rail with the weight of rail and type of fastenings conforming to the operator's standard practice;

(6) Construction to the extent permitted by paragraph (g) below; or

(7) For any other use when specifically authorized in writing by the War Production Board.

(g) *Construction.* Any operator may acquire materials under this order, or make withdrawals from inventory of materials acquired with priorities assist-

ance, for the following kinds of construction:

(1) Laying of railroad tracks or the construction of necessary operating facilities (including tunnels, overpasses, underpasses or bridges), but only to the extent that the total cost of such materials for anyone project is \$2,500 or less (excluding cost of labor). If the total cost of such material is over \$2,500, the project is covered by Conservation Order L-41 in the case of tunnels, overpasses, underpasses or bridges, and the operator must get permission to construct under that order. Even in the case of projects exempted by L-41, the operator must apply to the Transportation Equipment Division on Form WPB-617 for specific authorization if he needs priorities assistance to get any materials over the above \$2,500 limit, or if he wants to withdraw more than this amount from his inventory of materials acquired with priorities assistance.

(2) Construction of railroad stations, warehouses, loading platforms and similar structures, where the construction is within the annual cost limits set forth in Order L-41.

With respect to any project costing over the above limits, after the operator gets specific authorization in writing from the War Production Board (under L-41 or otherwise as indicated above), he may withdraw amounts over those limits from his inventory of materials acquired with priorities assistance. However, replacement in inventory of any additional materials so withdrawn may be made only by using the ratings and allotments assigned by the specific authorization (CMPL-224, GA-1456, or other applicable form). Furthermore, with respect to any project specifically authorized by the War Production Board (under L-41 or otherwise), acquisition or withdrawal from inventory of materials by the operator is limited to those which may be permitted by the authorization.

Inventory Control; Resales

(h) *Inventory control.* Notwithstanding the provisions of any other order or regulation of the War Production Board (including CMP Regulation 2), an operator's inventory of material for uses permitted under this order shall be subject to the following restriction only:

No operator shall receive any delivery of material which will increase his inventory of such material to an amount greater than the minimum necessary to sustain his current level of operations.

However, this does not prevent the operator from maintaining minimum stocks of material for emergency use, nor from acquiring reasonable stocks of ties and lumber for seasoning. The foregoing inventory control also does not apply to printed matter.

(i) *Permitted resale of materials.* An operator may resell material (whether or not obtained with the assistance of this order):

- (1) To any other operator;
- (2) To another person when such material is to be physically incorporated

in repairs of equipment that is used in the maintenance, repair, or operations of the operator's own property: *Provided*, That such material could have been used by the operator itself in making its own repairs without violation of any of the provisions of this order;

(3) To the operator's own transportation system subsidiaries, or for the maintenance of track or equipment not owned but customarily maintained by the operator or its subsidiaries; or

(4) For the repair of equipment of another carrier in accordance with the Code of Rules for the Interchange of Traffic as adopted by the Association of American Railroads.

Any such sale shall be expressly permitted within the provisions of paragraph (c) (3) of Priorities Regulation 13: *Provided*, That nothing in this paragraph (i) shall be deemed to authorize receipt or use of any material by any person in violation of any inventory or use restriction imposed by this order or any other order or regulation of the War Production Board, and no operator shall make any sale of material authorized above if he knows or has reason to believe that receipt or use thereof by the buyer will be in violation of any such restriction.

(j) *Other resales.* Any other resale of materials by an operator is subject to Priorities Regulation 13.

Procedure

(k) *How to make application under this order.*—(1) *Serial numbers.* No operator shall be entitled to any assistance under the provisions of this order until he has been assigned an authorized serial number, which may be obtained upon application by letter to the War Production Board, stating that the applicant will be unable to obtain all of his controlled material requirements at retail or under the provisions of CMP Regulation 4. In addition, any person who can obtain all such requirements at retail or under that regulation may elect to apply as above for an authorized serial number. When such serial number is assigned to him, he shall be deemed an "operator" under all the provisions of this Order P-142.

(2) *Application for special or additional authorizations.* In order to get authorization or exemption under paragraph (b) (1), (b) (3), (c) (2) or (f) (7) of this order, an operator must communicate with the War Production Board, describing the nature of the emergency or the reason why specific authorization is necessary, and the amount and type of material involved. The War Production Board will thereupon notify the operator in writing whether, and to what extent, his application is approved.

Requests for additional authorizations for any quarter under paragraph (b) (1) or (c) (2) must be made by letter, giving the above information. In acting upon such a request, the War Production Board may at the same time authorize all or part of the additional amount for future quarters. For example, if it was shown that the operator's authorizations on Form WPB-2585 for the first quarter of

1944 were not a reasonable indication of his quarterly needs of any item or group of items, his "base" (against which to apply the 110% quota) might be increased. The War Production Board may also direct in writing that the "base" be reduced.

(3) *Application for special items and track material.* Application for track material under paragraph (b) (2) and for rail and track accessories under paragraph (c) (3) should be made by an operator only if called for by specific instructions of the War Production Board. Application for special items (other than track material) listed in paragraph (b) (2) should be made on Form WPB-2585 at least 45 days before the beginning of each calendar quarter, in accordance with the instructions on the form and any supplemental instructions that may be issued.

(4) [Deleted Oct. 23, 1944.]

Miscellaneous Provisions

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

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

(n) *Applicability of regulations.* (1) This order and all transactions affected by it are subject to all applicable regulations of the War Production Board, as amended from time to time, unless this order states otherwise.

(2) None of the provisions of CMP Regulations 5 or 5A shall apply to operators as defined in paragraph (a) (2) of this order, and no operator shall obtain any material under the provisions of either of those regulations. However, privileges under other orders and regulations of the War Production Board granted to persons on Schedule I or II of CMP Regulation 5 shall be considered as applicable to operators under this order. For example, Order E-5-a on gauges and precision measuring hand tools classifies a person on Schedules I and II of CMP Regulation 5 as an "approved user". Operators under this order P-142 are in the same position providing that certification clauses and all other provisions of those other orders are complied with.

(o) *Communications.* All communications concerning this order, unless otherwise directed, shall be addressed to: War Production Board, Transportation Equipment Division, Washington 25, D. C., Ref.: P-142.

Note: The reporting requirements in this paragraph (k) have been approved by the

Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 23d day of October 1944.

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

[F. R. Doc. 44-16290; Filed, Oct. 23, 1944;
11:04 a. m.]

PART 3281—PULP AND PAPER

[General Conservation Order M-380, as
Amended Oct. 23, 1944]

MOISTURE VAPOR BARRIER MATERIAL

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of moisture vapor barrier material 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:

§ 3281.96 General Conservation Order M-380—(a) Definitions. For the purposes of this order:

(1) "Moisture vapor barrier material" means any laminated or coated material composed of the following:

Metallic foil, with or without a paper or textile backing, the foil being coated with or laminated to a heat sealing medium approved for Method I-A or Method II packaging, which laminated or coated material has a maximum moisture vapor transmission rate of 0.25 or less grams per 100 sq. inches in 24 hours when tested at a vapor pressure differential of 42 mm. of mercury at 100° F. The term "moisture vapor barrier material" includes but is not limited to the following commercial barriers:

Reynoldsflex A50 and A51 produced by Reynolds Metals Company.

Shellflex 770 and 903 produced by Shellmar Products Company.

Valley 2A and 4 produced by Valley Industries Company.

Plastic #A-6004 produced by Plastic Film Corporation.

Rapinwax—A. K.—and A. K. A. produced by Rapinwax Paper Company.

(2) "Method I-A packaging (not dehydrated) or Method II packaging (dehydration)", means packaging complying with any of the following Army-Navy general specifications for packaging and packing: U. S. Army Specifications #100-14A, U. S. Navy Specification #39 P16a, U. S. Army Air Corps Specification #An-P-13, and A. S. F. Manual M-406 "Corrosion Prevention Processing and Packing."

(3) "Manufacturer" means any person who produces any moisture vapor barrier material.

(4) "Converter" means any fabricator of any moisture vapor barrier bags or processed sheets from moisture vapor barrier material.

(5) "Moisture vapor barrier bag" means a prefabricated container made by sealing the moisture vapor barrier material together with heat or other approved methods. The finished bag must comply with specifications mentioned in paragraph (a) (2) above.

(6) "Processed sheet" means any sheet fabricated from one or more widths of moisture vapor barrier material, with or without gaskets or reinforcements.

(7) "Ammunition container bag" means a container made of moisture vapor barrier material used to package ammunition for the Army and Navy of the United States, or Lend-Lease.

(8) "Powder bag" means a container made of moisture vapor barrier material used to package gun powder for the Army and Navy of the United States, or Lend-Lease.

(b) *Restrictions on delivery and use of moisture vapor barrier material.* (1) No manufacturer shall deliver any moisture vapor barrier material except to converters or to the Army or Navy of the United States, or Lend-Lease, and no person, except converters and the Army or Navy of the United States, or Lend-Lease, shall accept delivery of or use moisture vapor barrier material in roll or unprocessed sheet form.

(2) No converter shall deliver any moisture vapor barrier material in any form other than bags or processed sheets, unless the delivery is made to the Army or Navy of the United States, or Lend-Lease, and no converter shall deliver any moisture vapor barrier bags or processed sheets if he knows or has reason to believe that the person accepting delivery will use them for a purpose not permitted by paragraph (b) (3).

(3) No person shall use any moisture vapor barrier material, moisture vapor barrier bags or processed sheets except for ammunition container bags, powder bags and for packaging products which have been ordered by or for the account of the Army or Navy of the United States, or Lend-Lease. These bags or processed sheets, other than ammunition container bags and powder bags, may be used only when the applicable specifications require Method I-A packaging (not dehydrated) or Method II packaging (dehydration).

(c) *Inventory restrictions.* No person shall accept delivery of moisture vapor barrier materials in roll or unprocessed sheet form or moisture vapor barrier bags or processed sheets if the amount

accepted, together with his inventory of such material then on hand, shall exceed a 30-day supply, having regard to his orders on hand and his current method and rate of operation.

No person shall deliver moisture vapor barrier materials in roll or unprocessed sheet form or moisture vapor barrier bags or processed sheets if he knows or has reason to believe that the person accepting delivery will have, on acceptance, an amount of moisture vapor barrier materials or moisture vapor barrier bags or processed sheets in excess of a 30-day supply.

(d) *Appeals.* Any appeal from the provisions of this order shall be made in duplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal, with the War Production Board, Paper Division, Washington 25, D. C., Ref: M-380.

(e) *Violations.* Any person who wilfully violates any provisions of this order or who, in connection with this order, 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.

(f) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed be addressed to the Paper Division, War Production Board, Washington 25, D. C., Ref: M-380.

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

Issued this 23d day of October 1944.

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

[F. R. Doc. 44-16289; Filed, Oct. 23, 1944;
11:05 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT

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

FURNACES

The fulfillment of requirements for the defense of the United States has created a shortage of materials used in the manufacture of furnaces 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:

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

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

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

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

(4) [Deleted Oct. 23, 1944.]

(b) [Deleted Oct. 23, 1944.]

(c) [Deleted Oct. 23, 1944.]

(d) Simplified practices. No person shall manufacture, fabricate or assemble any furnace designed to burn solid fuel except in accordance with the following practices:

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

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

(3) [Deleted Oct. 23, 1944.]

(4) [Deleted Oct. 23, 1944.]

(5) [Deleted Oct. 23, 1944.]

(6) [Deleted Mar. 24, 1944.]

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

NOTE: Paragraph (e), formerly (f) redesignated Oct. 23, 1944.

(f) Applicability of regulations. All persons and transactions affected by this order are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(g) Applicability of other orders. Insofar as any other order issued by the War Production Board, or to be issued by it hereafter, limits the use of any ma-

terial to a greater extent than the limitations imposed by this order, the restrictions of such order shall govern unless otherwise specified therein.

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

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

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

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

Issued this 23d day of October 1944.

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

[F. R. Doc. 44-16283; Filed, Oct. 23, 1944;
11:04 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT

[Limitation Order L-23-c, as Amended Oct. 23, 1944]

DOMESTIC COOKING APPLIANCES AND DOMESTIC HEATING STOVES

The fulfillment of requirements for the defense of the United States has created a shortage of materials used in the manufacture of domestic cooking appliances and domestic heating stoves 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:

§ 3288.66 Limitation Order L-23-c—
(a) Definitions. For the purpose of this order:

(1) "Domestic cooking appliances" means the following non-electric appli-

ances: Gas ranges, cook stoves and hot plates for household use; coal and wood ranges and cook stoves for household use; fuel oil ranges, cook stoves, table stoves and hot plates for household use; combination ranges (including dual oven types, ranges with built-in kitchen heaters, and bungalow types) for household use; camp and trailer stoves for cooking purposes; fuel oil conversion range burners; and drum and portable ovens.

(2) "Domestic heating stoves" means any device (except electric) for the direct heating of the space in and adjacent to that in which the device is located, designed for use without heat distribution pipes or ducts as integral parts of such heating devices, and includes but is not limited to circulating, radiant and portable heaters; trailer and caboose stoves; and laundry stoves (except water jacked and permanently built-in coil types). Domestic heating stoves shall not include floor or wall furnaces.

(3) "Stove" means any domestic cooking appliance or domestic heating stove.

(4) "Burner valves" means any top burner valves, oven burner valves and two-way oven burner valves for use in gas ranges, gas cook stoves, gas hot plates and gas combination or bungalow ranges.

(5) "Thermostat" means any device designed for the control of temperatures and manufactured for installation on a stove.

NOTE: Subparagraph (6), formerly (4), redesignated Oct. 23, 1944. Former subparagraph (6) deleted.

(6) "Accessories" means aprons, high closets, high shelves, clocks, lights, timers, broilers not using the oven burner (except for combination ranges), broiler pans other than iron, steel or aluminum, cover-alls and any other instruments, attachments, or appurtenances (except top-burner lighters, thermostats, thermometers, top work space and storage compartments) for domestic cooking appliances not essential to any of the following three major cooking operations: Top burner cooking, oven baking and oven broiling.

(b) General restrictions on the production of stoves, burner valves and thermostats. (1) No person shall manufacture, fabricate or assemble any stoves except to the extent authorized on Form GA-1850.

(2) No person shall manufacture, fabricate or assemble any burner valves or thermostats except:

(i) To the extent authorized on Form GA-1850; or

(ii) To the extent authorized by any specific authorization under Order M-9-c or grant of appeal under Order M-9-c issued prior to October 23, 1944.

(3) A person wishing to obtain authorization on Form GA-1850 to make stoves under paragraph (b) (1), or burner valves or thermostats under paragraph (b) (2) should apply for authorization by letter addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., Ref: L-23-c. The letter pertaining to stoves should state the proposed production in units per quarter by models and types. The letter pertaining to valves should state the proposed production in units of top burner valves, oven burner valves and two-way oven burner valves. The letter pertaining to thermostats should state the proposed production in units per quarter. Before sending this letter the applicant should consult his War Production Board field office regarding the necessity for submitting Form WPB-3820. Where the applicant will need controlled materials to produce the stoves, valves or thermostats, the letter requesting authorization should be accompanied by an application on Form CMP-4B for the controlled materials. Authorizations will be granted on the basis of the applicant's proposed use of labor, possibility of interference with war production, and facilities available for this production. Production will not be authorized where an applicant's proposed use of labor will interfere with local or inter-regional recruitment of labor. Applications from persons who have not previously been engaged in the production of stoves, burner valves or thermostats will be accepted and processed on the same basis as all other applications.

(c) *Special restrictions on production.* In addition to the restrictions contained in paragraph (b), all of the following special restrictions must also be complied with:

(1) [Deleted Aug. 29, 1944.]

(2) No person shall manufacture, fabricate or assemble any accessories or incorporate them into any stove except that those non-electric accessories, not including cover-alls, which were in his stock in a completely assembled and finished condition on June 7, 1944, may be used in the production of stoves.

(3) [Deleted Oct. 23, 1944].

(4) [Deleted Aug. 29, 1944.]

(5) No person shall use any "bright work", "bright finish", metal finish or trim containing copper, nickel or chrome in the production of stoves.

(d) *Exceptions.* (1) The restrictions of this order do not apply to the production of repair and replacement parts. However, no person shall produce repair or replacement parts in excess of the

quantity required to maintain a practicable minimum working inventory.

(2) [Deleted Aug. 29, 1944.]

(3) [Deleted Aug. 29, 1944.]

(e) *Reports.* Manufacturers of stoves shall report on or before the tenth day of each month on Form WPB-3249. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(f) *Applicability of regulations.* All persons and transactions affected by this order are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

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

(h) *Exceptions and appeals—(1) Production under Priorities Regulation 25.* Any person who wants to manufacture, fabricate or assemble more stoves, burner valves or thermostats than he has been authorized to make on Form GA-1850 (including a person who has no authorization) may apply for permission to do so under Priorities Regulation 25. He may still, of course, apply for authorization under paragraph (b) (3) if he desires. Application may also be made under Priorities Regulation 25 by any person for permission to manufacture, fabricate or assemble any accessories or to incorporate them into any stove where not permitted by paragraph (c) (2). Accessories made under Priorities Regulation 25 authorization may be assembled or incorporated into stoves.

(2) *Appeals.* Any appeal from the provisions of this order, other than the restrictions of paragraphs (b) (1), (b) (2) or (c) (2), should be filed on Form WPB-1477 with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates. No appeals should be filed from the restrictions of paragraphs (b) (1), (b) (2) or (c) (2).

(i) *Communications.* All communications concerning this order, except appeals, shall unless otherwise directed, be addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., reference L-23-c.

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

further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 23d day of October 1944.

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

SCHEDULE A: Deleted Oct. 23, 1944.

SCHEDULE B: Deleted Aug. 29, 1944.

INTERPRETATION 1: Superseded June 7, 1944.

INTERPRETATION 2: Revoked August 29, 1944.

INTERPRETATION 3

CHROMIUM PLATING FOR REFLECTOR PLATES

The restrictions contained in paragraph (c) (5) do not prohibit the use of chromium plated steel for heat reflectors as a functional part of radiant heaters, where no suitable substitute material has been found and where the use of such reflectors is necessary to avoid high floor temperature and to decrease fire hazard. [Issued July 12, 1944.]

[F. R. Doc. 44-16284; Filed, Oct. 23, 1944;
11:04 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-47, Direction 1]

RELEASES OF DAMAGED BURLAP

The following direction is issued pursuant to Conservation Order M-47:

Users of burlap may apply on Form WPB-541 for priorities assistance to obtain damaged burlap from Defense Supplies Corporation for uses essential to the war effort when other less critical material cannot be used or is unavailable. Applicants should specify the number of yards and the construction (width and weight) required. For the purpose of identification, this damaged burlap is known as "XXX damaged burlap", and this description should be used in the application. Grants of priorities assistance will be limited to a 90 day supply of this material.

Issued this 23d day of October 1944.

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

[F. R. Doc. 44-16288; Filed, Oct. 23, 1944;
11:04 a. m.]

PART 3305—PAPERBOARD¹

[Preference Rating Order P-146, as Amended Oct. 23, 1944]

FIBRE SHIPPING CONTAINERS—RATINGS

To facilitate the acquisition of fibre shipping containers in the public interest and to promote the defense of the United States, preference ratings are hereby assigned to deliveries of such containers upon the following terms:

§ 3305.21¹ *Preference Rating Order P-146—(a) What this order does.* This

¹ Formerly Part 3270, § 3270.26.

order assigns preference ratings for new fibre shipping containers to persons who need them for various purposes. It also explains to what extent ratings assigned in other ways may be used to get new fibre shipping containers.

The ratings and rating systems described in this order are the only ones which may be used to get new fibre shipping containers. All others are barred for this purpose. Furthermore, this order only applies to the containers, sheets, rolls and parts covered by the definition of fibre shipping containers (paragraph (c)). It should not be construed to establish a rating system for any other types of containers.

Preference ratings may be used to get fibre shipping containers in accordance with the provisions of this order regardless of any contrary provisions contained in paragraph (d) (4) of Priorities Regulation 3.

(b) *Suggested procedure for using this order.* The following procedure is suggested for determining the ratings you may use to get fibre shipping containers:

1. *For a product you manufacture (other than under Priorities Regulation 25).* Refer to paragraph (h). Then refer to paragraph (i). Use the rating you are entitled to under either of these provisions.

2. *For a product you do not manufacture.* Refer to paragraph (h). Then refer to paragraph (j). Use the rating you are entitled to under either of these provisions.

3. *If you are a manufacturer or jobber of inner containers or closures.* Refer to Schedule (A) (paragraph (h)). Then refer to paragraph (n). Paragraph (n) sets forth the only ways in which manufacturers and jobbers of inner containers or closures may use ratings for their fibre shipping container requirements.

4. *If you are a jobber of fibre shipping containers.* Refer to paragraph (o).

5. *For containers to be used for export shipment to specified agencies of products appearing on List A of Priorities Regulation 3.* Refer to paragraph (k) (2).

6. *For fibre shipping containers to be delivered empty to foreign countries other than Canada.* Refer to paragraph (p).

7. *For fibre shipping containers to be delivered empty to Canada.* Refer to paragraph (q).

8. *For empty fibre containers to be delivered to the Army, the Navy, the Maritime Commission or the War Shipping Administration.* Refer to paragraph (k) (1).

9. *For fibre shipping containers to be delivered on orders rated AAA.* Refer to paragraph (g).

10. *For a product for which you have no rating under any other provisions of this order.* Refer to paragraph (m). This does not apply to products manufactured under the terms of Priorities Regulation 25.

10-a. *For combination packages (i. e. a package containing two or more products).* Refer to paragraphs (m) and (o-1).

10-b. *For a product manufactured under Priorities Regulation 25.* Refer to paragraph (q-1).

11. *If, because of special circumstances, the ratings you may use under this order are inadequate.* Refer to paragraph (l). Note that the special ratings contemplated by this paragraph will be issued only in cases of extreme hardship or in special instances where

it is determined that the war effort will be aided by so doing.

12. *If you are a sheet plant or a cleated box manufacturer.* Refer to paragraph (x).

13. *All persons.* Refer to paragraph (v) (Certification); paragraphs (d) through (f) (Over-all limitations on use of ratings); paragraphs (s) through (u); (Status of outstanding unfilled orders); paragraphs (y) through (dd) (Miscellaneous).

Definitions

(c) *Definitions.* "Fibre shipping container" means the following items:

(1) Any new box, crate, case, basket, drum, inner carton, hamper or sleeve, in set-up or knock-down form which is made in whole or in part from solid fibre (.045 or heavier) or corrugated fibre and which is used for the delivery or shipment of materials. This does not include the following: Trunks, luggage, or military locker boxes; fibre cans, or tubes. It also does not include combination wood-and-fibre shipping containers consisting of 50% or more wood (by area).

(2) Any new solid fibre (.045 or heavier) or corrugated fibre sheet or any new corrugated fibre roll to be used for wrapping, packaging, or otherwise protecting a product or material for shipment. This does not include corrugated or solid fibre sheets produced for delivery to plants, of the type commonly referred to in the container manufacturing industry as "sheet plants" for their use in manufacturing fibre shipping containers. It also does not include corrugated or solid fibre sheets produced for delivery to cleated box manufacturers for use in manufacturing shipping containers made of corrugated or solid fibre sheets attached to wooden cleats.

(3) Any new solid fibre (.045 or heavier) or corrugated fibre interior fitting which is cut to size for use in any type of container to provide content protection, structural strength, or both. This includes, but is not limited to, the following: Partitions; pads; liners; sun bursts; corrugated wrappers (single-faced, double-faced, double-walled).

Limits on Use of Ratings

(d) *Prohibition against use of other ratings.* No person may use any rating except as provided in this order, to get fibre shipping containers; for instance, a person may not use a rating which has been assigned to him for maintenance, repair or operating supplies for this purpose.

Likewise, if he is a manufacturer of fibre shipping containers, he may not use any ratings he may have received for production materials for such containers, pursuant to CMP-4B or WPB-2613 applications, to get fabricated items which are defined in paragraph (c) as "fibre shipping containers"—for instance "interior fittings". He is regarded as a "fibre shipping container jobber" in so far as such fabricated items are concerned, and must extend his customers' ratings in accordance with paragraph (o) to get them. He may do this, re-

gardless of paragraph (d) of Priorities Regulation 11B and paragraph (e) of CMP Regulation 3.

(e) *Prohibition against use of ratings to obtain production materials for fibre shipping containers.* The ratings which this order allows a person to use to get fibre shipping containers may not be extended to obtain materials for use in the manufacture of containers.

(f) *Limitation on use of ratings by persons owning container production facilities.* No rated order for fibre shipping containers need be accepted if the person applying or extending the rating owns or controls facilities on which he can produce the containers covered by his purchase order. The only exception to this rule is where the purchaser's facilities are required to fill higher rated orders or previously received orders bearing equal rating, or where the War Production Board specifically directs the acceptance of the rated order.

In order to avail himself of the provisions of this paragraph (f) a person who gets a rated order must first notify the person applying or extending the rating of his claim that this paragraph excuses acceptance of the rated order.

Preference Ratings Which May Be Used to Get Fibre Shipping Containers

(g) *AAA ratings.* Any person who receives an order rated AAA may use that rating to get fibre shipping containers which he will actually use to deliver that order. This rating may not be used to replace containers in inventory except under the circumstances described in paragraphs (i) (2), (j), (k) (2) and (o) of this order.

(h) *Assignment of ratings (not applicable to manufacturers of products under Priorities Regulation 25)—(1) Fibre shipping containers other than drums.* Any person may use the preference rating shown opposite any product or use listed in Schedule A to get the fibre shipping containers, other than fibre drums, he needs for commercially shipping or delivering that product or for that use.

(2) *Fibre drums.* Any person may use the preference rating shown opposite any product or use listed in Schedule B to get the fibre drums (defined in Order L-337) he needs for commercially shipping or delivering that product or for that use.

(3) *Procurement of containers for suppliers.* A person may use the rating shown opposite a product in Schedule B to provide his suppliers with fibre drums, and that set opposite a product in Schedule A to provide them with other fibre shipping containers, which they will use to deliver the product to him.

(i) *Manufacturers may use production material ratings.* Any manufacturer (other than a manufacturer of inner containers or closures—see para-

graph (n) who has a rating to get production materials¹ for a product, may use the same rating, within the limitations set forth in this paragraph to get the fibre shipping containers he needs to package that product or to replace fibre shipping containers so used in his inventory. If he has two or more ratings (i. e. split ratings) for production materials, he must use them in the same proportion in ordering fibre shipping containers. Furthermore the fibre shipping containers he may get with each rating, must be reduced by the number of wooden shipping containers (see Order P-140) he gets with the same rating.

Examples of the way in which ratings may be used under this paragraph are the following:

(1) If a manufacturer has a split rating of 25% AA-2 and 75% AA-3 for production materials for a certain product, he may use the AA-2 rating to get his fibre shipping container requirements for 25% of that product and the AA-3 for the balance.

This applies if he has gotten no wooden shipping containers for the product with the AA-2 rating. If he has, the fibre shipping containers plus the wooden shipping containers he gets with that rating, must not exceed the number of both kinds of containers he requires to ship 25 percent of the product in question.

(2) If a manufacturer receives a rated order and is not prohibited by any War Production Board regulation or order, (such as Priorities Regulation 11B or CMP Regulation 3²) from using the rating to get his production material for the order, he may extend that rating to get the fibre shipping containers he will use to make delivery on the rated order or for inventory replacement purposes.

(j) *Non-manufacturers may extend customers' ratings.* A person who sells, on a rated order, material which he does not manufacture, may extend his customers' ratings to get fibre shipping containers to fill that order or for inventory replacement. This may be done regardless of the provisions of paragraph (d) (4) of Priorities Regulation 3.

¹ "Production material" means, with respect to any person, material or products (including fabricated parts and subassemblies) which will be physically incorporated into his product and includes the portion of such material normally consumed or converted into scrap in the course of processing. It also includes items purchased by a manufacturer for resale to round out his line if such items do not represent more than 10% of his total sales. It does not include any items purchased by him as manufacturing equipment or for maintenance, repair or operating supplies as defined in CMP Regulation 5.

² Priorities Regulation 11B contains the following provision: "A person who has received a rating or ratings on Form WPB-2613 (formerly PD-870) for production materials for a specified product shall not extend ratings received from his customers to purchase production materials for the same product". CMP Regulation 3 contains the following provision: "A prime consumer who manufactures Class B products and has received an authorized production schedule for such manufacture, accompanied by a preference rating to be used with his allotment number, shall not extend any other rating received by him from a customer". Limited exceptions to these prohibitions are set forth in the respective regulations.

(k) *Use of ratings assigned by certain agencies.*—(1) *Empty containers.* The Army, the Navy, the Maritime Commission and the War Shipping Administration may use ratings which they assign to get empty fibre shipping containers which will be packed either (i) in plants owned by them, or (ii) under their direction, in warehouses or other plants which did not produce the product packed and which are not normally responsible for the procurement of containers required for the fulfillment of their contracts. The rating described in this paragraph cannot be used to get fibre shipping containers which will be packed anywhere else whether on a contract, agency or other basis.

(2) *Containers for export shipment of products on List A of Priorities Regulation 3.* A person may use a rating, assigned specifically for fibre shipping containers by the Army, the Navy, the Maritime Commission, the War Shipping Administration, War Food Administration and the Foreign Economic Administration, only for the following purposes: To get fibre shipping containers which will be packed in the United States with a product appearing on List A of Priorities Regulation 3 and shipped to any point outside of the forty-eight states, the District of Columbia, Canada or Mexico, to or for the account of the Army, the Navy, the Maritime Commission, the War Shipping Administration or for lend-lease purchases. The same rating may be used to replace in inventory any fibre shipping containers used for such export shipment.

(l) *Special ratings.* The War Production Board may assign special ratings in addition to those described in paragraphs (h), (i), (j), (k), (m), and (n), for fibre shipping containers. Applications for such ratings should be filed on Form WPB-2408.

(m) *Catch-all ratings. (Not applicable to manufacturers of products under Priorities Regulation 25).* If a person (other than a manufacturer or jobber of inner containers or closures, see paragraph (o)) is not entitled to use a rating to get fibre shipping containers for a particular purpose or purposes under any other provision of this order, he may use the following ratings to get the fibre shipping containers he needs for that purpose or to replace fibre shipping containers used for that purpose in his inventory.

1. AA-2X—if he has a blanket MRO rating of AA-1.
2. AA-3—if he has a blanket MRO rating of AA-2.
3. AA-4—if he has a blanket MRO rating of AA-2X.
4. AA-5—if he has a blanket MRO rating of AA-3 or lower.

He may also use these ratings to get fibre shipping containers for "combination packages" (as defined in paragraph (o-1) if he is not entitled to use a rating to get fibre shipping containers under any other provision of this order for any one of the products included in such packages.

"Blanket MRO ratings" are defined in paragraph (e) (2) of Priorities Regulation 3.

(n) *Ratings for manufacturers or jobbers of inner containers or closures.* When used in this paragraph (n) the term "inner containers" shall, in all cases, include closures for containers.

Manufacturers or jobbers of inner containers, such as glass jars, folding boxes, cans, etc. may not use their production material rating (paragraph (4)) or a catch-all rating (paragraph (m)), to get fibre shipping containers for the delivery of empty inner containers. However, they may use, for this purpose, any rating which they are entitled to under paragraphs (g), (h-Schedule A), (j), (l) or (k) (2) of this order.

In addition, manufacturers or jobbers of inner containers may use the same ratings which their customers could use to get fibre shipping containers, within the following limits and under the following conditions:

(1) The customer must advise the manufacturer or jobber, in writing, that a specific number or all of the inner containers covered by his purchase order will be used for a purpose which would entitle him, under the terms of this order, to use a certain rating to get fibre shipping containers for shipping them after they (the inner containers) have been filled.

(2) When so advised, the manufacturer or jobber of the inner containers may use the same rating to get fibre shipping containers for delivering the specified number of empty inner containers to that customer, or to replace any fibre shipping containers so used in inventory.

(o) *Permitted extension of ratings by fibre shipping container jobbers.* A person who sells empty fibre shipping containers, which he does not make, or which, he merely assembles, may extend his customers' ratings to get fibre shipping containers for delivery on the rated order, or to replace any fibre shipping containers so delivered in inventory.

(o-1) *Combination packages.* For the purpose of this order a "combination package" is one in which two or more products are packed in the same fibre shipping container.

Fibre shipping containers for combination packages must be obtained with the lowest rating which could be used, under this order, to get fibre shipping containers if each product in the package were packed separately. For instance, if a retail store packs two products in the same fibre shipping containers and it could use an AA-3 to get fibre shipping containers for one of them (if packed separately) and an AA-5 for the other, it must use an AA-5 to get fibre shipping containers for the combination package.

Use of Ratings for Delivery of Empty Containers to Foreign Countries

(p) *Countries other than Canada.* No ratings except those assigned pursuant to paragraph (1) (Special ratings) may be used to get fibre shipping containers

which will be delivered empty to any foreign country except Canada, unless the containers are to be delivered directly to and used directly by an agency of the United States Government.

(q) *Canada.* The ratings provided by this order may be used to get fibre shipping containers by persons in Canada only if they are authorized to do so in accordance with Priorities Regulation 22. Any person in Canada authorized to use a preference rating under this order shall use such rating in the manner provided by Priorities Regulation 22.

Products Manufactured under Priorities Regulation 25

(q-1) *Ratings for products manufactured under Priorities Regulation 25.* A person who manufactures a product under the terms of Priorities Regulation 25 may use an AA-5 rating to get fibre shipping containers for it regardless of whether or not he has been assigned a production material rating under that regulation.

However, he may not use his catch-all rating (paragraph (m)) or any rating assigned pursuant to paragraph (h) (Schedules A and B) for this purpose.

Directions

(r) *Special directions by the War Production Board.* The War Production Board may, from time to time, direct a producer to produce and deliver specific quantities and types of fibre shipping containers to specified persons. It may also direct the manner in which such production and delivery shall be effected. Such directions will be made to insure the satisfaction of war and essential civilian requirements, both direct and indirect, and shall take precedence, to the extent which may be indicated by the War Production Board in the Direction over any preference ratings.

Existing Unfilled Orders

(s) *Permitted re-rating of existing orders.* Preference ratings assigned or permitted to be used by this order may be applied or extended to any unfilled order for fibre shipping containers placed prior to August 2, 1944. Any rating so applied or extended is a re-rating under the provisions of Priorities Regulation 12.

(t) *Compulsory rerating of unfilled orders—(1) Where a rating has been lowered by amendment of Schedule A.* Any person who has applied a rating under Schedule A (paragraph (h)) of this order to get fibre shipping containers must, if the containers covered by his order are not delivered or in transit to him within ten days after the rating has been lowered by an amendment to that Schedule, rerate his purchase order to the extent necessary to bring it into conformity with the provisions of this order as then amended. Thus a person who has used a Schedule A rating which was lowered by the amendment of August 2, 1944, must rerate his order to bring it into conformity with this order as

amended unless the rated shipping containers are actually in transit to him before August 12, 1944.

2. *Where the production material rating has been lowered.* Where a person has placed orders for fibre shipping containers to which he has applied his production material rating (paragraph (i)) and that rating is subsequently lowered, he must rerate his unfilled orders for fibre shipping containers to the same extent (and only to the same extent) that he is required to rerate his outstanding orders for production materials.

(3) *Where ratings have changed in any other manner.* In any other case where the rating which a person has used to get fibre shipping containers is rerated downward, he must rerate his unfilled purchase orders for fibre shipping containers as provided in Priorities Regulation 12.

(u) *Cancellation of special ratings previously assigned.* No ratings assigned on Form WPB-2408, before February 29, 1944, may be applied to orders for containers placed after February 29, 1944.

Certification

(v) *How the ratings provided for in this order may be applied or extended.* The ratings assigned or permitted to be used by this order may be applied or extended only by use of a certificate in substantially the following form, signed manually or as provided in Priorities Regulation 7:

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 he is entitled to apply or extend the preference rating set forth on this order and that such application or extension is in accordance with Priorities Regulation 3, and is justified by paragraph (a) of Order P-146.

Purchasers applying or extending ratings to get fibre shipping containers shall insert the appropriate paragraph letter of this order in the blank appearing in the last line of the above certificate.

(w) *Standard certification.* The standard certification provided for in paragraph (g) (1) of Priorities Regulation 3, and in paragraph (d) of Priorities Regulation 7, cannot be used in place of the certification provided by paragraph (v) above; nor may the certification provided by this order be waived in accordance with paragraph (f) of Priorities Regulation 7.

Sales of Sheet

(x) *Sales of sheet to sheet plants and to cleated box manufacturers.* A manufacturer of fibre shipping containers may supply corrugated or solid fibre sheets to sheet plants or cleated box manufacturers even though he has unfilled rated orders for fibre shipping containers to be made from such sheets. This does not mean that container manufacturers are required so to supply sheets or that sheet plants or cleated box manufacturers can extend ratings received from their customers to get sheets. It merely supersedes the provisions of Priorities Regulation 1 to the extent necessary (and only to that extent) to permit the sale of sheets to cleated box manufac-

turers and sheet plants regardless of whether this would prevent or delay the acceptance or fulfillment of rated orders for fibre shipping containers.

Miscellaneous

(x-1) *Use of different grades of ratings on one purchase order.* If a person has two or more ratings of different grades which he can use to get fibre shipping containers under this order, he may apply or extend them to deliveries on one purchase order. However, the purchase order must show the amount of each type or design of container to which a particular grade of rating is applied or extended. In order to avoid production or delivery of containers in quantities smaller than the minimum commercially practicable, a person may combine ratings of different grades and apply or extend the rating of the lowest grade to the total delivery.

(y) *Limits on the scope of this order.* This order deals only with the items defined as "fibre shipping containers". It does not affect ratings applicable to any other kind of container. This order does not purport to define any containers or closures (including fibre shipping containers) as "production materials" for the product to be packed. Nor does it permit "production materials" ratings, or any other ratings described herein, to be used to get any containers or closures, except those defined in paragraph (c).

(z) *Restrictions on acceptance of ratings.* No persons receiving an order for fibre shipping containers shall give effect to any preference rating applied or extended thereto on or after February 29, 1944, if he knows or has reason to believe, that the rating has not been applied or extended in accordance with the provisions of this order.

(aa) *Applicability of regulations.* Except to the extent that this order specifies to the contrary, this order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time. For instance, when this order allows a rating to be used for inventory replacement, this must be done in accordance with Priorities Regulation 3.

(bb) *Effect of other orders.* This order does not authorize the delivery, receipt, manufacture or use of any materials in violation of any other order of the War Production Board. Attention is specifically directed to Order L-317 which restricts the manufacture and use of fibre shipping containers and Order L-337 which restricts fibre drums.

(cc) *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 accepting further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(dd) *Communications.* All reports to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Paperboard Division, Washington 25, D. C., Ref.: P-146.

Issued this 23d day of October 1944.

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

**SCHEDULE A—FIBRE SHIPPING CONTAINERS
OTHER THAN DRUMS**

(Not applicable to manufacturers of products under Priorities Regulation 25. See paragraph (q-1))

NOTE: Title and items 61, 107, 108, 260 and 813 amended, items 260a, 358a, 382a and 382b added, and item 394 deleted Oct. 23, 1944.

These are the product ratings described in paragraph (h) (1) of this order. The preference rating shown opposite each product may be used to get "fibre shipping containers other than fibre drums" for it.

Rating procedures to get fibre shipping containers for products not appearing in the following list are described in paragraphs (g) through (q-1) of this order. Some of these procedures may, in appropriate cases, be used to get containers for listed products if the shipper prefers them to his listed rating. However, attention is called to the fact that the so-called "catch all" rating procedure, described in paragraph (m) of this order, may not be used to get containers for any listed product, except in the case of combination packages as provided in that paragraph and in paragraph (o-1).

The headings used in this table are only for the purpose of separating the items into groups of similar commodities.

BUILDING MATERIALS

Product:	Rating
1. Acoustical tile	AA-3
2. Asphalt roofing cement	AA-3
3. Asphalt roof coating	AA-3
4. Asphalt shingles	AA-3
5. Asphalt tile	AA-3
6. Facing tile, glazed and unglazed	AA-3
7. Floor and wall tile, glazed and unglazed	AA-3
8. Industrial plaster	AA-3
9. Insulating tile	AA-3
10. Insulation material (non-rigid, batts and blankets)	AA-3
11. Mineral wool formed-blocks, and/or metal encased insulation	AA-2X

CHEMICALS AND ALLIED PRODUCTS

12. Ascorbic acid	AA-2
13. Acrylic monomer and acrylic resin	AA-2
14. Alkali cleansers and washing compounds	AA-3
15. Allyl chloride and allyl alcohol	AA-2
16. Aniline	AA-2
17. Arsenic acid	AA-2
18. Associated paint, varnish, and lacquer products such as stains and fillers, polishes, putty, patching plaster, and other surfacing compounds	AA-5
19. Bismuth chemicals	AA-2
20. Bleaches, hypochlorites, peroxide, and perborates	AA-3
21. Can enamels	AA-2
22. Candles (except religious)	AA-5
23. Cements and adhesives, household	AA-5
24. Chemical warfare agents	AA-2
25. Chrome pigments	AA-2
26. Chromium chemicals	AA-2
27. Cosmetics and toiletries	AA-5

CHEMICALS AND ALLIED PRODUCTS—continued

Product:	Rating
28. Cotton linters	AA-2
29. Dentifrices	AA-3
30. Dichloro dithenyl trichlorethane (DDT)	AA-1
31. Drugs, medicinals and biologicals	AA-2X
32. Enamels (other than can enamels)	AA-3
33. Ethyl cellulose	AA-2
34. Explosives (exclusively military)	AA-1
35. Explosives (industrial)	AA-2
36. Furnace type and channel type carbon black	AA-2
37. Gasoline gum inhibitors	AA-2
38. Glass, fibrous, glass products only	AA-2X
39. Glass, vitreous and semi-vitreous china products for kitchen, commercial and industrial use and for the preparation and serving of food	AA-3
40. Glass, optical	AA-2
41. Glass, ornamental and novelty	AA-5
42. Glass, structural	AA-3
43. Glass, technical (military and industrial use)	AA-2X
44. Glycols	AA-2
45. Herahydric alcohols	AA-2
46. Higher aliphatic alcohols	AA-2
47. Household polishes and related preparations as follows:	AA-5
a. Automobile body polish	
b. Floor and furniture polish and wax	
c. Metal polish	
48. Hydraulic fluid (aircraft only)	AA-1
49. Hydraulic fluid (all military, except aircraft)	AA-2
50. Ink, except printing ink	AA-5
51. Ink, printers	AA-3
52. Insecticides and fungicides	AA-2X
53. Ipecac and emetine	AA-2
54. Lacquer	AA-3
55. Matches	AA-3
56. Metal polishes and buffing compounds (not abrasive)	AA-4
57. Miscellaneous chemicals (acetadol, ST-115, dehydrated O-G-C-78, By Product H ₃ PO ₄ , oxidized petrolatum, hydrogenated methyl abietate)	AA-2
58. Nicotine acid	AA-2
59. Nylon	AA-2
60. Paint (except marine)	AA-3
61. Paint (marine)	AA-1
62. Penicillin	AA-1
63. Phenolic resins and phenolic resin molding compounds	AA-2
64. Phthalic anhydride, maleic anhydride, and maleic acid	AA-2
65. Pigment and colors (except titanium dioxide and chrome)	AA-3
66. Pitch	AA-3
67. Polyethylene	AA-1
68. Potash	AA-2X
69. Preservatives	AA-3
70. Pyridine	AA-2
71. Quinacrine (atabrine)	AA-1
72. Quinine and other drugs extracted from cinchona bark	AA-2
73. Rayon, high tenacity	AA-2
74. Rayon yarn, high tenacity (tire type)	AA-1
75. Reagent chemicals	AA-2
76. Riboflavin	AA-2
77. Salt	AA-2X
78. Textile assistants	AA-3
79. Thiamine hydrochloride	AA-2
80. Varnish	AA-3
81. Vinyl polymers and co-polymers	AA-2
82. Vitamin A	AA-2

CONTAINERS INNER AND CLOSURES

(As referred to in Paragraph (n) of this order)	Rating
83. Bags and sacks	AA-3
84. Bag ties	AA-3
85. Closures and hoods for containers not otherwise listed	AA-3
86. Collapsible tubes	AA-3
87. Fibre cans and tubes	AA-3
88. Folding and set-up boxes	AA-3
89. Glass containers, except as otherwise listed	AA-3
90. Glass jars for home canning and closures therefor	AA-2X
91. Glass milk bottles and closures therefor	AA-2X
92. Jelly glasses for home canning and closures therefor	AA-2X
93. Metal cans	AA-3
94. Paper caps for glass bottles and jars	AA-3
95. Paper cups and nested food containers	AA-3
96. Paper milk containers	AA-2X
97. Prescription bottles for prescription use and closures therefor	AA-2X
98. Seed envelopes	AA-3
99. Tilt baskets and berry cups	AA-2X

FOODS

100. Foods except those otherwise listed (note that beer, beverage compounds, concentrates and syrups, chewing gum, distilled spirits for beverage purposes, soft drinks and wines are listed under the miscellaneous section of Schedule A rather than under this heading)	AA-2X
101. Baked beans	AA-3
102. Cantaloupe and melons	AA-3
103. Cauliflower	AA-3
104. Caviar	AA-5
105. Celery	AA-3
106. Confectionery, except chocolate and coco but including chocolate bars	AA-4
107. Condiments: except tomato catsup, chili sauce and tomato cocktail sauce	AA-5
108. Dessert products, fillings (pie and cake) food coloring, marshmallow and marshmallow cream, and puddings	AA-4
109. Flavorings	AA-3
110. Horseradish	AA-5
111. Ice cream	AA-3
112. Lettuce	AA-3
113. Mustard	AA-5
114. Pet foods	AA-5
115. Popcorn, unpopped	AA-3
116. Popcorn, popped	AA-5
117. Potato chips	AA-5
118. Radishes	AA-3
119. Relishes, prepared	AA-5

FURNITURE

120. Furniture, wood and metal, except as listed below	AA-3
121. Barber shop furniture	AA-5
122. Beauty shop furniture	AA-5
123. Benches (wooden)	AA-5
124. Blinds (venetian)	AA-5
125. Book cases	AA-5
126. Bookracks	AA-5
127. Breakfast sets	AA-5
128. Bridge sets: furniture	AA-5
129. Cabinets: music	AA-5
130. Camp furniture	AA-5
131. Carvings: furniture	AA-5
132. Clothing display forms	AA-5
133. Coffee tables	AA-5
134. Console tables	AA-5
135. Costumers	AA-5
136. Counter display cases	AA-5

FURNITURE—continued

Product:	Rating
137. Display fixtures	AA-5
138. Display racks	AA-5
139. End tables	AA-5
140. Footstools	AA-5
141. Frames	AA-5
142. Hassocks	AA-5
143. Hatracks	AA-5
144. Inlays: wooden	AA-5
145. Lectorns: portable	AA-5
146. Magazine racks	AA-5
147. Novelty furniture	AA-5
148. Ottomans	AA-5
149. Phonograph and radio cabinets	AA-5
150. Porch furniture	AA-5
151. Racks: book, clothes, display, hat	AA-5
152. Silverware chests	AA-5
153. Stands: merchandise display, telephone, and furniture	AA-5
154. Swings: porch	AA-5
155. Tables: folding—fibreboard	AA-5
156. Tea tables	AA-5
157. Trays	AA-5

KITCHEN AND HOUSEHOLD UTENSILS

158. Kitchen and household utensils, except as listed below	AA-3
159. Barware	AA-5
160. Bars, towel	AA-5
161. Boot and shoe trees	AA-5
162. Bottle cappers, household	AA-5
163. Candle holders	AA-5
164. Candlesticks	AA-5
165. Canisters	AA-5
166. Carpet beaters	AA-5
167. Clothes racks	AA-5
168. Commodes	AA-5
169. Crumb sets	AA-5
170. Curtain fixtures and rods	AA-5
171. Dish drainers	AA-5
172. Door mats	AA-5
173. Drapery attachments and fixtures	AA-5
174. Fireplace hardware, grates, baskets and screens	AA-5
175. Fly swatters	AA-5
176. Grids, camp	AA-5
177. Hardware, drapery	AA-5
178. Holders, salt, soaps, toilet paper, tooth brush, etc.	AA-5
179. Ice crushers, cubers (domestic)	AA-5
180. Jar openers	AA-5
181. Juice extractors	AA-5
182. Mats, wire door	AA-5
183. Nut crackers	AA-5
184. Racks, tie, towel, clothes	AA-5
185. Soap dishes	AA-5
186. Spice sets	AA-5
187. Spittoons	AA-5
188. Sprayers, water, household	AA-5
189. Stretchers, curtain	AA-5
190. Woodenware, novelty	AA-5

PAPER AND PAPER PRODUCTS

(Ratings for items listed under this heading apply only when the items are made of paper.)

191. Abrasive papers	AA-2
192. Adding machine and business machine rolls and folds	AA-3
193. All paper for delivery to U. S. Bureau of Engraving & Printing	AA-2X
194. Automotive oil cartridges	AA-2X
195. Blue prints and direct line papers	AA-2
196. Books and directories	AA-3
197. Cable insulation	AA-1
198. Caps, pads, cushions, and guards for fruit and vegetable packing	AA-3
199. Carbon paper	AA-3
200. Carbonizing paper	AA-3
201. Chart paper	AA-2

PAPER AND PAPER PRODUCTS—continued

Product:	Rating
202. Charts, rolls, and tape for communication and recording instruments	AA-2
203. Cigarette papers and cigarette paper books	AA-5
204. Clock backs and cases	AA-3
205. Clothing	AA-3
206. Condenser paper	AA-1
207. Control knobs and dials	AA-2X
208. Cores and core plugs	AA-2X
209. Crepe cellulose wadding	AA-3
210. Crepe wadding for packing	AA-3
211. Crepe paper and crepe paper products	AA-5
212. Cups	AA-3
213. Dental mouth wadding	AA-2X
214. Diaper linings	AA-3
215. Dishes, spoons, forks, plates, trays and mats	AA-5
216. Electrical insulation tissues	AA-1
217. Electrical insulation press-board	AA-3
218. Envelopes in all styles except expansion	AA-3
219. Expanding envelopes or pockets	AA-3
220. Facial tissues	AA-3
221. Faces for gauges, clocks, and weighing equipment	AA-2X
222. Fibre conduit and fittings	AA-2X
223. File dividers and indexes	AA-3
224. Fillers—looseleaf except accounting	AA-3
225. Filter paper	AA-2
226. Fly paper	AA-3
227. Fly ribbons	AA-3
228. Folders—file	AA-3
229. Friction pulleys and wheels	AA-2X
230. Fuses and component parts thereof	AA-2X
231. Gaskets	AA-2X
232. Gears	AA-2X
233. Greeting cards	AA-5
234. Gummmed flat paper	AA-3
235. Helmets and helmet accessories	AA-3
236. Hospital wadding	AA-2X
237. Household waxed paper, all styles	AA-5
238. Index cards, plain and ruled	AA-3
239. Instrument panels	AA-2X
240. Lens tissue	AA-1
241. Lithomat and photomat paper	AA-3
242. Map paper	AA-2
243. Mimeograph stencils	AA-3
244. Molded pulp products as paper machine articles	AA-5
245. Napkins (for industrial, commercial and institutional use)—bulk and dispenser type	AA-3
246. Napkins (household) and table and tray covers	AA-5
247. Prepared tracing paper	AA-2
248. Pressure sensitive adhesive tape	AA-3
249. Reproduction papers—blueprint gelatine spirit process, photographing protective and other sensitized	AA-2
250. Scrap books and albums	AA-5
251. Stationery (papeterie, portfolio, and folder form, etc.)	AA-5
252. Stationery, except otherwise listed	AA-3
253. Stencil base stock	AA-3
254. Straws—soda and drinking	AA-5
255. Tablets, pads and notebook	AA-3
256. Tabulating cards	AA-3
257. Tags, commercial and industrial trial only	AA-3
258. Toilet seat covers	AA-5
259. Toilet tissue	AA-2X
260. Towels, household use	AA-5
260a. Towels for industrial, commercial and institutional use only	AA-3

PAPER AND PAPER PRODUCTS—continued

Product:	Rating
261. Vertical file pockets	AA-3
262. V-Mail blanks	AA-3
263. Waxed, oiled, greaseproof glassine and parchment paper, all types and grades other than household packages	AA-2X
264. Waxed paper, except industrial	AA-5
265. Wrapping paper, paper bags, except industrial and military	AA-5
266. Wrapping tissue and cellophane	AA-5
RUBBER AND RUBBER PRODUCTS, NATURAL AND SYNTHETIC	
267. Artificial leather and upholstery	AA-5
268. Ash trays	AA-5
269. Bathroom equipment	AA-5
270. Belting, transmission and conveyor	AA-2X
271. Candy molds	AA-5
272. Cap covers	AA-5
273. Christmas tree lighting devices	AA-5
274. Clutch facings and brake linings	AA-2X
275. Cushions, upholstery mattresses (except invalid and hospital use)	AA-5
276. Desk and chair protection pads	AA-5
277. Desk sets	AA-5
278. Dish drainers	AA-5
279. Door checks and bumpers	AA-5
280. Door knob covers	AA-5
281. Exercise machine parts	AA-5
282. Tender protective plates	AA-5
283. Fish lures	AA-5
284. Flotation and life saving equipment	AA-2X
285. Fly swatters	AA-5
286. Foot bath trays	AA-5
287. Harvesting machinery parts	AA-2X
288. Industrial abrasive implements	AA-2X
289. Industrial tape, pressure sensitive and insulation	AA-2X
290. Inkwells and bottles	AA-5
291. Firemen's protective devices	AA-2X
292. Medical, surgical, dental drug sundries (for professional use only)	AA-2X
293. Milk and milking equipment	AA-2X
294. Mine and industrial safety equipment	AA-2X
295. Novelties	AA-5
296. Oil well specialties	AA-2X
297. Packing, gaskets and grommets	AA-2X
298. Pipe coupling rings	AA-2X
299. Printers' supplies	AA-2X
300. Rubber covered rolls and roll coverings	AA-2X
301. Rubber protected industrial equipment and rubber linings	AA-5
302. Serving trays	AA-5
303. Sink pads, mats, sprays	AA-5
304. Storage battery parts	AA-2X
305. Synthetic rubber (Butyl type and non-mutual GR-S)	AA-1
306. Table tops	AA-5
307. Telephone bases and cord protectors	AA-5
308. Vibration mounts and shock absorbers	AA-2X
309. Window squeegees	AA-5
310. Wire and cable products	AA-2X
TEXTILES, CLOTHING AND LEATHER	
311. Abrasive cloths	AA-2
312. Animal bristles and hair	AA-2X
313. Bedspreads, covers, curtains, tablecloths and similar articles	AA-5

TEXTILES, CLOTHING AND LEATHER—continued

Product:	Rating
314. Clothing, hats, gloves and all other outerwear and undergarments or apparel except rationed footwear, if made in whole or in part of leather or textile yarn, staple fibre or fabrics	AA-3
315. Closures, apparel	AA-3
316. Combinations of cotton, wool, or synthetic fabrics; woven, knitted or braided	AA-2X
317. Combinations of cotton, wool or synthetic yarn	AA-2X
318. Cordage fibres (as defined in M-84)	AA-2X
319. Cotton fabrics; woven, knitted or braided	AA-2X
320. Cotton yarn	AA-2X
321. Dyestuffs	AA-2X
322. Findings, shoe (the materials, excepting leather, used in making shoes) for rationed footwear	AA-2X
323. Findings, shoe, for non-rationed footwear	AA-3
324. Footwear, rationed	AA-2X
325. Footwear, non-rationed	AA-3
326. Furs and products made therefrom	AA-3
327. Harness	AA-2X
328. Lace articles	AA-5
329. Leather for rationed footwear (limited to processed hides, skins and splits which have not been incorporated into any product)	AA-2X
330. Leather for uses other than rationed footwear (limited to processed hides, skins and splits which have not been incorporated into any product)	AA-3
331. Leather finishes	AA-3
332. Leather products as follows:	AA-5
a. Bill folds and wallets	
b. Card and key cases	
c. Cigar and cigarette cases and tobacco pouches	
d. Coin purses	
e. Desk sets	
f. Dog furnishings	
g. Luggage	
h. Purses	
333. Rayon—(except high tenacity)	AA-2X
334. Shoe adhesives	AA-3
335. Shoe leather, cut stock (repair taps, insoles, mid-soles, counters, boxtoes and weltting)	AA-2X
336. Sponges	AA-3
337. Synthetic fabrics, woven, knitted or braided	AA-2X
338. Synthetic yarn	AA-2X
339. Textile fibres (animal and vegetable)	AA-2X
340. Tire cord and tire fabrics (rayon, cotton, nylon)	AA-1
341. Trimmings	AA-5
342. Vegetable tanning materials	AA-3
343. Wool fabrics: woven, knitted, felted or braided	AA-2X
344. Wool yarn	AA-2X

MISCELLANEOUS

345. Advertising prints	AA-5
346. Art goods	AA-5
347. Artists' supplies	AA-5
348. Automotive replacement parts (as defined in Order L-158 as amended)	AA-2X
349. Beer	AA-5
350. Beverage compounds, concentrated and syrups	AA-5
351. Buttons: military	AA-3
352. Buttons: except military	AA-5
353. Calendars	AA-5
354. Cement (refractories)	AA-2X
355. Chewing gum	AA-4

MISCELLANEOUS—continued

Product:	Rating
356. Chicks, baby	AA-2X
357. Christmas tree decorations and novelties	AA-5
358. Church goods (including products for religious use)	AA-3
358a. Containers purchased for direct packing by Government Printing Office	AA-2X
359. Controlled materials (as defined in CMP Regulation 1)	AA-1
360. Desk sets and deskware	AA-5
361. Dental plaster	AA-2X
362. Diaries	AA-5
363. Distilled spirits for beverage purposes	AA-5
364. Fireworks	AA-5
365. Fluorospark	AA-2X
366. Fruit trees, berry bushes and vegetable plants	AA-2X
367. Hospital and dental equipment	AA-2X
368. Jewelry: military insignia only	AA-3
369. Jewelry: except military insignia	AA-5
370. Laundry starch	AA-3
371. Luggage	AA-5
372. Micro-crystalline wax and blends as defined in Order PDO-19	AA-2
373. Mirrors (other than integral part of furniture)	AA-5
374. Motion picture prints or films	AA-2X
375. Musical instruments	AA-4
376. Novelties, ornamental and decorative, wood, paper, textile, rubber, glass, plastic, leather, clay, etc.	AA-5
377. Orthopedic plaster	AA-5
378. Petroleum restricted products as defined in M-201 to be delivered directly to Army, Navy, Maritime Commission and War Shipping Administration	AA-1
379. Petroleum restricted products as defined in M-201 for deliveries other than described in preceding item	AA-2X
380. Plumbing accessories, miscellaneous for tub, shower and lavatory (wood, paper, textile, rubber, plastic and glass)	AA-5
381. Poultry, live	AA-2X
382. Printing plates and mats	AA-3
382a. Products to be incorporated, without further processing, in Army and Navy overseas emergency rations such as "K" rations, "10-1" rations, "air corps" rations, "submarine" rations, etc. (This rating is only available for containers used for direct delivery of such products to the person or firm assembling such rations.)	AA-1
382b. Products for overseas shipment purchased by or for the account of the American Red Cross for distribution to troops overseas or to prisoners of war	AA-2X
383. Purses	AA-5
384. Refractories	AA-2X
385. Safety equipment, clothing and devices as defined in Order L-114	AA-2X
386. Sanitary napkins and wadding stock	AA-2X
387. Seeds (vegetable)	AA-2X
388. Shoe polishes, dressings, creams, preservatives, cleaners and stains	AA-3

MISCELLANEOUS—continued

Product:	Rating
389. Smelting and refinery products	AA-2X
390. Soap	AA-3
391. Soft drinks	AA-5
392. Sporting goods	AA-4
393. Surgical dressings	AA-2X
395. Tacks and nails: cut nails made from tack plate; wire shoe nails, non-ferrous nails, tacks except thumb tacks	AA-2X
396. Talc (crayons and forms)	AA-2X
397. Tobacco and tobacco products	AA-4
398. Toys and games, wood, paper, textiles, rubber, plastic, clay, etc.	AA-4
399. Wines	AA-5

SCHEDULE B—FIBRE DRUMS

(Not applicable to manufacturers of products under Priorities Regulation 25. See paragraph (q-1))

These are the product ratings described in paragraph (h) (2) of this order. The preference rating shown opposite each product may be used to get fibre drums (as defined in Order L-337) for it. Rating procedures to get fibre drums for products not appearing in the following list are described in paragraphs (g) thru (q-1) of this order. Some of those procedures, in appropriate cases, may be used to get fibre drums for listed products if the shipper prefers them to his listed rating. However attention is called to the fact that the so-called "catch-all" rating procedure, described in paragraph (m) of this order, may not be used to get drums for any listed product.

The headings used in this table are only for the purpose of separating the items into groups of similar commodities.

I. CHEMICAL PRODUCTS

1. Abrasives—finishing compounds—graphite—optical emery—	AA-2X
2. Adhesives (industrial) —	AA-2X
3. Chemicals—others:	
Acetates—solids	AA-2X
Acids—bulk solids	AA-2X
Activated charcoal (activated carbon)	AA-2X
Alcohol (bulk solids)	AA-2X
Bisulfites	AA-2X
Botanicals	AA-2X
Water treatment compounds	AA-3
Calcined chemicals	AA-2X
Catalysts	AA-2X
Chlorinated compounds	AA-2X
Detergents — except straight pack or 100% mixture of trisodium pyro phosphate, soda ash or bicarbonate of soda	AA-3
Disinfectants and germicides	AA-2X
Drugs—medicinals and biologicals	AA-2X
Dyestuffs	AA-2X
Embalming compounds	AA-2X
Enzyme products	AA-2X
Explosives (exclusively military)	AA-1
Explosives (industrial)	AA-2
Fire fighting and fire retardant compounds	AA-2X
Fluorides	AA-2X

I. CHEMICAL PRODUCTS—continued

3. Chemicals—others—continued	
Insecticides. Fungicides and rodenticides	AA-2X
Intermediates and aromatics. These terms mean organic chemicals including but not limited to carbocyclic and heterocyclic; coal tar derivatives of all kinds; monohydric dihydric and polyhydric, alcohols of all kinds; esters, ethers, aldehydes, aliphatic acids, ketones, amines and saturated and unsaturated hydrocarbons and their derivatives not otherwise specified.	AA-2X
Lanolin	AA-2X
Lecithin	AA-2X
Liquid and plastic cements and coatings	AA-3
Metal treating and processing compounds	AA-2X
Metal flux	AA-2X
Metal polishes (industrial)	AA-4
Metallic soaps	AA-3
Cement paints, dry	AA-3
Oil and gasoline additives including boronates	AA-2X
Peroxygen chemicals	AA-2
Photographic chemicals	AA-2X
Pigments and colors	AA-3
Pitch and tar	AA-3
Plasticizers and glycols	AA-2X
Plumbago	AA-2X
Printing inks	AA-3
Putty, caulking and glazing compounds	AA-5
Rosin	AA-2X
Rust preventive compounds (petroleum base only)	AA-2X
Reagent chemicals	AA-2
Rubber chemicals and accelerators	AA-2X
Sodium silicates (dry) (other than detergents)	AA-2X
Strontium and lithium salts	AA-2X
Synthetic resins and moulding compounds	AA-2X
Textile and leather auxiliaries	AA-3
Thermoplastics	AA-2X
Trimethylxanthine	AA-2X

II. FOODS

Baking powder	AA-2X
Butter, fruit and peanut only	AA-2X
Cocoa	AA-2X
Cheese	AA-2X
Dry malt	AA-2X
Dried brewers yeast	AA-3
Flavoring	AA-3
Food colors	AA-4
Frozen foods	AA-2X
Gelatin and dessert powders	AA-4
Hydrolyzed vegetable protein	AA-2X
Jams, jellies, and preserves	AA-2X
Meat cures and seasonings	AA-2X
Mincemeat	AA-2X
Monosodium glutamate	AA-2X
Pectin	AA-2X
Spices	AA-5
Cakemixes	AA-2X
Cold pack or fountain fruits	AA-2X

II. FOODS—continued

Dehydrated foods (for human, live stock and poultry consumption)	AA-2X
Fondants	AA-4
Food extenders	AA-2X
Ice cream mix powders	AA-4
Icings	AA-4
Lard and shortening	AA-2X
Mold inhibitors	AA-2X
Pie fillings	AA-4
Prepared flours	AA-2X
Seeds, vegetables	AA-2X
Stabilizers	AA-2X
Syrups (including molasses)	AA-2X
Toppings	AA-4
Malted milk powders	AA-2X
Dehydrated foods (pet foods)	AA-5

III. PETROLEUM PRODUCTS

Asphalt	AA-2X
Greases (penetration 325 or less only)	AA-2X
Petrolatum	AA-2X
Waxes	AA-2X

IV. MISCELLANEOUS

Aviation Spheres	AA-1
Cellophane	AA-5
Cements—refractory air-setting and pigment	AA-2X
Cloth, sensitized	AA-2X
Dental Supplies	AA-2X
Film, X-ray and Commercial	AA-2X
Foundry Facings	AA-2X
Glass rods, fuses, and glass parts thereof	AA-3
Grinding wheels	AA-2X
Paper, drafting	AA-2
Plaster, patching	AA-5
Rubber, synthetic	AA-1
Soap, powdered, flaked, or paste, but not in cakes or bars	AA-3

Wire and cable insulating materials	AA-2X
Paints	AA-3
White lead compounds	AA-3
Blood Plasma	AA-1
Ceramic Colors, not dry	AA-3
Latex, liquid	AA-1
Liver extract	AA-2X
Metal treating chemicals, liquid	AA-2X
Mold inhibitors, liquid	AA-2X
Penicillin	AA-1
Potassium bromate	AA-2X
Riboflavin	AA-2
Thiamine Hydrochloride	AA-2
Vitamins, uncom pound ed	AA-2

Issued this 23d day of October 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.[F. R. Doc. 44-16291; Filed, Oct. 23, 1944;
11:05 a. m.]

PART 3305—PAPERBOARD

[Preference Rating Order P-146, Direction 3]

USE OF RATINGS FOR PARTS OF FIBRE DRUMS

The following direction is issued pursuant to Preference Rating Order P-146:

Any person may use the same rating to get parts (such as ends, cleats, etc.) for fibre drums as he could use to get the drums themselves under the terms of Order P-146. This may be done regardless of the material (i. e., fibre, wood or metal) out of which such parts are made.

Issued this 23d day of October 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.[F. R. Doc. 44-16292; Filed, Oct. 23, 1944;
11:05 a. m.]

Chapter XI—Office of Price Administration

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 507, Amdt. 6]

CEILING PRICES OF CERTAIN FRESH FISH AND SEAFOOD SOLD AT RETAIL

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 section 26, the item "Herring, Lake" is deleted from Table A-I.

This amendment shall become effective October 26, 1944.

Issued this 21st day of October 1944.

CHESTER BOWLES,
Administrator.[F. R. Doc. 44-16230; Filed, Oct. 20, 1944;
11:59 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[IRO 8, Amdt. 9]

GASOLINE RATIONING REGULATIONS FOR THE VIRGIN ISLANDS

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

Section 1394.3801 (b) (4) is added to read as follows:

(4) To carry persons to and from the polls for the purpose of voting in public elections; or by a duly qualified and bona fide candidate for public office for purposes essential to the prosecution of his candidacy.

This amendment shall become effective as of October 11, 1944.

Issued this 21st day of October 1944.

JACOB A. ROBLES,
Territorial Director.

Approved:

JAMES P. DAVIS,
Regional Administrator.[F. R. Doc. 44-16231; Filed, Oct. 21, 1944;
12:00 m.]

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

¹9 F.R. 607, 3511, 3512, 4540, 5163, 12026.

²7 F.R. 6871, 7100, 8356, 10110, 10379, 10706;

³8 F.R. 4891, 6445, 16252; 9 F.R. 5219, 5219.

PART 1305—ADMINISTRATION

[Supp. Order 24,¹ Amdt. 2]

PACKAGED CHRISTMAS GIFTS

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

1. The introductory text of § 1305.28 (a) is amended to read as follows:

(a) This Supplementary Order No. 24 provides temporary rules for determining maximum prices for sales at wholesale and retail of articles which are "specially packaged" for the 1944 Christmas season by the manufacturer, producer, processor or fabricator (but not by any retailer or wholesaler). These rules shall not apply to sales which take place after January 15, 1945.

This amendment shall become effective 28th day of October 1944.

Issued this 23d day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16308; Filed, Oct. 23, 1944;
11:46 a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 435,² Amdt. 6]

NEW BICYCLE TIRES AND TUBES

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

Section 3 (e) is amended to read as follows:

(e) *Geographical applicability of this regulation.* This regulation applies in the District of Columbia, the 48 states, the territories and possessions of the United States and, notwithstanding the provisions of Maximum Price Regulation No. 194, in the Territory of Alaska.

This amendment shall become effective October 28, 1944.

Issued this 23d day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16302; Filed, Oct. 23, 1944;
11:44 a. m.]

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

[RMPR 114,³ Amdt. 1]

WOODPULP

A statement of considerations involved in the issuance of this amendment, is

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

¹ 7 F.R. 8875, 16059.

² 8 F.R. 10419, 12444, 15605; 9 F.R. 973, 5990, 8253.

³ 9 F.R. 6630, 6951.

sued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 114 is amended in the following respects:

1. Subdivision (vi) of section 12 (a) is deleted.
2. Appendix A (c) (1) is amended to read as follows:

(1) Producers of sulphite woodpulp of special chemical, high alpha, Mitscherlich or glassine grades; producers of sulphite woodpulp of special chemical or condenser grades; producers of semi-chemical woodpulp; producers shipping pursuant to allocation by the War Production Board woodpulp produced upon equipment not designed for the production of such pulp for sale in the open market; and producers of woodpulp produced in whole or in part from rags, paper stock or any fiber material other than wood shall, before making any sale of woodpulp of any such grade, submit to the Administrator a sworn statement setting forth the relevant facts, including:

(i) Grade and grade name of woodpulps proposed to be sold;

(ii) Special characteristics which bring the grade or grades involved within the provisions of this paragraph (c);

(iii) Proposed sales prices per air dry ton, and terms of sale (i. e. delivered, delivered with freight allowed, f. o. b. mill, ex dock Atlantic seaboard, or other);

(iv) Names and addresses of customers to whom such woodpulps have been sold in the fourth quarter of the year 1941.

(v) Prices per air dry ton at which these woodpulps have been sold to all such customers in the fourth quarter of 1941, and the terms of all such sales;

(vi) An itemized statement of the costs of production of such woodpulps per air dry ton.

This amendment shall become effective October 28, 1944.

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

Issued this 23d day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16303; Filed, Oct. 23, 1944;
11:44 a. m.]

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

[MPR 266,⁴ Amdt. 11]

CERTAIN TISSUE PAPER PRODUCTS

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.*

1. Section 1347.511 (b) (2) is added to read as follows:

(2) Notwithstanding any other provision of this regulation, in the event that an adjustment is or has been granted under paragraph (b) (1) above, each subsequent reseller may add the exact dollar and cents amount of the increase to his maximum price. Each

⁴ 9 F.R. 4090, 8145, 10641.

manufacturer and each reseller shall in every first shipment or delivery to a customer include a notice, as described below, of the change in maximum price, in each carton or case containing the item, or securely attach it to such carton or case, and also indicate the change on the invoice accompanying the shipment.

The form of the written notice of change follows:

(Insert date)

Our O. P. A. ceiling price for (describe the item by the appropriate specifications as shown in the letter order).

We are authorized to inform you that if you are a wholesaler or retailer, under Maximum Price Regulation No. 266 you may recalculate your ceiling price for this item on the first delivery of it to you containing this notification on or after (insert here effective date of price change). You may add to your ceiling price per case (insert actual increase in dollars and cents).

2. Section 1347.515, Appendix A (d) (2) and § 1347.516, Appendix B (d) (2) are amended to read as follows:

(2) *The meaning of "net cost."* "Net cost" as used in the maximum price rule above means the amount the retailer paid for the brand delivered at his customary receiving point, less all discounts and all allowances permitted him, except the discount for prompt payment. "Net cost" refers to a customary quantity from a customary supplier and by the customary mode of transportation.

3. Paragraphs (a) (3) (iii), (e) and (f) of § 1347.515, Appendix A, and paragraphs (a) (2) (ii), (e) and (f) of § 1347.516, Appendix B, are hereby revoked.

This amendment shall become effective October 28, 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 23d day of October 1944.

CHESTER BOWLES,
Administrator.

For the reasons set forth in the accompanying statement of considerations, and by virtue of the authority vested in me by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, I find that the provisions of Section 1 of this amendment are necessary to aid in the effective prosecution of the war and hereby approve the issuance thereof.

FRED M. VINSON,
Economic Stabilization Director.

[F. R. Doc. 44-16309; Filed, Oct. 23, 1944;
11:45 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS
[FPR 3, Corr. to Supp. 4¹]

BEET PULP PRODUCTS

Section 1351.399 was assigned to Supplement 4 to Food Products Regulation

¹ 9 F.R. 12126.

3 in error. The section number appearing in the caption and in the citation of authority is corrected to read § 1351.465.

Issued this 21st day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16233; Filed, Oct. 21, 1944;
11:59 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS
[FPR 3, Supp. 7]

PEANUT PRODUCTS

In the judgment of the Administrator, it is necessary and proper to reissue Maximum Price Regulation No. 442, Peanut Products, as a supplement to Food Products Regulation No. 3. This supplement therefore supersedes Maximum Price Regulation 442 insofar as that regulation establishes maximum prices for sales of peanut products, as defined herein.

Such specifications and standards as are used in this supplement were, prior to such use, in general use in the trade or industry.

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

**SUPPLEMENT 7 TO FOOD PRODUCTS REGULATION
3—PEANUT PRODUCTS**

Sec. ARTICLE I—GENERAL PROVISIONS

1. Explanation of the relation of this supplement to Food Products Regulation No. 3.
2. Applicability.
3. Sales at other than maximum prices.
4. Definitions.
5. Other provisions of general applicability.

ARTICLE II—PRICING PROVISIONS

6. Base per ton prices for peanut products.
7. Maximum prices for sales by processors.
8. Maximum prices for sales by trucker-merchants.
9. Maximum prices for sales by jobbers and car door sellers.
10. Maximum prices for sales by wholesalers and retailers.
11. Maximum prices for sales by government agencies, including the Commodity Credit Corporation.
12. Charges for sacks and sacking.

AUTHORITY: Secs. 1 to 12, inclusive, (§ 1351.468) issued under 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

ARTICLE I—GENERAL PROVISIONS

SECTION 1. Explanation of the relation of this supplement to Food Products Regulation No. 3. Not all of the provisions affecting maximum prices for sales of peanut products are stated in this supplement. Those which are not specifically set forth here are stated in Food Products Regulation No. 3, and they are just as much a part of this supplement as if they were printed here.

The particular sections of Food Products Regulation No. 3 which are applicable to this supplement are listed in

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

appropriate places in the provisions which follow. When an applicable section of the regulation is amended, the amendment is also applicable to this supplement.

SEC. 2. Applicability. Except for those sales exempted by paragraph (a) of this section, this supplement shall apply to all sales within the United States of peanut products, and to all deliveries of such products, whether immediate or future.

(a) **Exempt sales.**—(1) **Export sales.** Section 2.1 of Food Products Regulation No. 3, dealing with export sales, is applicable to this supplement.

(2) **Emergency purchases.** Section 2.2 of Food Products Regulation No. 3, dealing with emergency purchases, is applicable to this supplement.

SEC. 3. Sales at other than maximum prices. (a) Regardless of any contract or obligation, no person shall sell or deliver, and no person shall, in the course of trade or business, buy or receive any commodity covered by this supplement at a price above the maximum price established by this supplement, nor shall any person agree, solicit, offer or attempt to do any of the foregoing: *Provided, however,* That certain agreements to raise prices are permissible, as provided in subparagraph (1) of this paragraph.

(1) **Adjustable pricing.** Section 2.3 of Food Products Regulation No. 3, dealing with adjustable pricing, is applicable to this supplement.

(b) Prices lower than the maximum prices established by this supplement may, of course, be charged or paid.

SEC. 4. Definitions—(a) Definitions appearing in Food Products Regulation No. 3. Definitions of the following terms set forth in the designated sections of Food Products Regulation No. 3 are applicable to all of the provisions of this supplement:

"Person": Section 1.1 of Food Products Regulation No. 3.

"United States": Section 1.2 of Food Products Regulation No. 3.

"Processor": Section 1.3 of Food Products Regulation No. 3.

"Store": Section 1.4 of Food Products Regulation No. 3.

"Retailer": Section 1.5 of Food Products Regulation No. 3.

"Car door seller": Section 1.6 of Food Products Regulation No. 3.

"Trucker-merchant": Section 1.7 of Food Products Regulation No. 3.

"Jobber": Section 1.8 of Food Products Regulation No. 3.

"Wholesaler": Section 1.9 of Food Products Regulation No. 3.

"Feeder": Section 1.10 of Food Products Regulation No. 3.

"Supplier": Section 1.11 of Food Products Regulation No. 3.

"Customer": Section 1.12 of Food Products Regulation No. 3.

"Importer": Section 1.13 of Food Products Regulation No. 3.

"Your supplier's maximum price on the sale to you": Section 1.14 of Food Products Regulation No. 3.

"Commodity": Section 1.15 of Food Products Regulation No. 3.

"Oil cake": Section 1.16 of Food Products Regulation No. 3.

"Oil meal": Section 1.17 of Food Products Regulation No. 3.

"Sized cake": Section 1.18 of Food Products Regulation No. 3.

"Pellets": Section 1.19 of Food Products Regulation No. 3.

"Transportation cost": Section 1.20 of Food Products Regulation No. 3.

"Hauling allowance": Section 1.21 of Food Products Regulation No. 3.

"Carload shipment": Section 1.22 of Food Products Regulation No. 3.

"Pool car lot": Section 1.23 of Food Products Regulation No. 3.

"Less-than-carload lot": Section 1.24 of Food Products Regulation No. 3.

"Unit of protein": Section 1.25 of Food Products Regulation No. 3.

"Applicable supplement": Section 1.26 of Food Products Regulation No. 3.

(b) **Additional definitions.** When used in this supplement, the following terms shall have the following meanings:

"Peanut products" means peanut oil meal, oil cake, sized cake, and pellets, and peanut hulls.

"Peanut hulls" means the by-products resulting from the processing of the peanut into peanut oil cake and peanut oil.

SEC. 5. Other provisions of general applicability. Provisions relating to the following matters are set forth in Food Products Regulation No. 3, and the sections of that regulation listed below are applicable to and made a part of this supplement as though set forth herein in full.

(a) **Evasion:** Section 2.4 of Food Products Regulation No. 3.

(b) **Enforcement:** Section 2.5 of Food Products Regulation No. 3.

(c) **Licensing:** Section 2.6 of Food Products Regulation No. 3.

(d) **Documents, records and reports:** Section 2.7 of Food Products Regulation No. 3.

(e) **Interpretations, protests and petitions for amendment:** Section 2.8 of Food Products Regulation No. 3.

ARTICLE II—PRICING PROVISIONS

SEC. 6. Base per ton prices for peanut products. Base prices for all peanut products are set forth below. Base prices for all peanut products, except peanut hulls, depend upon the giving and fulfilling of a guaranteed minimum protein content.

The following base prices are for sales or deliveries of 60,000 pounds or more, and for carload shipments and pool car lots. In the event you sell and deliver a less than carload lot of any peanut product, you may add \$1.00 per ton to the prices listed below in determining your base price.

(a) **Peanut oil cake, oil meal, sized cake, and pellets.** (1) If you guarantee, at the time of sale, that the lot will contain, at a minimum, 45 percent protein, and you fulfill such guarantee by delivering a lot with at least 45 per cent protein, base per ton prices are as follows:

Oil cake	\$49.25
Oil meal	*50.00
Sized cake	*50.00
Pellets	*51.50

*If oil meal, sized cake or pellets are produced by the processor from oil cake which he purchased, the base price is increased by 50 cents per ton.

(2) If you guarantee, at the time of sale, that the lot will contain, at a minimum, any specified protein content less than 45 per cent, and you fulfill such guarantee by delivering a lot with at least the minimum protein content guaranteed, you determine the base price by deducting from the appropriate price in subparagraph (1), 75 cents per ton for each unit of protein or fraction thereof by which the actual protein content of the lot is under 45 per cent.

(3) If, at the time of sale, you guarantee any minimum protein content and you do not fulfill such guarantee, you determine your base price by dividing the base price that would be applicable if the guarantee had been fulfilled by the number of units guaranteed, and multiplying that result by the number of full units in the lot, but not by more than 45.

(4) If, at the time of sale, you do not guarantee any minimum protein content, you figure your base price by multiplying the actual number of full units of protein in the lot by \$1.05, except that in no case may your base price under this provision exceed the base price set forth in subparagraph (1) hereof for the sale and delivery of the same commodity with 45 per cent protein.

(b) *Peanut hulls.* The base price for peanut hulls is \$12.00 per ton.

(c) *Base prices for importers.* The base per ton price for an importer at any point is the sum of the importer's transportation cost from the point of entry to such point, plus the appropriate price set out in paragraph (a) or (b) above for the domestic commodity.

SEC. 7. *Maximum prices for sales by processors.* Section 3.1 of Food Products Regulation No. 3, which provides a pricing method for processors, is applicable to this supplement.

(a) *Base prices.* The base price referred to in section 3.1 is the appropriate base price found in section 6 of this supplement. (Note that if you are the importer as well as the processor of the lot, you determine your base price under section 6 (c) of this supplement.)

(b) *Maximum markup.* As a processor you are not permitted to add a maximum markup in figuring the maximum price for the sale of any lot unless you have unloaded such lot into a warehouse or store operated by you as a separate place of business not located at the production plant, and you sell from such warehouse or store. If, as to any lot, you comply with this requirement, you may add the appropriate one of the following markups:

	Peanut hulls	All other peanut products
	Per ton	Per ton
If you sell to a feeder from your store.	\$3.00 1.00	\$4.50 1.50
In all other cases.		

SEC. 8. *Maximum prices for sales by trucker-merchants.* Section 3.2 of Food Products Regulation No. 3, which provides a pricing method for trucker-merchants, is applicable to this supplement.

(a) *Your supplier's maximum price.* Section 3.2 refers to "your supplier's maximum price on the sale to you". It is defined in section 1.14 of Food Products Regulation No. 3.

(b) *Hauling allowance.* Section 3.2 of Food Products Regulation No. 3 also refers to "hauling allowance". That term is defined in section 1.21 of Food Products Regulation No. 3.

SEC. 9. *Maximum prices for sales by jobbers and car door sellers.* Section 3.3 of Food Products Regulation No. 3, which provides a pricing method for jobbers and car door sellers, is applicable to this supplement.

(a) *Your supplier's maximum price.* Section 3.3 refers to "your supplier's maximum price on the sale to you". It is defined in section 1.14 of Food Products Regulation No. 3.

(b) *Maximum markup—(1) Jobbers.* If you are a jobber and no other jobber has already handled the same lot, you may add one of the following maximum markups:

	Per ton
For deliveries in pool car lots.	\$1.00
For all other deliveries.	.75

(2) *Car door sellers.* If you are a car door seller, you may add a maximum markup of \$3.00 per ton for sales or deliveries of peanut hulls, or \$3.50 per ton for sales or deliveries of all other peanut products.

SEC. 10. *Maximum prices for sales by wholesalers and retailers.* Section 3.4 of Food Products Regulation No. 3, which provides a pricing method for wholesalers and retailers, and section 3.5 of Food Products Regulation No. 3, which provides base prices for wholesalers and retailers, are applicable to this supplement.

(a) *Base prices.* Base prices referred to in section 3.4 are the base prices set out in section 3.5 of Food Products Regulation No. 3.

(b) *Maximum markups.* This regulation aims to prevent the inclusion in any maximum price of more than one markup for any class of seller. As a retailer you can always add a retailer's maximum markup since a seller can qualify as a retailer only when he is selling a particular lot to a person who will use the lot and will not resell it. It is therefore impossible for two retailers to handle the same lot. As a wholesaler, however, you are permitted to add the maximum markup set out below in figuring the maximum price for the sale of any lot, only if no other wholesaler has already handled the lot. On this condition, the following maximum markups may be added:

	Peanut hulls	All other peanut products
	Per ton	Per ton
Wholesalers.	\$2.00 4.00	\$2.50 5.50
Retailers.		

SEC. 11. *Maximum prices for sales by government agencies, including the Com-*

modity Credit Corporation. The maximum price any government agency, including the Commodity Credit Corporation, may charge is the same price the processor of the lot could charge if he were making the same sale or delivery from his plant.

SEC. 12. *Charges for sacks and packing.* (a) Section 3.6 of Food Products Regulation No. 3, dealing with increases for sacks, is applicable to this supplement.

(b) If you package any lot in your customer's sacks or packages, you may add to your maximum price the appropriate one of the following additions:

	Peanut hulls	All other peanut products
	Cents per ton	Per ton
If your customer supplies new or re-cleaned sacks.	50	\$0.50
If he supplies any other sack.	50	1.00

This supplement shall become effective on the 28th day of October 1944.

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

Issued this 23d day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16305; Filed, Oct. 23, 1944;
11:45 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 271, Amdt. 26]

POTATOES AND ONIONS

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

Table V in section 24 is amended, as follows:

In the column under "Producing area" the list of counties opposite Iowa, and all prices opposite that list under "1944" and "1945", are deleted, wherever they appear. The item opposite Iowa in the column under "Producing area", reading "Rest of state", is amended to read, "All", wherever it appears.

This amendment shall become effective October 28, 1944.

Issued this 23d day of October 1944.

CHESTER BOWLES,
Administrator.

Approved: October 14, 1944.

MARVIN JONES,
War Food Administrator.

For the reasons set forth in the statement of considerations accompanying the foregoing amendment, I approve the adjustment of maximum prices for potatoes in Iowa and find that it is nec-

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

*8 F.R. 15587, 15663; 9 F.R. 2298, 3589, 4027, 4647, 5379, 6151, 7504, 7771, 7852, 8931, 9356, 9783, 10089, 10199, 10981, 10778.

essary in order to correct a gross inequity.

FRED M. VINSON,
Economic Stabilization Director.

[F. R. Doc. 44-16301; Filed, Oct. 23, 1944;
11:44 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 422,¹ Amdt. 33]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN GROUP 3 AND GROUP 4 STORES

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

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

(b) For packages assembled in permanent containers designed and constructed for re-use (including but not limited to trays, cedar boxes, hampers, teakwood chests, fancy baskets), your ceiling price will be the sum of the following, multiplied by 1.10:

(1) Your ceiling price for each item (or article) being packed, figured under this regulation or any other applicable maximum price regulation. If you have no ceiling price for any item (or article), use your direct cost for that item.

(2) Your ceiling price for the container figured under the applicable maximum price regulation. If you have no ceiling price for the container, use your direct cost for the container.

(3) Your direct cost of the packaging materials used for the particular package.

This amendment shall become effective October 23, 1944.

Issued this 23d day of October 1944.

CHESTER BOWLES,
Administrator.

Approved: October 19, 1944.

GROVER B. HILL,
First Assistant War
Food Administrator.

[F. R. Doc. 44-16298; Filed, Oct. 23, 1944;
11:43 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 423,² Amdt. 32]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN INDEPENDENT STORES DOING AN ANNUAL BUSINESS OF LESS THAN \$250,000 (GROUP 1 AND GROUP 2 STORES)

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

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

(b) For packages assembled in permanent containers designed and con-

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

¹ 9 F.R. 5656, 6828, 6951, 7339, 7520, 7937, 9354, 9719, 10258, 10982, 11537, 11711, 11901.

² 9 F.R. 5671, 6829, 7340, 7520, 7937, 9354, 9720, 10259, 10982, 11537, 11711, 11902.

structed for re-use (including but not limited to trays, cedar boxes, hampers, teakwood chests, fancy baskets), your ceiling price will be the sum of the following, multiplied by 1.10:

(1) Your ceiling price for each item (or article) being packed, figured under this regulation or any other applicable maximum price regulation. If you have no ceiling price for any item (or article), use your direct cost for that item.

(2) Your ceiling price for the container figured under the applicable maximum price regulation. If you have no ceiling price for the container, use your direct cost for the container.

(3) Your direct cost of the packaging materials used for the particular package.

This amendment shall become effective October 23, 1944.

Issued this 23d day of October 1944.

CHESTER BOWLES,
Administrator.

Approved: October 19, 1944.

GROVER B. HILL,
First Assistant War Food Adminis-
trator.

[F. R. Doc. 44-16299; Filed, Oct. 23, 1944;
11:43 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 442, Revocation]

PEANUT OIL MEAL, CAKE, SIZED CAKE, PELLETS AND PEANUT HULLS

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

Maximum Price Regulation 442 is revoked, subject to the provisions of Supplementary Order 40.¹

This order shall become effective October 28, 1944.

Issued this 23d day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16306; Filed, Oct. 23, 1944;
11:45 a. m.]

PART 1381—SOFTWOOD LUMBER

[RMPR 290,² Amdt. 1]

SITKA SPRUCE LUMBER

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 paragraph entitled "Geographical applicability" is amended to read as follows:

Geographical applicability. This regulation applies in the forty-eight states of the United States, the District of Columbia, and the Territory of Alaska.

¹ 9 F.R. 7521.

² 9 F.R. 5727.

This amendment shall become effective October 28, 1944.

Issued this 23d day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16304; Filed, Oct. 23, 1944;
11:44 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,¹ Amdt. 157]

MILEAGE RATIONING: GASOLINE REGULATIONS

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

Ration Order 5C is amended in the following respects:

1. In § 1394.8112 (b) in the first sentence immediately after the coupon identification "R-528E" the following expression is inserted: "or Class E or R coupons issued on Forms OPA R-530B or R-531B".

2. Section 1394.8153 (b) (6) is added to read as follows:

(6) On and after November 1, 1944, no transfer may be made in exchange for any Class E or R coupons issued on Forms OPA R-530B or R-531B.

3. Section 1394.8206b (a) (20) is added to read as follows:

(20) After November 20, 1944, any Class E or R coupons issued on Forms OPA R-530B or R-531B.

4. Section 1394.8207 (k) is added to read as follows:

(k) On and after November 11, 1944, no distributor shall transfer or offer to transfer gasoline to any dealer and no dealer shall accept a transfer of gasoline from any distributor in exchange for any Class E or R coupons issued on Forms OPA R-530B or R-531B.

5. Section 1394.8215 (n) is added to read as follows:

(n) (1) Immediately upon the close of business on October 31, 1944, each dealer who has in his possession or control Class E or R coupons issued on Forms OPA R-530B or R-531B which he acquired before November 1, 1944, in exchange for lawful transfers of gasoline, shall attach each type of such coupons to separate gummed sheets (OPA R-120) to which no other coupons are attached. Each dealer shall summarize such coupons on a summary form (OPA R-541) on which no other coupons are listed. On or before November 10, 1944, each dealer shall surrender such coupons and summaries either to a distributor in exchange for a transfer of gasoline, or to the Board having jurisdiction over the area in which his place of business is located, in exchange for one or more ration checks equal in gallonage value to the coupons so surrendered.

(2) After November 10, 1944, no distributor shall accept from any dealer or distributor any Class E or R coupons is-

¹ 8 F.R. 15937.

sued on Forms OPA R-530B or R-531B nor shall any distributor make any transfers of gasoline in exchange for such coupons. On or before November 20, 1944, each distributor shall deposit in appropriate ration bank accounts maintained by him any such coupons received by him in exchange for any lawful transfer of gasoline made on or before November 10, 1944.

This amendment shall become effective October 27, 1944.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121, E.O. 9125, 7 F.R. 2719)

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

Issued this 23d day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16307; Filed, Oct. 23, 1944;
11:46 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 373;¹ Amdt. 90]

CARROTS AND PEARS IN HAWAII

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

Section 21 is amended in the following respects:

1. The table following paragraph (c) (1) is amended by adding an item to read as follows:

	Wholesale maximum price	Retail maximum price
Carrots.....	\$3.45 per crate...	\$0.10 per lb.

2. The table following subparagraph (d) (1) is amended by adding the words "and Danjou" after the words "Pears, Bartlett" and by adding a new item to read as follows:

	Wholesale maximum price	Retail maximum price
Pears, Danjou.....	\$7.30 per box....	\$0.24 per lb.

This amendment shall become effective as of October 9, 1944.

Issued this 23d day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16300; Filed, Oct. 23, 1944;
11:43 a. m.]

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

¹9 F.R. 8830, 9288, 9289, 9891, 9902, 9907, 10305, 11544, 11545, 11961, 12090, 12342, 12342, 12342, 12342, 12360, 12418, 12418, 12419.

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES
[MPR 518;¹ Amdt. 3]

ROUGH RICE

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 (a) of Maximum Price Regulation 518 is amended to read as follows:

(a) The maximum prices for the sale and delivery of rough rice not grown in the State of California, bulk, containing not more than 17 percent moisture, at the country shipping point nearest (by the most usually traveled route) to the point of production shall be as follows:

Varieties (or class)	Maximum price	
	Per barrel	Per bushel
Rexoro.....	\$7.30	\$2.028
Texas Patna.....	7.30	2.028
Nira.....	7.00	1.944
Fortuna.....	6.40	1.768
Edith.....	6.40	1.768
Blue Rose.....	6.15	1.708
Southern Pearl.....	6.15	1.708
Lady Wright.....	6.00	1.667
Zenith.....	6.15	1.708
Early Prolific.....	5.60	1.556
Prelude.....	6.10	1.694
Ark-Rose.....	6.15	1.708
All other varieties.....	5.60	1.556
Mixed rough rice.....	(0)	(0)

¹ Multiply the percentage of each variety contained in the mixture by its respective maximum price as above set forth and total the results.

This amendment shall become effective October 21, 1944.

Issued this 21st day of October 1944.

CHESTER BOWLES,
Administrator.

Approved: October 20, 1944.

GROVER B. HILL,
Acting Administrator,
War Food Administration.

[F. R. Doc. 44-16232; Filed, Oct. 21, 1944;
12:00 p. m.]

Chapter XIII—Petroleum Administration for War

PART 1512—NATURAL GAS AND NATURAL GASOLINE
[IPDO 79]

LIMITATION UPON USE OF BUTANE AND PROPANE-BUTANE MIXTURE IN OIL AND GAS DRILLING OPERATIONS

The fulfillment of the requirements for the defense of the United States has created a shortage in the supply of butane for defense, for private account and for export; and the following directive is deemed necessary for the prosecution of the war, and to provide adequate supplies of butane for military and other essential uses.

19 F.R. 2657.

§ 1512.5 Petroleum Directive 79—(a) 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) "Butane" means any petroleum product containing 89% or more butanes by weight.

(3) "Propane-butane mixture" means any mixture containing butanes in excess of 10% by weight.

(b) *Limitation upon use of butane and propane-butane mixture in oil and gas drilling operations.* No person shall deliver or accept delivery of butane or propane-butane mixture for use as fuel in the drilling of any well drilled for the purpose of producing oil, gas, or condensate if natural gas is available as a substitute fuel in the area where such drilling operations are being conducted.

(c) *General exception.* Notwithstanding any provision hereof, this directive shall not apply to the delivery of butane or propane-butane mixture for use as fuel in the drilling of any well, if butane or propane-butane mixture was used as fuel in the drilling of such well prior to November 1, 1944.

(d) *Application for general and specific exceptions.* (1) Any person affected by this directive who considers that compliance therewith would work an exceptional and unreasonable hardship on him may file an application by letter for a specific exception, setting forth the pertinent facts and reasons why he considers himself entitled to such relief, including information as to the availability of natural gas as a substitute fuel. All such applications for exception shall be filed in duplicate with the Director in Charge of the District in which the oil and gas drilling operations affected are to be carried on.

(2) Applications may be filed for general exceptions permitting the use of butane or propane-butane mixture in all drilling operations in a certain area or field specified in the application in the same manner as an application for specific exception under paragraph (d) (1) above.

(3) Any person may appeal from the decision of the Director in Charge with whom the application for exception was filed by submitting a letter to the Deputy Petroleum Administrator for War, Interior Building, Washington 25, D. C., stating fully the grounds of such appeal.

(e) *Effective date.* This directive shall become effective the 1st day of November 1944, and shall continue in effect until April 1, 1945, unless sooner revoked.

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3687)

Issued this 23d day of October 1944.

RALPH K. DAVIES,
Deputy Petroleum
Administrator for War.

[F. R. Doc. 44-16264; Filed, Oct. 21, 1944;
4:33 p. m.]

PART 1526—MARKETING FUEL OIL
[PDO 13, as Amended July 25, 1944, Amdt. 1]

TRANSFER AND CONVERSION OF FUEL OIL

Section 1526.3 *Petroleum Distribution Order No. 13*, as amended July 25, 1944 is hereby amended by deleting therefrom paragraphs (a) (7) and (b) (1).

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3687; E.O. 9125, 7 F.R. 2719; WPB Directive No. 30, 8 F.R. 11559; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 21st day of October 1944.

RALPH K. DAVIES,
Deputy Petroleum
Administrator for War.

[F. R. Doc. 44-16263; Filed, Oct. 21, 1944;
4:33 p. m.]

PART 1515—PETROLEUM PRODUCTION OPERATIONS

[PAO 11 as Amended July 1, 1944, Supp. Order 15]

MATERIAL FOR PETROLEUM PRODUCTION OPERATIONS IN WEST TEXAS

§ 1515.21 *Supplementary Order No. 15 to Petroleum Administrative Order No. 11*—(a) *Scope of this order.* Except as otherwise modified by the provisions of any other order issued as a Supplement to Petroleum Administrative Order No. 11, as amended July 1, 1944, or by the provisions of any exception issued pursuant to paragraph (m) of Petroleum Administrative Order No. 11, as amended July 1, 1944, the provisions of this supplementary order shall, to the extent provided herein, be applicable to the use of material in petroleum production operations in West Texas, except in the Yates Field, Pecos County.

(b) *Definitions.* The definitions of Petroleum Administrative Order No. 11, as amended July 1, 1944, shall apply in this supplementary order. In addition:

"West Texas" means the following counties in the State of Texas:

Andrews, Borden, Brewster, Cochran, Coke, Crane, Crockett, Crosby, Culberson, Dawson, Dickens, Ector, El Paso, Gaines, Garza, Glasscock, Hockley, Howard, Hudspeth, Irion, Jeff Davis, Kent, Kimble, Loving, Lubbock, Lynn, Martin, Menard, Midland, Mitchell, Presidio, Reagan, Reeves, Schleicher, Scurry, Sterling, Sutton, Terrell, Terry, Tom Green, Upton, Ward, Winkler, Yoakum, and Pecos, except Yates Field.

(c) *Authorized uses of material in oil development drilling operations.* Material may be used to drill, deepen, complete, recomplete, and provide additions to any well in West Texas for the purpose of producing oil, except in a "restricted area", if there is compliance with the following provisions:

(1) With respect to any well drilled for the purpose of producing oil to a depth not exceeding 3400 feet:

(i) The well must be located on a drilling unit consisting of at least 20 contiguous surface acres upon which no other well drilling to or producible from a depth not exceeding 3400 feet is located, and

(ii) The drilling unit upon which the well is located must not be attributed in

whole or in part to any other well drilling for oil to, or producible of oil from, a depth not exceeding 3400 feet, and

(iii) The distance between any two points farthest apart on the drilling unit upon which the well is located must not exceed a distance of 1500 feet, and

(iv) All separate property interests under the drilling unit upon which the well is located, in pools at depths not exceeding 3400 feet, must first be consolidated.

(2) With respect to any well drilled for the purpose of producing oil to a depth exceeding 3400 feet:

(i) The well must be located on a drilling unit consisting of at least 40 contiguous surface acres upon which no other well drilling to or producible from a depth exceeding 3400 feet is located, and

(ii) The drilling unit upon which the well is located must not be attributed in whole or in part to any other well drilling for oil to, or producible of oil from, a depth exceeding 3400 feet, and

(iii) The distance between any two points farthest apart on the drilling unit upon which the well is located must not exceed a distance of 2,100 feet, and

(iv) All separate property interests under the drilling unit upon which the well is located, in pools at depths exceeding 3,400 feet, must first be consolidated.

(3) The well must be drilled with due diligence to maintain a vertical well bore.

However, a well may be intentionally deviated from the vertical if the surface location of the well (in this case, the place on the surface directly over the bore hole at the lowest level at which the well is open to production) conforms to the other applicable provisions set out above.

Where a well is intentionally deviated from the vertical, a directional survey of the well bore must be filed with the Director of Production of the District in which the well is located within 30 days after completion of the well.

(4) If any well drilled in conformity with the provisions of this paragraph (c) is completed as a gas or condensate well, it shall not be produced except to provide fuel for drilling or fuel for other lease operations, or for testing the well for a period not exceeding 15 days, and no material may be used to produce the well or provide additions thereto, except as necessary for such purposes, until authorization has been granted by an authorized official of the Petroleum Administration for War.

(d) *Computation of acres attributable to oil wells in West Texas.* (1) The acreage attributable to any oil well in West Texas spudded on or before December 23, 1941, shall be determined by assigning to the well an acreage equivalent to that of the existing well density contiguous to the well. In no event need the attributed acreage be greater than that required for a new well drilled and completed pursuant to this supplementary order.

(2) The acreage attributable to any oil well in West Texas spudded after December 23, 1941, need not be greater than that required for a new well drilled

and completed pursuant to this supplementary order.

(e) *Violations.* Any person who wilfully violates any provision of this supplementary order, or who, by any act or omission, falsifies records kept or information furnished in connection with this supplementary order is guilty of a crime and upon conviction may be punished by fine or imprisonment.

Any person who wilfully violates any provision of this supplementary order may be prohibited from delivering or receiving any material under priority control, or may be subject to other appropriate action.

(f) *Effective date.* This supplementary order shall take effect on the date of issuance.

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3687; WPB Directive No. 30, 8 F.R. 11559; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 23d day of October 1944.

RALPH K. DAVIES,
Deputy Petroleum
Administrator for War.

[F. R. Doc. 44-16278; Filed, Oct. 23, 1944;
10:21 a. m.]

Chapter XVIII—Office of Economic Stabilization

[Directive 18]

PART 4003—SUBSIDIES; SUPPORT PRICES ASSISTANCE TO SUGAR BEET PROCESSORS

The War Food Administrator has, by letter dated October 14, 1944, recommended certain measures for the assistance of sugar beet processors with respect to 1944 production costs. Those measures include the absorption by Commodity Credit Corporation of a portion of the amount by which 1944 production costs exceed 1941 production costs and of a portion of the amount, if any, by which 1944 production costs exceed net proceeds from the sale of 1944 crop sugar.

I hereby find that the measures proposed to me by the War Food Administrator are necessary to effectuate the policy established by Executive Orders 9250 and 9328 and specifically to insure the maximum necessary production and distribution of domestic beet sugar to meet military, lend-lease, and civilian requirements.

Accordingly, the War Food Administration is hereby authorized and directed to carry out through the Commodity Credit Corporation the measures described in the War Food Administrator's letter and the memorandum enclosed therewith.

(E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Effective date: October 20, 1944.

Issued this 20th day of October 1944.

FRED M. VINSON,
Economic Stabilization Director.

[F. R. Doc. 44-16213; Filed, Oct. 21, 1944;
9:19 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Reclamation.

HAMMOND PROJECT, N. MEX.

FIRST FORM RECLAMATION WITHDRAWAL

AUGUST 9, 1944.

The SECRETARY OF THE INTERIOR.

SIR: In accordance with the authority vested in you by the Act of June 28, 1934 (48 Stat. 1269), as amended, it is recommended that the following described lands be withdrawn from public entry under the first form of withdrawal, as provided in section 3 of the Act of June 17, 1902 (32 Stat. 388), and that Departmental Orders of September 1, 1939 and June 12, 1941 establishing New Mexico Grazing Districts Nos. 1 and 7 be modified and made subject to the withdrawal effected by this order.

HAMMOND PROJECT

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 29 N., R. 9 W.,
Sec. 19, Lots 2, 3, E $\frac{1}{2}$ NE $\frac{1}{4}$.
T. 29 N., R. 10 W.,
Sec. 25, SE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
Sec. 26, NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 27, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 30, Lot 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 31, NW $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 32, N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 33, N $\frac{1}{2}$ NE $\frac{1}{4}$;
Sec. 34, NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 35, NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$;
Sec. 36, N $\frac{1}{2}$ NW $\frac{1}{4}$.
T. 28 N., R. 11 W.,
Sec. 7, Lot 3.
T. 29 N., R. 11 W.,
Sec. 26, NW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 27, NE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 28, SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 29, SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 31, Lots 3, 4, S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 32, SE $\frac{1}{4}$ NW $\frac{1}{4}$.
T. 28 N., R. 12 W.,
Sec. 11, Lots 1, 2.
T. 29 N., R. 12 W.,
Sec. 28, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 29, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 30, Lot 4, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 33, S $\frac{1}{2}$ NE $\frac{1}{4}$;
Sec. 34, NW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 36, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$.
T. 29 N., R. 13 W.,
Sec. 23, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 24, N $\frac{1}{2}$ S $\frac{1}{2}$;
Sec. 25, S $\frac{1}{2}$ SW $\frac{1}{4}$.

Respectfully,

[SEAL] WILLIAM E. WARNE,
Acting Commissioner.

I concur October 4, 1944.

J. H. LEECH,
Acting Director of the
Grazing Service.

I concur October 5, 1944.

FRED W. JOHNSON,
Commissioner of the
General Land Office.

The foregoing recommendation is hereby approved, as recommended, and the Commissioner of the General Land

Office will cause the records of his office and the local land office to be noted accordingly.

MICHAEL W. STRAUS,
Assistant Secretary.

OCTOBER 11, 1944.

[F. R. Doc. 44-16164; Filed, Oct. 20, 1944;
12:30 p. m.]

DEPARTMENT OF LABOR.

Division of Public Contracts.

PREVAILING MINIMUM WAGES IN UNIFORM
AND CLOTHING INDUSTRY

NOTICE OF OPPORTUNITY TO SHOW CAUSE

Whereas, the prevailing minimum wage determination for the uniform and clothing industry, issued by the Secretary of Labor on January 25, 1941, pursuant to the provisions of section 1 (b) of the Walsh-Healey Public Contracts Act (49 Stat. 2036, 41 U.S.C. Supp. III, sec. 35), provides that the minimum wage for employees engaged in the performance of contracts with agencies of the United States Government subject to the provisions of that act, for the manufacture or supply of products of the suit and coat branch of the uniform and clothing industry, shall be 60 cents an hour or \$24 per week of 40 hours, arrived at either upon a time or piecework basis, and that there shall be a 20 percent tolerance for auxiliary workers: *Provided*, That such auxiliary workers be paid not less than 40 cents per hour or \$16 per week of 40 hours; and

Whereas, administrative difficulties arising in the enforcement of the determination as it relates to auxiliary workers, have made it advisable to amend the uniform and clothing wage determination by

1. Permitting the employment of auxiliary workers in the suit and coat branch of the industry without limitation as to number; and

2. Clarifying the definition of the term "auxiliary workers" as applied to the suit and coat branch of the industry.

Now, therefore, notice is hereby given to all interested parties of the opportunity to show cause on or before November 18, 1944, why the Secretary of Labor should not amend the uniform and clothing wage determination pursuant to the provisions of section 1 (b) of the Walsh-Healey Public Contracts Act so that the amended determination will read as follows:

(1) That the minimum wage for employees engaged in the performance of contracts with agencies of the United States Government subject to the provisions of the Walsh-Healey Public Contracts Act (49 Stat. 2036, 41 U.S.C. Supp. III, sec. 35) for the manufacture or supply of products of the suit and coat branch of the uniform and clothing industry shall be 60 cents an hour or \$24 per week of 40 hours, arrived at either upon a time or piecework basis; and that auxiliary workers, as hereinafter defined, in the suit and coat branch of the industry shall be paid not less than 40 cents an hour or \$16 per week of 40 hours, arrived at either upon a time or piecework basis. The term "auxiliary

workers" as applied to the employees in the suit and coat branch of the industry shall include only those employees engaged in the following auxiliary occupations:

(a) Position marking: The operation, by hand, of marking with a punch, thread, or chalk, the position of buttons, pleats, darts, pockets, buttonholes, etc., by the use of a template, rule or similar device.

(b) Shade and size numbering: The operation (except when done by sober or other power-driven machine) of identifying a garment part by marking or stamping the size, shade, or lot number with chalk or stamp, or by sewing, pinning, or stapling a ticket to the garment part.

(c) Bundle tying: The operation of tying together into bundles piles of garment parts, or partially finished garments.

(d) Bundle ticketing: The operation, by hand, of preparing and attaching an identifying ticket to a bundle of work.

(e) Matching and pairing: The operation of pairing or matching garment parts.

(f) Basting pulling: The operation of pulling out basting stitches.

(g) Hand trimming: The operation of cutting away with scissors, excess piping, loops or tape.

(h) Cleaning: The operation of clipping the waste ends of threads resulting from "black" or permanent stitching.

(i) Turning: The operation of turning inside out or outside in, parts of, or complete garments. Does not, however, include turning of lapels or collars.

(j) Floor boys and girls: Workers who carry bundles or materials from department to department or to workers.

(k) Porter: Performs the janitorial work of sweeping and cleaning the shop.

(l) Hand felling: The operation, by hand, of attaching the lining to the body of the garment or to another lining with a blind or felling stitch.

(m) Bushelling: The operation, by hand, of sewing up small rips and openings.

(n) Examiner's helper: Performs minor preliminary checking for rips, tears and other imperfections in the garment, but is not responsible for the final determination as to the acceptability of the work. Also performs the operation of brushing the garment and removing loose lint or thread.

All objections, protests, or any statements in opposition to or in support of the proposed amendments should be addressed to the Administrator of the Wage and Hour and Public Contracts Divisions, United States Department of Labor, 165 West 46th Street, New York 19, New York, and should be filed with the Administrator not later than November 18, 1944. An original and four copies should be filed.

Dated: October 18, 1944.

L. METCALFE WALLING,
Administrator.[F. R. Doc. 44-16210; Filed, Oct. 20, 1944;
4:58 p. m.]

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16,

1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079), and Administrative Order June 7, 1943 (8 F.R. 7890).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3748), and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, July 17, 1944 (9 F.R. 7125).

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

Bridgewater Garment Company, Bridgewater, Virginia; work clothes, pants and breeches; 15 percent (AT); effective October 14, 1944, expiring April 13, 1945.

Ely and Walker Factory, 701 East "B" Street, Belleville, Illinois; wool mackinaws, blanket lined jumpers, leather coats weather jacks, 10 percent (T); effective October 18, 1944, expiring October 17, 1945.

Hollywood Maxwell Company, 306 North Main Street, Cameron, Missouri; corsets and allied garments; 5 learners (T); effective October 16, 1944, expiring October 15, 1945.

Normandin Brothers Company, 2718 South Main Street, Los Angeles, California; robes and ladies' sportswear; 10 learners (T); effective October 13, 1944, expiring January 12, 1945.

Osgood and Sons, Incorporated, Warsaw, Illinois; women's wash dresses; 10 percent (T); effective October 16, 1944, expiring October 15, 1945.

Salant and Salant, Incorporated, Henderson, Tennessee; cotton work shirts; 10 per-

cent (T); effective November 9, 1944, expiring December 31, 1944.

Salant and Salant, Incorporated, Lawrenceburg, Tennessee; cotton work shirts; 10 percent (T); effective November 1, 1944, expiring December 31, 1944.

Salant and Salant, Incorporated, Obion, Tennessee, cotton work shirts; 10 percent (T); effective November 1, 1944, expiring December 31, 1944.

Salant and Salant, Incorporated, Washington Street, Paris, Tennessee; cotton work shirts; 10 percent (T); effective November 1, 1944, expiring December 31, 1944.

Salant and Salant, Incorporated, Parsons, Tennessee; cotton work pants; 10 percent (T); effective November 1, 1944, expiring December 31, 1944.

Salant and Salant, Incorporated, South First Street, Union City, Tennessee, cotton work shirts; 10 percent (T); effective November 1, 1944, expiring December 31, 1944.

HOSIERY INDUSTRY

Baker-Mebane Hosiery Mills, Incorporated, Plant No. 2, Boone, North Carolina; seamless hosiery; 30 learners (AT); effective October 18, 1944, expiring April 17, 1945.

Black Mountain Hosiery Mills, Incorporated, Black Mountain, North Carolina; seamless hosiery; 5 learners (T); effective October 13, 1944, expiring October 12, 1945.

Clayson Knitting Company, Star, North Carolina; seamless hosiery; 5 learners (T); effective October 16, 1944, expiring October 15, 1945.

Crewe Hosiery Company, Incorporated, Crewe, Virginia, full-fashioned hosiery; 10 learners (AT); effective October 17, 1944, expiring April 16, 1945.

Mountcastle Knitting Company, Lexington, North Carolina; seamless hosiery; 5 learners (T); effective October 16, 1944, expiring October 15, 1945.

Runnymede Mills, Incorporated, Tarboro, North Carolina; seamless hosiery; 5 percent (T); effective October 13, 1944, expiring October 12, 1945.

Schuylkill Valley Mills, Incorporated, Spring City, Pennsylvania; full-fashioned hosiery; 5 percent (T); effective October 16, 1944, expiring October 15, 1945.

Unrivaled Hosiery Mill, Williamstown, Pennsylvania; seamless hosiery; 12 learners (AT); effective October 13, 1944, expiring April 12, 1945.

Walton Knitting Mills, Hickory, North Carolina; seamless hosiery; 5 learners (T); effective October 16, 1944, expiring October 15, 1945.

Central Electric and Telephone Company, Sioux Falls Gas Building, Sioux Falls, South Dakota; to employ 4 learners as commercial switchboard operators for the purpose of abnormal turnover at its Asheboro exchange, located at Asheboro, North Carolina; effective October 12, 1944, expiring April 11, 1945.

Central Electric and Telephone Company, Sioux Falls Gas Building, Sioux Falls, South Dakota; to employ 4 learners as commercial switchboard operators for the purpose of abnormal turnover at its Elkin exchange, located at Elkin, North Carolina; effective October 12, 1944, expiring April 11, 1945.

Central Electric and Telephone Company, Sioux Falls Gas Building, Sioux Falls, South Dakota; to employ 4 learners as commercial switchboard operators for the purpose of abnormal turnover at its Leaksburg exchange, located at Leaksburg, North Carolina; effective October 12, 1944, expiring April 11, 1945.

Central Electric and Telephone Company, Sioux Falls Gas Building, Sioux Falls, South Dakota; to employ 4 learners as commercial switchboard operators for the purpose of abnormal turnover at its Mount Airy exchange, located at Mount Airy, North Carolina; effective October 12, 1944, expiring April 11, 1945.

Central Electric and Telephone Company, Sioux Falls Gas Building, Sioux Falls, South Dakota; to employ 4 learners as commercial switchboard operators for the purpose of abnormal turnover at its North Wilkesboro exchange, located at North Wilkesboro, North Carolina; effective October 12, 1944, expiring April 11, 1945.

Peninsular Telephone Company, Bartow, Florida; to employ learners as commercial switchboard operators at its Bartow exchange, located at Bartow, Florida; effective October 18, 1944, expiring October 17, 1945.

Peninsular Telephone Company, Haines City, Florida; to employ learners as commercial switchboard operators at its Haines City exchange, located at Haines City, Florida; effective October 18, 1944, expiring October 17, 1945.

Peninsular Telephone Company, Lake Wales, Florida; to employ learners as commercial switchboard operators at its Lake Wales exchange, located at Lake Wales, Florida; effective October 18, 1944, expiring October 17, 1945.

Peninsular Telephone Company, Plant City, Florida; to employ learners as commercial switchboard operators at its Plant City exchange, located at Plant City, Florida; effective October 18, 1944, expiring October 17, 1945.

Peninsular Telephone Company, Tarpon Springs, Florida; to employ learners as commercial switchboard operators at its Tarpon Springs exchange, located at Tarpon Springs, Florida; effective October 18, 1944, expiring October 17, 1945.

TEXTILE INDUSTRY

Avondale Mills, Pell City, Alabama; cotton cloth; 6 percent (AT); effective October 13, 1944, expiring April 12, 1945.

Avondale Mills, Stevenson, Alabama; cotton yarn; 6 percent (AT); effective October 13, 1944, expiring April 12, 1945.

Avondale Mills, Sycamore, Alabama; cotton yarn; 6 percent (AT); effective October 13, 1944, expiring April 12, 1945.

Stehli and Company, Incorporated, Harrisonburg, Virginia; rayon and nylon; 3 percent (T); effective October 14, 1944, expiring October 13, 1945.

Signed at New York, New York, this 17th day of October 1944.

PAULINE C. GILBERT,
Authorized Representative
of the Administrator.

[F. R. Doc. 44-16212; Filed, Oct. 20, 1944;
4:58 p. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the act are issued under section 14 thereof and § 522.5 (b) of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective as of the date specified in each listed item below.

The employment of learners under these certificates is limited to the terms and conditions as designated opposite the employer's name. These certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided for in the regulations and as indicated on the certificates. 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

The Williston Herald Company, 18 West Fourth Street, Williston, North Dakota; printing and publishing; 1 learner; linotype operator for a learning period of 1000 hours at 30 cents an hour for the first 500 hours and 35 cents an hour for the next 500 hours; effective October 18, 1944, expiring October 18, 1945.

The Worth Company, Stevens Point, Wisconsin; fly, leader and snelled hook tying; 5 learners; fly tying and snelled hook tying for a learning period of 480 hours at 30 cents an hour for the first 320 hours and 35 cents an hour for the next 160 hours; effective October 18, 1944, expiring April 18, 1945.

Signed at New York, New York, this 17th day of October 1944.

PAULINE C. GILBERT,
Authorized Representative
of the Administrator.

[F. R. Doc. 44-16211; Filed, Oct. 20, 1944;
4:58 p. m.]

NATIONAL WAR LABOR BOARD.

WAR SHIPPING PANEL

APPROVAL OF DECISIONS

The National War Labor Board has amended paragraph D of the Directive Order establishing the War Shipping Panel which appeared in the FEDERAL REGISTER on March 23, 1944, as follows:

D. The Panel shall have authority to make final rulings on voluntary wage or salary adjustments involving the shipping industry, as herein defined, submitted for the approval of the National War Labor Board. All such applications shall be referred directly to the Panel by the Regional War Labor Boards. A ruling of the Panel shall be final, and shall be issued to the parties when made, unless a dissenting member of the Panel expressly requests that the case be transmitted to the National War Labor Board for decision, in which case the ruling of the Panel shall not be issued to the parties and shall not become effective unless and until approved by the National War Labor Board. The rulings of the Panel shall conform to the policy of the National War Labor Board based on Executive Orders 9250 and 9328, and the policy directive of May 12, 1943, issued by the Director of Economic Stabilization. Accordingly, any wage or salary adjustment approved by the Panel, "which may furnish the basis either to increase price ceilings or to resist otherwise justifiable reductions in price ceilings, or if no price ceilings are involved which may increase the production costs above the level prevailing in comparable plants or establishments," shall become effective only if also approved by the Director of Economic Stabilization. Notice to this effect shall be contained in all rulings issued by the Panel.

Adopted September 27, 1944.

THEODORE W. KHEEL,
Executive Director.

[F. R. Doc. 44-16275; Filed, Oct. 23, 1944;
9:38 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 489 et al.]

EASTERN AIR LINES, INC.; THE FLORIDA CASE

NOTICE OF HEARING

In the matter of applications for certificates of public convenience and necessity authorizing additional air transportation service in the State of Florida and in the area extending to the west thereof to New Orleans, La., under section 401 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said act, that a hearing in the above-entitled proceeding is assigned to be held on November 27, 1944, at 10 a. m. (eastern war time) in Conference Room A, Departmental Auditorium, Constitution Avenue between 12th and 14th Streets, N. W., Washington, D. C., before Examiner William F. Cusick.

Dated: Washington, D. C., October 17, 1944.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44-16279; Filed, Oct. 23, 1944;
10:22 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 5124]

ROOFER MANUFACTURERS ASSOCIATION, INC.,
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 19th day of October, 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 Andrew B. Duvall, 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, November 15, 1944, at ten o'clock in the forenoon of that day (central standard time) in Room 1107, Pere Marquette Building, 150 Baronne Street, New Orleans, Louisiana.

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. 44-16215; Filed, Oct. 21, 1944;
10:57 a. m.]

[Docket No. 5199]

ALASKA FUR TRAPPERS, INC., AND MAX FRIEDMAN

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 17th day of October, A. D. 1944.

In the matter of Alaska Fur Trappers, Inc., a corporation, and Max Friedman, individually and as president of said corporation.

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, October 27, 1944, at ten o'clock in the forenoon of that day (eastern standard time) in Federal Trade Commission Offices, 45 Broadway, New York, New York.

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. 44-16216; Filed, Oct. 21, 1944;
10:57 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 599]

RECONSIGNMENT OF CELERY AT KANSAS CITY, MO.

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, October 18, 1944, by Utah Celery Coop of car ART 20817, celery, now on the Missouri Pacific Railroad, to Sanzone Palmisano, Cincinnati, Ohio (MP-PRR).

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 18th day of October 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-16323; Filed, Oct. 23, 1944;
11:52 a. m.]

[S. O. 70-A, Special Permit 600]

RECONSIGNMENT OF GRAPES AT PITTSBURGH,
PA.

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 Pittsburgh, Pennsylvania, October 19, 1944, by O'Donnell Fruit Company, of car PFE 24221, grapes, now on the Pennsylvania Railroad, to John Slavich, Jr., New York, New York (PRR-Erie delivery).

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 19th day of October 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-16324; Filed, Oct. 23, 1944;
11:52 a. m.]

[S. O. 70-A, Special Permit 601]

RECONSIGNMENT OF HUBBARD SQUASH AT
KANSAS CITY, MO.

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, October 19, 1944, by L. S. Taube Company of car PFE 96749, Hubbard Squash, now on the Union Pacific Railroad, to Omaha, Nebraska (Union Pacific).

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 gen-

eral 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 19th day of October 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-16325; Filed, Oct. 23, 1944;
11:52 a. m.]

[S. O. 70-A, Special Permit 602]

RECONSIGNMENT OF APPLES 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, October 19, 1944, by Northwestern Fruit Exchange of car PFE 30657, apples, now on the Chicago Produce Terminal, to Northwestern Fruit Exchange, advise Paley, Sacks & Company, Houston, Texas (Wab.-KCS-SP).

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 19th day of October 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-16326; Filed, Oct. 23, 1944;
11:52 a. m.]

[S. O. 84-B]

COUDERSPORT AND PORT ALLEGANY RAILROAD
WITHDRAWAL OF REROUTING ORDER WITH RE-
SPECT TO COAL AND COKE

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 21st day of October, A. D. 1944.

Upon further consideration of Service Order No. 84-A of October 6, 1944, and good cause appearing therefor: *It is ordered*. That:

Service Order No. 84-A (9 F.R. 12295) of October 6, 1944, vacating Service Order No. 84 of August 27, 1942, is hereby suspended on coal and coke only until 12:01 a. m., December 9, 1944. (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).

And it is further ordered. That this order shall become effective at 12:01 a. m., October 23, 1944; that a copy of this order

and direction shall be served upon the Coudersport and Port Allegany Railroad Company and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this order shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 44-16321; Filed, Oct. 23, 1944;
11:52 a. m.]

[2d Rev. S. O. 224, 3d Amended Gen. Permit 6]

ICING OF FRUITS AND VEGETABLES

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph of Second Revised Service Order No. 224 of August 24, 1944, (9 F.R. 10429) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

Except as shown below, to disregard the provisions of Second Revised Service Order No. 224 insofar as it applies to the initial icing or reicing of all refrigerator cars loaded with fruits or vegetables, as defined therein;

Exception: This general permit shall not apply to the first or initial icing or the reicing of refrigerator cars loaded with potatoes originating at points located in Idaho Groups B or C, or in Oregon Group B, as defined in Items 1013 and 1043, respectively, of Perishable Protective Tariff No. 13, Agent J. J. Quinn's I. C. C. No. 22.

This general permit shall become effective at 6:00 p. m., October 21, 1944, and shall apply only to cars billed on and after that date.

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 20th day of October 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-16322; Filed, Oct. 23, 1944;
11:52 a. m.]

OFFICE OF ALIEN PROPERTY CUSTO-
DIAN.

[Vesting Order 4206]

HATSUZO TANIMOTO

In re: Estate of Hatsuzo Tanimoto, deceased; File D-39-419; E. T. sec. 9553; H-150.

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:

That the property described as follows:

All right, title, interest and claim of any kind or character whatsoever of Zenichi Tanimoto, Ito Tanimoto and Harue Tanimoto, and each of them, in and to the Estate of Hatsuzo Tanimoto, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Japan, namely,

Nationals and Last Known Address

Zenichi Tanimoto, Japan.
Ito Tanimoto, Japan.
Harue Tanimoto, Japan.

That such property is in the process of administration by Takaichi Tanimoto and Yoshino Tanimoto, as Executor and Executrix of the Estate of Hatsuzo Tanimoto, acting under the judicial supervision of the Circuit Court, Third Judicial Circuit, Territory of Hawaii;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

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

Executed at Washington, D. C. on October 4, 1944.

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

[F. R. Doc. 44-16281; Filed, Oct. 23, 1944;
10:55 a. m.]

[Vesting Order 4220]

UNITED INCANDESCENT LAMP AND
ELECTRICAL CO., LTD.

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 United Incandescent Lamp and Electrical Co., Ltd., whose principal place of business is Ujpest, Hungary, is a corporation organized under the laws of Hungary and is a national of a designated enemy country (Hungary);

2. That United Incandescent Lamp and Electrical Co., Ltd., Ujpest, Hungary, has a claim against National & Transcontinental Trading Corp., which is represented on the books and records of National & Transcontinental Trading Corp., as an account payable in the amount of \$37,457.35, as of February 29, 1944, subject to any accruals or deductions thereafter, and this claim is property within the United States owned or controlled by a national of a designated enemy country (Hungary);

and determining:

3. 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 (Hungary);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the claim of United Incandescent Lamp and Electrical Co., Ltd., against National & Transcontinental Trading Corp., hereinbefore described in subparagraph 2 above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

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

Executed at Washington, D. C., on October 14, 1944.

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

[F. R. Doc. 44-16282; Filed, Oct. 23, 1944;
10:55 a. m.]

[Dissolution Order 11]

G. & W. HELLER CO., INC.

Whereas, By Vesting Order No. 1259, dated April 20, 1943 (8 F.R. 7786, June

10, 1943), the undersigned vested all of the issued and outstanding shares of the capital stock of G. & W. Heller Co., Inc., a New York corporation, and undertook the direction, management, supervision and control of said corporation; and

Whereas, G. & W. Heller Co., Inc. has been substantially liquidated under the supervision of the undersigned.

Now, under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that there are no known creditors or liabilities of, or any tax claims, either State or Federal, against G. & W. Heller Co., Inc. unpaid; and

2. Finding that Messrs. C. T. Cronan, E. W. Hardy and Robert Kramer are the directors of G. & W. Heller Co., Inc., and that the officers are: C. T. Cronan, President; E. W. Hardy, Secretary; Robert Kramer, Treasurer;

3. Determining that it is in the national interest of the United States to dissolve the said corporation and to distribute the corporate assets, and a certificate of dissolution having been filed with the Secretary of State of the State of New York,

It is ordered, That the officers and directors of G. & W. Heller Co., Inc., above-named, continue the proceedings for the dissolution of G. & W. Heller Co., Inc. in accordance with the statutes of the State of New York in such cases made and provided; and

It is further ordered, That the said officers and directors above-named wind up the affairs of said corporation and distribute the assets thereof coming into their possession as follows:

(a) They shall first pay the current expenses and reasonable and necessary charges of winding up the affairs of said corporation and the dissolution thereof;

(b) They shall then pay all known taxes and fees of the United States and of the State of New York accruing against said corporation; and

(c) They shall then distribute and pay over to the undersigned as the holder of all the outstanding and issued stock of the corporation, all other funds and property, if any, remaining in their hands after the payments as aforesaid; and

It is further ordered, That nothing herein set forth shall be construed as prejudicing the rights, under the laws of the State of New York, of any person who may claim against said corporation: *Provided, however*, That nothing herein contained shall be construed as creating additional rights in such persons; and such persons or any of them may file claims with the undersigned against any funds or property received by the undersigned as stockholder as above set forth: *Provided, however*, That any such claim shall be filed with or presented to the undersigned within the time prescribed for such claims by the Statutes of the State of New York; and

It is ordered, That all actions taken and acts done by the officers and directors of G. & W. Heller Co., Inc., above-named, pursuant to this order and the directions contained herein shall be deemed to have been taken in reliance on and pursuant to paragraph numbered (2) of subdivision (b) of section 5 of the

Trading with the Enemy Act, as amended, and the acquittance and exculpation provided for therein.

Executed at Washington, D. C. October 18, 1944.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-16280; Filed, Oct. 23, 1944;
10:55 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 369]

COMMON CARRIERS

COORDINATED OPERATIONS IN ALABAMA,
FLORIDA, GEORGIA, AND MISSISSIPPI

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to re-

quire any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective October 25, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 21st day of October 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Alabama Highway Express, Inc., Birmingham, Ala.

Howard Hall Company, Inc., Birmingham, Ala.

[F. R. Doc. 44-16195; Filed, Oct. 20, 1944;
3:08 p. m.]

[Supp. Order ODT 3, Rev. 371]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS
IN MISSOURI AND ILLINOIS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778) a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of

¹ Filed as part of the original document.

any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective October 25, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 21st day of October 1944.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

APPENDIX 1

R. L. Kirchner, doing business as Kirchner Express, Jerseyville, Ill.
Wood Bros., Inc., St. Louis, Mo.
Paul Lorsbach, Hardin, Ill.

[F. R. Doc. 44-16194; Filed, Oct. 20, 1944;
3:08 p. m.]

[Supp. Order ODT 3, Rev. 372]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS
IN MASSACHUSETTS

Upon consideration of a plan for joint action filed with the Office of Defense

Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,¹ and

der shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective October 25, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 21st day of October 1944.

J. M. JOHNSON,

Director,

Office of Defense Transportation.

APPENDIX 1

Spurgeon W. Hallamore, doing business as Hallamore's Motor Transportation, Brockton, Mass.

Ernest G. Reynolds and Fred C. Reynolds, copartners, doing business as Reynolds Bros. Transportation Co., Brockton, Mass.

[F. R. Doc. 44-16193; Filed, Oct. 20, 1944;
3:08 p. m.]

[Supp. Order ODT 3, Rev. 373]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS
IN KANSAS, MISSOURI AND OKLAHOMA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,¹ and

¹ Filed as part of the original document.

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representa-

tives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25 D. C.

This order shall become effective October 25, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 21st day of October 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Gillette Motor Transport, Inc., 2508 South Harwood Street, Dallas, Tex.

Roadway Express, Inc., 97 East South Street, Akron, Ohio.

Campbell 66 Express, Inc., Grant & Phelps Street, Springfield, Mo.

E. F. Cowan doing business as C & G Truck Line, 505 North National, Fort Scott, Kans.

[F. R. Doc. 44-16203; Filed, Oct. 20, 1944; 3:11 p. m.]

[Supp. Order ODT 3, Rev. 374]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN TENNESSEE

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,¹ and

¹ Filed as part of the original document.

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representa-

tives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington, 25, D. C.

This order shall become effective October 25, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 21st day of October 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Hoover Motor Express Co., Inc., Nashville, Tenn.

R. D. McBroom, doing business as McBroom Freight Lines, McMinnville, Tenn.

Killion Motor Express, Inc., Washington, Ind.

[F. R. Doc. 44-16197; Filed, Oct. 20, 1944;
3:09 p. m.]

[Supp. Order ODT 3, Rev. 375]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN KNOXVILLE AND CHATTANOOGA, TENN.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize

vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intra-state operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective October 25, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 21st day of October 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Mason & Dixon Lines, Inc., Kingsport, Tenn.
Rutherford Freight Lines, Inc., Bristol, Va.
E. T. & WNC Transportation Co., Johnson City, Tenn.

Hoover Motor Express Co., Inc., Nashville, Tenn.

Dixie Ohio Express Co., Akron, Ohio.

[F. R. Doc. 44-16196; Filed, Oct. 20, 1944;
3:09 p. m.]

[Supp. Order ODT 3, Rev. 375]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN CLINTONVILLE AND SHAWANO, WIS.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

¹ Filed as part of the original document.

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in

this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective October 25, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 21st day of October 1944.

J. M. JOHNSON,

Director,

Office of Defense Transportation.

APPENDIX 1

Clintonville Transfer Line, Inc., Clintonville, Wis.

Northern Transportation Company, Inc., Green Bay, Wis.

[F. R. Doc. 44-16201; Filed, Oct. 20, 1944; 3:10 p. m.]

[Supp. Order ODT 3, Rev. 382]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN KLAMATH FALLS AND LAKEVIEW, OREG.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

¹ Filed as part of the original document.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective October 25, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 21st day of October 1944.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

APPENDIX 1

Consolidated Freightways, Inc., Portland, Oreg.

Arrow Transit, Incorporated, Klamath Falls, Oreg.

[F. R. Doc. 44-16198; Filed, Oct. 20, 1944; 3:09 p. m.]

[Supp. Order ODT 3, Rev. 383]

COMMON CARRIERS

COORDINATED OPERATIONS IN MICHIGAN

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting

forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise

directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective October 25, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 21st day of October 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Interstate Motor Freight System, 1208 St. Aubin, Detroit, Mich.

Blair Transit Company, 810 Second National Bank, Saginaw, Mich.

[F. R. Doc. 44-16200; Filed, Oct. 20, 1944; 3:10 p. m.]

[Supp. Order ODT 3, Rev. 385]

COMMON CARRIERS

COORDINATED OPERATIONS IN MASSACHUSETTS
AND RHODE ISLAND

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permis-

¹ Filed as part of the original document.

sible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intra-state operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective October 25, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly

proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 21st day of October 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Matthew J. Curran, doing business as M. J. Curran, New Bedford, Mass.

Robert A. Watt and William H. Watt, doing business as Watt Brothers, Central Falls, R. I.

Alvin R. Holmes, doing business as Holmes Transportation Service, Worcester, Mass.

Emmott-Valley Transportation Co., Inc., Uxbridge, Mass.

[F. R. Doc. 44-16199; Filed, Oct. 20, 1944; 3:09 p. m.]

[Supp. Order ODT 6A-59]

COMMON CARRIERS

COORDINATED OPERATIONS IN PHOENIX, ARIZ., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or supplements to filed tariffs or schedules, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar

act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intra-state operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 6A-59" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington, D. C.

This order shall become effective October 25, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 21st day of October 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Lightning Moving and Warehouse Company, a corporation, Phoenix, Ariz.

George O. Schade, doing business as Schade Transfer, Phoenix, Ariz.

John B. Sloane, doing business as Sloane's Transfer & Storage Co., Phoenix, Ariz.

Harold J. Hart and Dan Richie, a partnership, doing business as H. & R. Transfer, Phoenix, Ariz.

Valley Carriers, Inc., Phoenix, Ariz.

Phoenix Storage & Transfer Co., Inc., Phoenix, Ariz.

[F. R. Doc. 44-16202; Filed, Oct. 20, 1944; 3:11 p. m.]

¹ Filed as part of the original document.

OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Order 2613]

ELYRIA METAL PRODUCTS CO.

APPROVAL OF MAXIMUM PRICES

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; *It is ordered:*

(a) Elyria Metal Products Company, Elyria, Ohio, and Joseph Shaw Company, Toledo, Ohio, may sell and deliver the garden hoe manufactured by Elyria Metal Products Company at prices no higher than \$3.52 per dozen, for sales to jobbers and \$4.68 per dozen, for sales to retailers. These maximum prices are f. o. b. factory, and are subject to a discount of 2% for payment within ten days.

(b) Any other person may sell and deliver at wholesale the garden hoe manufactured by Elyria Metal Products Company, at a price no higher than \$4.68 per dozen, f. o. b. point of shipment. This price is subject to the seller's customary terms, discounts, allowances and other price differentials.

(c) At the time of or prior to the first invoice to each purchaser for resale, Elyria Metal Products Company and Joseph Shaw Company shall notify the purchaser for resale of the maximum prices and conditions established by this order for such resales. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective October 23, 1944.

Issued this 21st day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16234; Filed, Oct. 21, 1944;
11:58 a. m.]

[MPR 188, Order 2614]

NEW HAVEN CLOCK CO.

APPROVAL OF MAXIMUM PRICES

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; *It is ordered:*

(a) This Order No. 2614 establishes prices for sales of a new Nurses' sweep-second wrist watch manufactured by the New Haven Clock Company, 133 Hamilton Street, New Haven, Connecticut, and described in an application dated June 9, 1944.

(1) For sales to wholesalers the maximum price is \$2.77 per watch, f. o. b.

New Haven, Connecticut and subject to the manufacturer's customary terms, discounts, and allowance.

(2) For sales to retailers and hospitals the maximum price is \$3.47 per watch, f. o. b. seller's city.

(3) For sales to ultimate consumers the maximum price is \$4.95 per watch, exclusive of the Federal Excise Tax.

(b) The manufacturer shall plainly mark each watch with the retail ceiling price before shipping it to a purchaser for resale. This may be done by attaching a tag or label.

(c) On and after October 23, 1944, at the time of the first invoice, the manufacturer shall notify in writing each purchaser for resale and each wholesaler shall notify in writing each retailer and hospital who purchases from him of the maximum prices established by this order. This written notice may be given in any convenient form.

(d) This Order No. 2614 may be revoked or amended by the Price Administrator at any time.

(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.

This Order No. 2614 shall become effective October 23, 1944.

Issued this 21st of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16235; Filed, Oct. 21, 1944;
11:57 a. m.]

[MPR 188, Order 2615]

MARK SIMPSON MFG. CO.

APPROVAL OF MAXIMUM PRICES

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; *It is ordered:*

(a) Mark Simpson Manufacturing Company, 188 West Fourth Street, New York, N. Y. may sell and deliver the Model MPA-3 electric portable phonograph, which it manufactures at a price no higher than \$20.90, per unit, for sales to wholesalers; and \$25.08, per unit, for sales to the United States Army Service Exchange, United States Navy Ship Stores, the Red Cross, and the U. S. O. These maximum prices are f. o. b. factory, and are subject to a discount of 2% for payment within 10 days, net 30 days.

(b) Any person, other than Mark Simpson Manufacturing Company, may sell and deliver to retailers or to the United States Army Service Exchange, the United States Navy Ship Stores, the Red Cross, or the U. S. O., the Model MPA-3 electric portable phonograph manufactured by Mark Simpson Manu-

facturing Company at a price no higher than \$27.84 per unit, f. o. b. point of shipment. This maximum price is exclusive of Federal Excise Tax, and is subject to a discount of 2% for payment within 10 days, net 30 days.

(c) Any person, other than Mark Simpson Manufacturing Company, may sell and deliver at retail the Model MPA-3 electric portable phonograph manufactured by Mark Simpson Manufacturing Company at a price, exclusive of Federal Excise Tax, no higher than \$46.40 per unit, delivered.

(d) The Mark Simpson Manufacturing Company at the time of, or prior to, the delivery of each of its Model MPA-3 electric portable phonographs, shall attach securely to such instrument, so that it is clearly visible, a durable tag containing in easily readable lettering the following statement:

The maximum retail price, exclusive of Federal Excise Tax, for the sale of this Model MPA-3 electric portable phonograph, manufactured by Mark Simpson Manufacturing Company, is \$46.40 per unit, delivered. This tag shall not be removed prior to the sale of the phonograph to the consumer.

(e) At the time of or prior to the first invoice to each purchaser for resale, Mark Simpson Manufacturing Company shall notify the purchaser for resale of the maximum prices and conditions established by this order for such resales. This notice may be given in any convenient form.

(f) 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.

(g) This Order No. 2615 may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 23d day of October 1944.

Issued this 21st day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16236; Filed, Oct. 21, 1944;
11:57 a. m.]

[MPR 188, Order 2616]

STANDARD BRANDS

APPROVAL OF MAXIMUM PRICES

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; *It is ordered:*

(a) Standard Brands, 595 Madison Avenue, New York 22, New York, may sell and deliver its amateur roll film at prices no higher than the following:

facturer's stock, the maximum prices set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Play pen	30	Each \$5.80
Baby crib	10	Each 10.75

These prices are for the articles described in the manufacturer's applications dated August 8, 1944, and August 23, 1944.

(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, maximum prices shall be 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 subparagraph (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 23d day of October 1944.

Issued this 21st day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16239; Filed, Oct. 21, 1944;
11:58 a. m.]

[MPR 188, Order 2619]

JERRY BARBIERI

APPROVAL OF MAXIMUM PRICES

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, Executive Orders Nos. 9250 and 9328, and pursuant to § 1499.158 of MPR 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of an upholstered sofa manufactured by Jerry Barbieri, 1637-41 Street, Brooklyn, 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 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
Sofa (muslin cover)	100	Each \$122.90	Each \$144.50

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated May 9, 1944.

(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 subdivision (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 set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Sofa (muslin cover)	100	Each \$144.50

This price is subject to a cash discount of two percent for payment within ten days, net thirty days, and is for the article described in the manufacturer's application dated May 9, 1944.

(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, maximum prices shall be 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 subparagraph (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 23d day of October 1944.

Issued this 21st day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16240; Filed, Oct. 21, 1944;
11:58 a. m.]

[MPR 188, Order 2620]

JOHN F. GRANDE

APPROVAL OF MAXIMUM PRICES

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, Executive Orders Nos. 9250 and 9328, and pursuant to § 1499.158 of MPR 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a pottery rack and four wall racks manufactured by John F. Grande, 306 East Alameda, Burbank, California.

(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 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
Pottery rack	26 x 42	Each \$3.33	Each \$3.92
	30 x 24	1.24	1.47
Wall rack	24 x 24	1.07	1.26
	18 x 24	.96	1.13
	12 x 24	.85	1.01

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated July 18, 1944.

(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 subdivision (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 prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Pottery rack	26 x 42	Each \$3.92
	30 x 24	1.47
Wall rack	24 x 24	1.26
	18 x 24	1.13
	12 x 24	1.01

These prices are subject to a cash discount of two percent for payment within

ten days, net thirty days, and are for the articles described in the manufacturer's application dated July 18, 1944.

(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, maximum prices shall be 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 subparagraph (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 23d day of October 1944.

Issued this 21st day of October 1944.
CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16241; Filed, Oct. 21, 1944;
11:56 a. m.]

[MPR 188, Order 2621]

THE BURROWES CORP.

APPROVAL OF MAXIMUM PRICES

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, Executive Orders Nos. 9250 and 9328, and pursuant to § 1499.158 of MPR 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a juvenile set manufactured by The Burrowes Corporation, Portland, Maine.

(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 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 prices to retailers
Juvenile Set.....		Each \$6.57	Each \$8.22

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated August 18, 1944.

(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 subdivision (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 set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Juvenile Set.....		Each \$8.22

This price is subject to a cash discount of two percent for payment within ten days, net thirty days, and is for the article described in the manufacturer's application dated August 18, 1944.

(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, maximum prices shall be 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 subparagraph (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 23d day of October 1944.

Issued this 21st day of October 1944.
CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16242; Filed, Oct. 21, 1944;
11:55 a. m.]

[MPR 188, Order 2622]

PARKWOOD PRODUCTS CO.

APPROVAL OF MAXIMUM PRICES

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, Executive Orders Nos. 9250 and 9328, and pursuant to § 1499.158 of MPR 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a wall shelf manufactured by Parkwood Products Company, Saint Paul Park, Minnesota.

(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 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
Wall shelf.....	(8" x 5")	Per dozen \$2.04	Per dozen \$2.64

These prices are f. o. b. factory and are subject to a cash discount of two percent for payment within ten days, not thirty days, and are for the article described in the manufacturer's application dated April 27, 1944.

(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 subdivision (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 set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Wall shelf.....	(8" x 5")	Per dozen \$2.64

This price is subject to a cash discount of two percent for payment within ten days, net thirty days, and is for the article described in the manufacturer's application dated April 27, 1944.

(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, maximum prices shall be 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 no-

tify the purchaser for resale of the maximum prices and conditions established by subparagraph (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 23d day of October 1944.

Issued this 21st day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16243; Filed, Oct. 21, 1944;
11:55 a. m.]

[MPR 188, Order 2623]

ASSOCIATED METALS

APPROVAL OF MAXIMUM PRICES

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, Executive Orders Nos. 9250 and 9328, and pursuant to § 1499.158 of MPR 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a juvenile rocker manufactured by Associated Metals, 349 Decatur Street, Atlanta, Georgia.

(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 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
Juvenile rocker...	Steel frame...	Each \$1.74	Each \$2.18

These prices are f. o. b. factory, and are subject to a cash discount of one percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated August 29, 1944.

(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 subdivision (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 set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Juvenile rocker...	Steel frame...	Each \$2.18

This price is subject to a cash discount of one percent for payment within ten days, net thirty days, and is for the article described in the manufacturer's application dated August 29, 1944.

(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, maximum prices shall be 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 subparagraph (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 23d day of October 1944.

Issued this 21st day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16244; Filed, Oct. 21, 1944;
11:59 a. m.]

[MPR 188, Order 14 Under Order 1052]

HUNTINGTON FURNITURE CORP.

ADJUSTMENT OF MAXIMUM PRICES

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 Order No. 1052 issued under § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturer's maximum prices.* Huntington Furniture Corporation, Huntington, West Virginia, may adjust its maximum prices for all sales and deliveries of wood household furniture (as defined in Order No. 1052 under Maximum Price Regulation No. 188) which it manufactures, by an amount not to exceed 2.2% of its maximum prices for

such sales as established by Order No. 1052. The adjustment permitted by this order may be made, however, only if it is separately stated. The adjusted maximum prices are subject to the manufacturer's customary terms, discounts, allowances, and other price differentials in effect during March 1942.

(b) *Maximum prices of purchasers for resale.* Any purchaser for resale of an article of wood household furniture for which the manufacturer's maximum price has been adjusted by this order, may add to his properly established maximum price in effect prior to the effective date of this order, the dollar-and-cents amount of the manufacturer's adjustment charge permitted by this order and for which he has become obligated: *Provided*, The amount of such adjustment is separately stated in the case of all sales except sales to ultimate consumers.

(c) *Notification.* On every invoice covering a sale of an article covered by this order, other than a sale to an ultimate consumer, at a price adjusted in accordance with the terms of this order, the seller must give notice of this order in the following form:

NOTICE OF OPA ADJUSTMENT

The adjustment charge shown on this invoice is authorized by OPA Order No. 14 under Order No. 1052 to Maximum Price Regulation No. 188. Purchasers for resale may pass on the dollars-and-cents amount of this charge to their customers. On all sales other than sales to ultimate consumers the charge must be separately stated and this notice must appear on the invoice.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 23d day of October 1944.

Issued this 21st day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16245; Filed, Oct. 21, 1944;
11:57 a. m.]

[MPR 165, Order 1 Under Rev. Supp. Service Reg. 19]

OIL BURNER SERVICES IN VIRGINIA AND MARYLAND

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.671 (e) of Revised Supplementary Service Regulation No. 19 to Maximum Price Regulation No. 165, *It is ordered:*

(a) For the purpose of Revised Supplementary Service Regulation No. 19, that portion of the States of Maryland and Virginia within a radius of 15 air miles from the Zero Milestone, District of Columbia, shall be considered part of the District of Columbia city area.

(b) The applicable hourly rates for such area, as determined from the Table of Hourly Rates contained in § 1499.671 (a) (5) of Revised Supplementary Service Regulation No. 19 to Maximum Price Regulation No. 165, shall be \$2.50 for the first hour and \$1.75 for the second and succeeding hours.

This order shall become effective October 23, 1944.

Issued this 21st day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16246; Filed, Oct. 21, 1944;
12:00 m.]

[Max. Import Price Reg., Order 53]

HUGHEY & PHILLIPS

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and by Executive Orders Nos. 9250 and 9328, it is ordered:

(a) *What this order does.* This order establishes maximum prices at which any person may sell and maximum prices at which any person, other than the importer, may buy El Brazero charcoal barbecue broilers imported from Mexico by Hughey & Phillips, 300 East First Street, Los Angeles 12, California, hereinafter called the "importer".

(b) *Maximum price on sales by any person except a retailer.* No person, other than a retailer, may sell or deliver, and no person may buy or receive from such seller, El Brazero charcoal barbecue broilers at a price higher than \$2.90 each, delivered.

(c) *Maximum retail prices.* No retailer may sell or deliver El Brazero charcoal barbecue broilers, and no person may buy or receive such broilers from a retailer, at a price exceeding \$4.95 each, delivered.

(d) *Importer or other seller to notify retailers.* The importer or other seller shall notify each retailer to whom such El Brazero charcoal barbecue broilers are sold that the maximum retail selling price, as established by the Office of Price Administration in Order No. 53 issued under the Maximum Import Price Regulation, is \$4.95 each, delivered.

(e) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective on October 24, 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. 4601)

Issued this 23d day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16320; Filed, Oct. 23, 1944;
11:49 a. m.]

[MPR 188, Order 26241]

ENKA PLASTIC CO.

APPROVAL OF MAXIMUM PRICES

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, Executive Orders Nos. 9250 and 9328, and pursuant to § 1499.158 of MPR 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of an unfinished bookcase and an unfinished serving cart manufactured by Enka Plastic Company, 418 South Robertson Boulevard, Los Angeles, California.

(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 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
Unfinished bookcase	1	Each \$2.52	Each \$2.97
Unfinished serving cart	2	9.02	10.65

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated August 4, 1944.

(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 subdivision (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 manu-

facturer's stock, the maximum prices set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Unfinished bookcase	1	Each \$2.97
Unfinished serving cart	2	10.65

These prices are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated August 4, 1944.

(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, maximum prices shall be 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 subparagraph (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 24th day of October 1944.

Issued this 23d day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16310; Filed, Oct. 23, 1944;
11:49 a. m.]

[MPR 188, Order 2625]

HAWKEYE NOVELTY CO.

APPROVAL OF MAXIMUM PRICES

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, Executive Orders Nos. 9250 and 9328, and pursuant to § 1499.158 of MPR 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a juvenile set manufactured by Hawkeye Novelty Company, 1754 Grand Avenue, Des Moines, Iowa.

(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 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
Juvenile set.....	Folding.....	Each \$5.50	Each \$6.87

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated August 9, 1944.

(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 subdivision (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 set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Juvenile set.....	Folding.....	Each \$6.87

This price is subject to a cash discount of two percent for payment within ten days, net thirty days, and is for the article described in the manufacturer's application dated August 9, 1944.

(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, maximum prices shall be 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 subparagraph (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 24th day of October 1944.

Issued this 23d day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16311; Filed, Oct. 23, 1944;
11:47 a. m.]

[MPR 188, Order 2626]

ART GIFT PRODUCTS CO.

APPROVAL OF MAXIMUM PRICES

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, Executive Orders Nos. 9250 and 9328, and pursuant to § 1499.158 of MPR 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of two magazine racks manufactured by Art Gift Products Company, 2121 South Iseminger Street, Philadelphia, Pennsylvania.

(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 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
Magazine rack.....	3900.....	Each \$1.79	Each \$2.11
Magazine rack.....	3900HD.....	2.29	2.70

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated August 3, 1944.

(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 subdivision (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 prices set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Magazine rack.....	3900.....	Each \$2.11
Magazine rack.....	3900HD.....	2.70

These prices are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated August 3, 1944.

(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, maximum prices shall be 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 subparagraph (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 24th day of October 1944.

Issued this 23d day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16312; Filed, Oct. 23, 1944;
11:47 a. m.]

[MPR 188, Order 2627]

JERNIGAN MFG. CO.

APPROVAL OF MAXIMUM PRICES

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, Executive Orders Nos. 9250 and 9328, and pursuant to § 1499.158 of MPR 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of two high chairs manufactured by Jernigan Manufacturing Company, 2421 Glass Street, Chattanooga, Tennessee.

(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 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
High chair.....	100	Each \$2.40	Each \$2.95
High chair.....	101	2.40	2.95

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated May 3, 1944.

(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 subdivision (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 prices set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
High chair.....	100	Each \$2.95
High chair.....	101	2.95

These prices are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for

the articles described in the manufacturer's application dated May 3, 1944.

(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, maximum prices shall be 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 subparagraph (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 24th day of October 1944.

Issued this 23d day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16313; Filed, Oct. 23, 1944;
11:48 a. m.]

[MPR 188, Order 2628]

E. E. SONDERUP

APPROVAL OF MAXIMUM PRICES

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, Executive Orders Nos. 9250 and 9328, and pursuant to § 1499.158 of MPR 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a porch gate manufactured by E. E. Sonderup, 5640 Dupont Avenue South, Minneapolis, Minnesota.

(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 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
Porch gate.....	42"	Each \$0.77	Each \$0.91

These prices are f. o. b. factory, and are for the article described in the manufacturer's application dated August 4, 1944.

(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 subdivision (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 set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Porch gate.....	42"	Each \$0.91

This price is for the article described in the manufacturer's application dated August 4, 1944.

(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, maximum prices shall be 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 subparagraph (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 24th day of October 1944.

Issued this 23d day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16314; Filed, Oct. 23, 1944;
11:50 a. m.]

[MPR 188, Order 2629]

INDIAN SPLINT, INC.

APPROVAL OF MAXIMUM PRICES

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, Executive Orders Nos. 9250 and 9328, and pursuant to § 1449.158 of MPR 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a bunk bed manufactured by Indian Splint, Inc., 56 Rutter Street, Rochester, 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 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
Bunk bed.....	2	Each \$10.33	Each \$22.75

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated August 14, 1944.

(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 subdivision (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 manu-

facturer's stock, the maximum price set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Bunk bed.....	2	Each \$22.75

This price is subject to a cash discount of two percent for payment within ten days, net thirty days, and is for the article described in the manufacturer's application dated August 14, 1944.

(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, maximum prices shall be 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 subparagraph (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 24th day of October 1944.

Issued this 23d day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16315; Filed, Oct. 23, 1944;
11:46 a. m.]

[MPR 188, Order 2630]

O'CONNELL CONTROLS

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1449.158 of Maximum Price Regulation 188, *It is ordered:*

(a) The maximum prices for sales by O'Connell Controls, 120 South La Salle Street, Chicago 3, Illinois, of the Model W-20 thermostat of its manufacture, as described in the application dated September 18, 1944, are as follows:

Article	Model	Maximum price to jobbers or distributors	Maximum price to retailers	Maximum price to the consumer
Thermostat.....	W-20	Each \$2.70	Each \$3.60	Each \$5.85

These maximum prices are f. o. b. point of manufacture and are on sales

to jobbers or distributors subject to a cash discount of 2%, 10 days, net 30 days.

(b) The maximum prices for sales by jobbers or distributors for the thermostat described in paragraph (a) above are as follows:

Article	Model	Maximum price to retailers	Maximum price to the consumer
Thermostat.....	W-20	Each \$3.60	Each \$5.85

(c) The maximum price for a sale at retail of the thermostat described in paragraph (a) above shall be as follows:

Article	Model	Maximum price to consumers
Thermostat.....	W-20	Each \$5.85

(d) On each Model W-20 Thermostat shipped to a purchaser for resale, the manufacturer shall attach a tag or label which plainly states the maximum retail selling price.

(e) At the time of the first invoice, the manufacturer shall notify in writing each purchaser who buys from him of the maximum prices established by this order for resale by the purchaser. Since this order also establishes maximum prices for sales by all jobbers, distributors and retailers, each jobber and distributor who resells the commodity covered by this order must notify his purchaser of the maximum prices established by this order for sales by the purchaser. This written notice may be given in any convenient form.

(f) 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.

(g) This Order No. 2630 may be revoked or amended by the Price Administrator at any time.

This Order No. 2630 shall become effective October 24, 1944.

Issued this 23d day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16316; Filed, Oct. 23, 1944;
11:46 a. m.]

[MPR 188, Order 15 Under Order 1052]

GREEN RIVER CHAIR CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Regis-

ter, 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 Order No. 1052 issued under § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturer's maximum prices.* Green River Chair Company, Livermore, Kentucky, may adjust its maximum prices for all sales and deliveries of wood household furniture (as defined in Order No. 1052 under Maximum Price Regulation No. 188) which it manufactures, by an amount not to exceed 4.4% of its established maximum prices for such sales as adjusted by Order No. 1052, and in effect prior to the issuance of this order. The adjustment permitted by this order may be made, however, only if it is separately stated. The adjusted maximum prices are subject to the manufacturer's customary terms, discounts, allowances, and other price differentials in effect during March 1942.

(b) *Maximum prices of purchasers for resale.* Any purchaser for resale of an article of wood household furniture for which the manufacturer's maximum price has been adjusted by this order, may add to his properly established maximum price in effect prior to the effective date of this order, the dollar-and-cents amount of the manufacturer's adjustment charge permitted by this order and for which he has become obligated, provided the amount of such adjustment is separately stated in the case of all sales except sales to ultimate consumers.

(c) *Notification.* On every invoice covering a sale of an article covered by this order, other than a sale to an ultimate consumer, at a price adjusted in accordance with the terms of this order, the seller must give notice of this order in the following form:

NOTICE OF OPA ADJUSTMENT

The adjustment charge shown on this invoice is authorized by OPA Order No. 15 under Order No. 1052 to Maximum Price Regulation No. 188. Purchasers for resale may pass on the dollars-and-cents amount of this charge to their customers. On all sales other than sales to ultimate consumers the charge must be separately stated and this notice must appear on the invoice.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 24th day of October 1944.

Issued this 23d day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16317; Filed, Oct. 23, 1944;
11:48 a. m.]

[MPR 188, Order 16 Under Order 1052]

EMPIRE FURNITURE CORP.

ADJUSTMENT OF MAXIMUM PRICES

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 Order No. 1052 issued under § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturer's maximum prices.* Empire Furniture Corporation, Johnson City, Tennessee, may adjust its maximum prices for sales and deliveries of wood household furniture (as defined in Order No. 1052 under Maximum Price Regulation No. 188) which it manufactures, by an amount not to exceed three percent (3%) of its maximum prices for such sales as established by Order No. 1052 and in effect prior to the effective date of this order. The adjustment permitted by this order may be made, however, only if it is separately stated. These adjusted maximum prices are subject to the manufacturer's customary terms, discounts, allowances and other price differentials in effect during March 1942.

(b) *Maximum prices of purchasers for resale.* Any purchaser for resale of an article of wood household furniture for which the manufacturer's maximum price has been adjusted by this order, may add to his properly established maximum price in effect prior to the effective date of this order, the dollar-and-cents amount of the manufacturer's adjustment charge permitted by this order and for which he has become obligated: *Provided*, The amount of such adjustment is separately stated in the case of all sales except sales to ultimate consumers.

(c) *Notification.* On every invoice covering the sale of an article covered by this order, other than a sale to an ultimate consumer, at a price adjusted in accordance with the terms of this order, the seller must give notice of this order in the following form:

NOTICE OF OPA ADJUSTMENT

The adjustment charge shown on this invoice is authorized by OPA Order No. 16 under Order No. 1052 to Maximum Price Regulation No. 188. Purchasers for resale may pass on only the dollar-and-cents amount of this charge to their customers. On all sales other than sales to ultimate users, the charge must be separately stated and this notice must appear on the invoice.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 24th day of October 1944.

Issued this 23d day of October 1944.
CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16318; Filed, Oct. 23, 1944;
11:49 a. m.]

[MPR 188, Order 39 Under 2d Rev. Order A-3]

EMPIRE BRUSH CO.

ADJUSTMENT OF MAXIMUM PRICES

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, it is ordered:

(a) *Manufacturer's maximum prices.* The maximum price for sales by The Empire Brush Company, Port Chester, New York, to wholesalers of the "Interne" surgical hand brush which it manufactures is adjusted to \$1.57 per dozen. This price is net and subject to a freight allowance up to \$2.50 per hundred-weight on all shipments weighing 100 pounds or over.

(b) *Maximum prices of purchaser for resale.* All purchasers for resale of the "Interne" surgical hand brush may add an adjustment charge of 12¢ per dozen to their maximum net prices, in effect prior to the issuance of this order: *Provided*, The adjustment charge is separately quoted and billed, and provided they comply with the requirements for notice set forth in paragraph (c) below.

(c) *Notice.* At the time of or prior to the first invoice to a purchaser for resale at a price which includes the adjustment charge provided in paragraph (a) or (b), the Empire Brush Works and its purchasers for resale shall send a notice to the purchaser stating that Order No. 39 under Second Revised Order A-3 under Maximum Price Regulation No. 188 permits the manufacturer and subsequent sellers to add an adjustment charge of 12¢ per dozen to their established maximum prices.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 24th day of October 1944.

Issued this 23d day of October 1944.
CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16319; Filed, Oct. 23, 1944;
11:49 a. m.]

Regional and District Office Orders.
[Region I Order G-10 Under MPR 426]

TABLE GRAPES IN BOSTON REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by Article III, section 15, Appendix K (r) (3) and (4) of

Maximum Price Regulation No. 426, *It is hereby ordered:*

(a) The maximum prices for sales of table grapes as established by Article III, section 15, Appendix K (g) are modified by increasing the maximum markups appearing in Columns 5 and 11 of Table A and Column 5 of Table B so that they will read as follows:

permitted by action taken by the Office of Price Administration.

(b) For each sale made under the provisions of this order, the processor within ten days after the new maximum prices are established by the Office of Price Administration shall supply each wholesaler and retailer, who has purchased from him under this order, an invoice or other written notice, showing the price after action taken by the Office of Price Administration.

This order shall be automatically revoked upon the issuance by the Regional Administrator of Region II of an order under section 18 (c) of the General Maximum Price Regulation covering dehydrated sweet corn, except that the provisions of paragraph (b) shall remain in effect.

This order becomes effective October 13, 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 13th day of October 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-16173; Filed, Oct. 20, 1944;
12:33 p.m.]

[Region II Order G-15 Under MPR 329,
Amtd. 1]

FLUID MILK IN DESIGNATED NEW YORK COUNTIES

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 § 1351.408 of MPR No. 329, as amended, and with the approval of the Regional Director of the Office of Distribution for the northeastern region of the War Food Administration, *It is hereby ordered*, That:

Order No. G-15 be amended by adding to paragraph (f) a new paragraph to be designated paragraph (3a) and to read as follows:

(3a) Plus 25 cents per cwt. for milk produced on farms located in Columbia, Dutchess, Orange, Putnam, or Rockland Counties in the State of New York, or 35 cents per cwt. for milk produced on farms located in Westchester County, New York.

It is further ordered, That: The names of the following towns set forth in paragraph (g) (1), "Clancrak, Taghanie, Beckman, North East, Unionvale, South East" be corrected to read, "Claverack, Taghkanic, Beekman, Northeast, Union Vale, Southeast";

The name of the town of "Leroy" set forth in paragraph (g) (3) be corrected to read "LeRoy";

The names of the following towns set forth in paragraph (g) (4), "Leroy, Lancaster, Genesee" be corrected to read, "LeRoy, Leicester, Geneseo".

Col. 1	Col. 2	Col. 3	Col. 5	Col. 11
Item No.	Commodity	Unit	Sales by grower-packers through a commission merchant in less-than-carloads or less-than-trucklots ex-dock, car or truck or terminal sales platform	Sales by any person (including grower-packers) through a grower's sales agent and sales by shipping point distributors through a commission merchant in less-than-carloads or less-than-truck lots ex-dock, car or truck or terminal sales platform
2.....	Table grapes..	Riverside, Imperial Counties of California and Arizona, (Items 1-2, Table 2): Lug box with a net weight of 24 pounds or more. Lug box with a net weight of less than 24 pounds, and grapes packed in all other containers or in bulk, per pound. All other areas (Items 3-10, Table 2): Lug box with a net weight of 28 pounds or more. Lug box with a net weight of less than 28 pounds and grapes packed in all other containers or in bulk, per pound.	\$0.28..... 1 1/4 cents.....	\$0.38. 1 1/2 cents.
			\$0.19..... 7/10 cent.....	\$0.30. 1 1/2 cents.

TABLE B

Col. 1	Col. 2	Col. 3	Col. 5
Item No.	Commodity	Unit	Sales by primary receivers in less-than-carloads or less-than-trucklots through an auction or ex-car, dock, truck or terminal sales platform.
2.....	Table grapes..	Riverside, Imperial Counties of California and Arizona (Items 1-2, Table 2): Lug box with a net weight of 24 pounds or more..... Lug box with a net weight of less than 24 pounds and grapes packed in all other containers or in bulk, per pound..... All other areas (Items 3-10, Table 2): Lug box with a net weight of 28 pounds or more..... Lug box with a net weight of less than 28 pounds and grapes packed in all other containers or in bulk, per pound.	\$0.40. 1 1/2 cents.
			\$0.35. 1 1/4 cents.

(b) This order applies to sales or deliveries in the City of Boston, Commonwealth of Massachusetts.

(c) Lower prices than those established by this order may be charged. This order may be revoked, amended or corrected at any time.

This order shall become effective on October 2, 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 30th day of September 1944.

ELDON C. SHOUP,
Regional Administrator.

Approved:

FRANCIS D. CRONIN,
Regional Director of Food
Distribution.

[F. R. Doc. 44-16165; Filed, Oct. 20, 1944.
12:30 p.m.]

No. 212—9

[Region II Order G-1 Under 19a]

SWEET CORN IN NEW YORK REGION

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with section 19a of the General Maximum Price Regulation, *It is ordered*:

(a) That sales and deliveries within Region II of dehydrated sweet corn of the 1944 pack, covered by the General Maximum Price Regulation, may be made by processors to purchasers subject to an agreement with the buyer in each case to adjust such selling price to conform with maximum prices to be established by the Office of Price Administration after delivery thereof.

In any such sale the processor shall not invoice the goods at a price higher than the maximum price in effect at the time of delivery, nor shall he receive payment of more than that price until

This Amendment No. 1 to Order No. G-15 shall be effective as of October 1, 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 10th day of October 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

Approved this 10th day of October 1944.

DALLAS E. W. GALBRAITH,
Acting Regional Director of Office
of Distribution for Northeastern
Region of War Food Administra-
tion.

[F. R. Doc. 44-16179; Filed, Oct. 20, 1944;
12:35 p. m.]

[Jacksonville Order G-1 Under Gen. Order 50,
Amdt. 2]

MALT AND CEREAL BEVERAGES IN FLORIDA

An accompanying opinion has been filed with the Division of the Federal Register. Appendix A of Order No. G-1 is amended by adding the following brands of beer and ale to those listed for Groups 1-B, 2-B, and 3-B.

Pilsner, Bay State, Peter Breit's, Fell's Extra, Kuebler Premium, Lambic, Peter Doelger, Schmidts, Gold Crown, Holland, Loewer's, Oxford Brand, True-Blue Old Fashioned, Ruperts, Birk's Trophy, D-R Premier, Ales: Irish Cream, Champ, and Peter Breit's.

(Pub. Law 56, Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681, Gen. Order 50, 8 F.R. 4808)

Effective October 5, 1944.

Issued October 1, 1944.

C. W. BUTLER,
District Director.

[F. R. Doc. 44-16174; Filed, Oct. 20, 1944;
12:33 p. m.]

[Raleigh Rev. Order G-1 Under Gen. Order 50,
Amdt. 1]

MALT AND CEREAL BEVERAGES IN RALEIGH, N. C., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Raleigh, North Carolina District Office of Region IV of the Office of Price Administration by General Order No. 50 issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order No. 17, issued May 5, 1944, *It is hereby ordered*, That Appendix B of Revised Order No. G-1 under General Order No. 50 is amended to read as follows:

APPENDIX B

NOTE: This Appendix B fixes maximum prices for all groups of sellers on certain so-called "intermediate priced" beers and ales. A seller may not establish his group on the basis of the prices given in Appendix B but must determine his group on the basis of prices given for the other brands covered by Appendix A.

Commodity and brand or trade name	Size of bottle	Maximum prices for groups		
		1B	2B	3B
BEER				
Bay State	12	\$0.20	\$0.17	\$0.17
Burger Brau	12	.20	.17	.17
Dover	12	.20	.17	.17
Ehret	12	.20	.17	.17
Esslinger's	12	.20	.17	.17
Genesee	12	.20	.17	.17
Gold Label	12	.20	.17	.17
Gold Medal Tivoli	12	.20	.17	.17
Holland	12	.20	.17	.17
Hornung's	12	.20	.17	.17
Koenig Brau	12	.20	.17	.17
Krueger	12	.20	.17	.17
Lion	12	.20	.17	.17
Nectar	12	.20	.17	.17
P. O. S.	12	.20	.17	.17
Bay State	32	.45	.42	.42
Burger Brau	32	.45	.42	.42
Dover	32	.45	.42	.42
Ehret	32	.45	.42	.42
Esslinger's	32	.45	.42	.42
Genesee	32	.45	.42	.42
Gold Label	32	.45	.42	.42
Gold Medal Tivoli	32	.45	.42	.42
Holland	32	.45	.42	.42
Hornung's	32	.45	.42	.42
Koenig Brau	32	.45	.42	.42
Krueger	32	.45	.42	.42
Lion	32	.45	.42	.42
Nectar	32	.45	.42	.42
P. O. S.	32	.45	.42	.42
ALE				
Bay State	12	.20	.17	.17
Dover	12	.20	.17	.17
New England	12	.20	.17	.17
Esslinger's Little Man	12	.20	.17	.17
Bay State	32	.45	.42	.42
Dover	32	.45	.42	.42
New England	32	.45	.42	.42
Esslinger's Little Man	32	.45	.42	.42

The above prices include all State taxes, sales or otherwise, and all Federal taxes with the exception of the Federal excise tax on cabarets. Sellers who are required to pay the Federal excise tax on cabarets may add the same to the above prices if such tax is separately stated and collected.

This Amendment No. 1 to Revised Order No. G-1 under General Order No. 50 shall become effective September 25, 1944 and shall remain effective through October 24, 1944. The changes made by this amendment are hereby revoked effective October 25, 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, General Order 50, 8 F.R. 4808)

Issued this 25th day of September 1944.

THEODORE S. JOHNSON,
District Director.

[F. R. Doc. 44-16178; Filed, Oct. 20, 1944;
12:35 p. m.]

[Roanoke Order G-1 Under Gen. Order 50,
Amdt. 1]

MALT AND CEREAL BEVERAGES IN ROANOKE, VA., DISTRICT

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, Executive Orders 9250 and 9328, General Order No. 50, and Region IV Revised Delegation Order No. 17, issued May 5, 1944, *It is hereby ordered*, That section 2 and section 20 of Roanoke (Virginia) District Order No. G-1 under General Order No. 50, be and they are hereby amended in the manner and to the extent hereinafter set forth:

SEC. 2. *Geographical applicability.* The provisions of this order extend to all eating and drinking places or establishments located within the limits of the following named counties of the State of Virginia:

Alleghany, Amherst, Appomattox, Arlington, Augusta, Bath, Bedford, Bland, Botetourt, Buchanan, Campbell, Carroll, Charlotte, Clarke, Craig, Dickenson, Fairfax, Fauquier, Floyd, Franklin, Frederick, Giles, Grayson, Halifax, Henry, Highland, Lee, Loudoun, Montgomery, Nelson, Pittsylvania, Page, Patrick, Prince William, Pulaski, Rappahannock, Roanoke, Rockbridge, Rockingham, Russell, Scott, Shenandoah, Smyth, Tazewell, Warren, Washington, Wise, Wythe, together with all municipalities and towns located therein with the exception of the city of Bristol, Virginia. Also included is the city of Alexandria, Virginia.

SEC. 20. *Effective date.* This order shall become effective October 1, 1944.

Issued at Roanoke, Virginia, this 28th day of July 1944.

BERNARD C. GOODWIN,
District Director.

[F. R. Doc. 44-16177; Filed, Oct. 20, 1944;
12:34 p. m.]

[Roanoke Order G-1 Under Gen. Order 50,
Amdt. 2]

MALT AND CEREAL BEVERAGES IN ROANOKE, VA., DISTRICT

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, Executive Orders 9250 and 9328, General Order No. 50, and Region IV Revised Delegation Order No. 17, issued May 5, 1944, and for the reasons set forth in the accompanying opinion, *It is hereby ordered*, That section 20 of Roanoke (Virginia) District Order No. G-1 under General Order No. 50, be and it is hereby amended in the manner and to the extent hereinafter set forth:

SEC. 20. *Effective date.* This order shall become effective January 1, 1945.

Issued at Roanoke, Virginia, this 26th day of September 1944.

MARSHALL S. MCCLUNG,
Acting District Director.

[F. R. Doc. 44-16176; Filed, Oct. 20, 1944;
12:34 p. m.]

[Atlanta Order G-1 Under Gen. Order 50,
Amdt. 4]

MALT AND CEREAL BEVERAGES IN ATLANTA, GA., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Atlanta District Office of Region IV of the Office of Price Administration by General Order No. 50 issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order No. 17, issued May 5, 1944, and pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders 9250 and 9328, the following amendment is hereby issued:

Appendix A, Part I, of Order No. G-1 under General Order No. 50 is amended as follows:

(1) Under Group 1 B, in alphabetical order, the following brand or trade name of beer and the maximum price per bottle is added:

Brand or trade name of beer	Maximum price per bottle	
	12 ounce	32 ounce
Peter Hand's Premium.....	Cents	Cents
	25	60

(2) Under Group 2 B, in alphabetical order, the following brand or trade name of beer and the maximum price per bottle is added:

Brand or trade name of beer	Maximum price per bottle	
	12 ounce	32 ounce
Peter Hand's Premium.....	Cents	Cents
	20	50

(3) Under Group 3 B, in alphabetical order, the following brand or trade name of beer and the maximum price per bottle is added:

Brand or trade name of beer	Maximum price per bottle	
	12 ounce	32 ounce
Peter Hand's Premium.....	Cents	Cents
	18	45

This Amendment No. 4 to Order No. G-1, as amended, under General Order No. 50 shall become effective on and after October 13, 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; General Order No. 50, 8 F.R. 4808)

Issued October 13, 1944.

D. ELIE McCORD,
Acting District Director.

[F. R. Doc. 44-16188; Filed, Oct. 20, 1944;
12:39 p. m.]

[Peoria Order G-4 Under MPR 426 and
MPR 285]

FRUITS AND VEGETABLES IN GALESBURG AND KNOXVILLE, ILL.

For the reasons set forth in the accompanying opinion issued simultaneously herewith and under the authority vested in the District Director of the Peoria District Office of the Office of Price Administration by § 1439.3-15, Appendix H (f), Appendix I (g), Appendix J (g), Appendix K (m) of Maximum Price Regulation 426 and § 1351.1254a (a) of Maximum Price Regulation 285, Order No. G-4 is hereby issued.

(a) *What this order does.* This order determines the limits of the free delivery zone at the wholesale receiving point of the cities of Galesburg and Knoxville,

Illinois. It also establishes differentials for non-delivered sales in the free delivery zone and for delivered sales beyond the free delivery zone. The order applies to such fresh fruit and vegetable items as are now or may hereafter be subject to the pricing provisions of Maximum Price Regulation 285 and Appendices H, I, J and K of Maximum Price Regulation 426. The only sellers who are subject to this order are those wholesalers who price under Maximum Price Regulation 285 and secondary jobbers and service wholesalers, as those terms are used in Appendices H, I, J and K of Maximum Price Regulation 426.

(b) *Establishment of delivery zones.* (1) The free delivery zone established by this order shall be the area comprising the cities of Knoxville and Galesburg and the area within a five-mile radius of the city limits of Galesburg, all in the county of Knox and state of Illinois.

(2) The zone in which charges may be made for delivery is the area outside the free delivery zone.

(c) *Differentials for non-delivered and delivered sales of items listed in Appendices H, I, J and K of Maximum Price Regulation 426—(1) Non-delivered sales.* For sales on a non-delivered basis there shall be deducted from the price for delivered sales in the free delivery zone 5¢ per container for standard shipping containers weighing under fifty lbs. gross weight and 10¢ per container for standard shipping containers weighing 50 lbs. or over gross weight.

(2) *Delivered sales in the free delivery zone.* For deliveries in the free delivery zone the maximum delivered price shall be the maximum delivered price computed under Maximum Price Regulation 426, for the type of sale being made without any deduction from or addition thereto.

(3) *Delivered sales beyond the free delivery zone.* For deliveries beyond the free delivery zone, the seller may add to the maximum price for delivered sales in the free delivery zone the sum of 25¢ per cwt. for the first 25 miles, 30¢ per cwt. for distances over 25 to 50 miles, 35¢ per cwt. for distances over 50 to 75 miles, and 40¢ per cwt. for over 75 miles.

(d) *Differentials for non-delivered and delivered sales of items under Maximum Price Regulation 285—(1) Non-delivered sales and delivered sales in the free delivery zone.* For non-delivered sales and for delivered sales in the free delivery zone the maximum price shall be the maximum delivered price computed under Maximum Price Regulation 285 for the type of sale being made. Discounts and price differentials including any differentials or discounts for f. o. b. non-delivered sales must be maintained.

(2) *Delivered sales beyond the free delivery zone.* For delivered sales beyond the free delivery zone, the wholesaler may add 30¢ per cwt. The cwt. charges on bananas shall be figured on a net-weight basis.

(e) *Definitions.* "Delivery" means delivery to the physical premises of a retail store, hotel, restaurant or institution.

Unless the context otherwise requires, the terms used therein shall have the same meaning as given them in Maxi-

mum Price Regulation 285 and Maximum Price Regulation 426.

(f) This order may be revoked, revised, amended or corrected at any time.

(g) This order shall become effective on the ninth day of October 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 28th day of September 1944.

JAS. A. CARRUTHERS,
District Director.

Approved:

E. O. POLLOCK,
Regional Director of Distribution,
War Food Administration.

[F. R. Doc. 44-16184; Filed, Oct. 20, 1944;
12:37 p. m.]

[Region VI Rev. Order G-5 Under RMPR 122]

SOLID FUELS IN THE TWIN CITIES, MINN., AREA

Pursuant to the authority vested in the Regional Administrator of Region VI by § 1340.260 of Revised Maximum Price Regulation No. 122, and for reasons stated in the opinion issued herewith, *It is ordered:*

Order No. G-5 under Revised Maximum Price Regulation No. 122, Solid Fuels Sold and Delivered by Dealers, is redesignated "Revised Order No. G-5 under Revised Maximum Price Regulation No. 122, Solid Fuels Sold and Delivered by Dealers" and is revised and amended to read as follows:

(a) *What this order does.* This order establishes maximum prices for sales of specified solid fuels made in the Twin Cities Area. These are the highest prices that any dealer may charge when he delivers any of such fuel at or to a point in the Twin Cities Area or from a coal yard within such area; they are also the highest prices that any buyer in the course of trade or business may pay for such solid fuels.

(b) *What this order prohibits.* Regardless of any obligation, no person shall

(1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this Revised Order No. G-5; but less than the maximum prices may at any time be charged, paid or offered.

(2) Obtain a higher than maximum price by

(i) Charging for a service unless expressly requested by the buyer and unless specifically authorized to do so by this order.

(ii) Charging a price higher than the schedule price for a service.

(iii) Making a charge higher than the schedule charge authorized for the extension of credit.

(iv) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, or

(v) Using any other device by which a higher than maximum price is obtained, directly or indirectly.

FEDERAL REGISTER, Tuesday, October 24, 1944

SCHEDULE—Continued

(c) **Price schedule.** (1) Immediately below and as part of this paragraph (c) is a schedule which sets forth maximum prices for sales by direct delivery of specified sizes, kinds and quantities of solid fuels. Column 1 describes the coal for which prices are established; columns 2 and 3 show maximum prices at which

SCHEDULE

1		2	3	4	5	6	7
Description		Domestic coal Delivered Consumer at yard	Steam coal Delivered Consumer at yard	Domestic Steam coal Delivered Consumer at yard	Steam coal Delivered Consumer at yard	Domestic Steam coal Delivered Consumer at yard	Steam coal Delivered Consumer at yard
I. High volatile bituminous coal from district No. 4 (Ohio):							
1. Egg, 2 ¹ / ₂ " and over.		\$12.90	\$11.90	\$10.00	\$10.15	\$10.00	
2. Egg, 3 ¹ / ₂ " and over.		12.65	11.65	10.80	10.40	9.80	
3. Stove, 2 ¹ / ₂ " x 1 ¹ / ₂ "		12.30	11.30	10.45	10.05	9.45	
4. Domestic stoker		11.69	10.60	9.40	9.00	9.35	
5. Screenings 1 ¹ / ₂ " and not exceeding 2 ¹ / ₂ "		11.05	10.05	8.85	8.45	8.80	
6. Modified screenings.		11.30	10.30	9.60	8.60	8.95	
II. High volatile bituminous coal from district No. 4 (Ohio):							
1. Hocking Valley lump over 2 ¹ / ₂ "		12.65	11.65	10.75	10.35	9.90	
2. Hocking Valley egg 4 ¹ / ₂ " x 3 ¹ / ₂ "		12.50	11.50	10.60	10.20	9.75	
3. Hocking Valley stove 2 ¹ / ₂ " x 1 ¹ / ₂ "		12.05	11.05	10.15	9.75	9.30	
4. Hocking Valley, screenings 1 ¹ / ₂ " not exceeding 2 ¹ / ₂ "		10.95	9.95	8.70	8.30	8.70	
III. Low volatile bituminous coal from district No. 7 (Western Virginia and Northern Virginia smokeless):							
1. Lump, 2 ¹ / ₂ " and over and egg mixed.		15.65	14.65	14.10	13.70	12.80	
2. Egg, 2 ¹ / ₂ " x 2 ¹ / ₂ " and larger.		16.90	14.90	14.45	13.95	13.45	
3. Stove 2 ¹ / ₂ " x 1 ¹ / ₂ " and larger.		15.35	14.35	13.90	13.50	12.60	
4. Pea or nut, 1 ¹ / ₂ " x 1 ¹ / ₂ "		14.65	13.65	12.65	11.65	11.80	
5. Stoker peat		13.65	12.55	11.95	11.55	11.95	
6. Unscreened stoker (buckwheat).		12.30	11.30	10.25	9.85	10.05	
7. Screenings 1 ¹ / ₂ " x 1 ¹ / ₂ " and larger.		11.55	10.55	9.35	9.00	8.35	
8. Run-of-mine.		13.45	12.45	11.65	11.45	11.05	
Coal from Mine Index No. 73, the Glen Rogers Mine of the Raleigh Wyoming Coal Co.:							
9. Lump, 2 ¹ / ₂ " and over.		16.40	15.40	14.85	13.65	13.95	
10. Egg, 3 ¹ / ₂ " x 2 ¹ / ₂ " and larger.		16.75	15.75	15.30	14.90	14.00	
11. Stove, 2 ¹ / ₂ " x 1 ¹ / ₂ " and larger.		16.20	15.20	14.70	14.30	13.45	
IV. Low volatile bituminous coal (smithing) from District No. 7 (West Virginia and Northern Virginia):							
1. Smithing coal—bulk		14.95	13.95	13.50	13.10	12.20	
V. High volatile bituminous coal from District No. 8 (Southern West Virginia, Eastern Kentucky, Northern Tennessee):							
1. Lump, 2 ¹ / ₂ " and over.		13.35	12.35	12.50	12.10	11.60	
A. Premium Kentucky (fine coal in High Spint, Miller's Creek and Jellico Seams and No. 5 seam in Price Classification A):		14.35	13.35	12.90	12.10	11.70	
B. Elkhorn.		13.80	12.80	11.95	11.55	11.05	
C. Harlan.		13.60	12.60	11.75	11.35	10.85	
D. Dorothy, Hazard.		13.40	12.40	11.65	11.15	10.65	
E. Island Creek.		12.20	11.20	10.65	10.15	9.65	
2. Egg.							
A. Premium Kentucky (including coals in High Spint, Miller's Creek and Jellico Seams and No. 5 seam Coal in Price Classification A):		13.15	12.15	12.30	11.90	11.40	
B. Elkhorn.		13.75	12.75	12.80	11.90	10.90	
C. Harlan.		13.60	12.60	11.75	11.35	10.85	
D. Dorothy, Hazard.		13.40	12.40	11.65	11.15	10.65	
E. Island Creek.		13.20	12.20	11.65	11.15	10.65	

1		2	3	4	5	6	7
Description		Domestic coal Delivered Consumer at yard	Steam coal Delivered Consumer at yard	Domestic Steam coal Delivered Consumer at yard	Steam coal Delivered Consumer at yard	Domestic Steam coal Delivered Consumer at yard	Steam coal Delivered Consumer at yard
V. High volatile Bituminous Coal from Stove, No. 8—Continued.							
3. Stove:							
A. Premium Kentucky (including coals in High Spint, Miller's Creek and Jellico Seams and No. 5 seam Coal in Price Classification A):							
B. Elkhorn.							
C. Harlan.							
D. Dorothy, Hazard.							
E. Island Creek.							
4. Domestic stoker (double screened coal):							
A. Premium Kentucky (including coals in High Spint, Miller's Creek and Jellico Seams and No. 5 seam Coal in Price Classification A):							
B. Elkhorn.							
C. Harlan.							
D. Dorothy, Hazard.							
E. Island Creek.							
5. Screenings 1 ¹ / ₂ " x 1 ¹ / ₂ " and not exceeding 2 ¹ / ₂ " x 1 ¹ / ₂ "							
A. Premium Kentucky (including coals in High Spint, Miller's Creek and Jellico Seams and No. 5 seam Coal in Price Classification A):							
B. Elkhorn.							
C. Harlan.							
D. Dorothy, Hazard.							
E. Island Creek.							
6. Screenings 1 ¹ / ₂ " x 1 ¹ / ₂ " and not exceeding 2 ¹ / ₂ " x 1 ¹ / ₂ "							
A. Premium Kentucky (including coals in High Spint, Miller's Creek and Jellico Seams and No. 5 seam Coal in Price Classification A):							
B. Elkhorn.							
C. Harlan.							
D. Dorothy, Hazard.							
E. Island Creek.							
7. Screenings 1 ¹ / ₂ " x 1 ¹ / ₂ " and not exceeding 2 ¹ / ₂ " x 1 ¹ / ₂ "							
A. Premium Kentucky (including coals in High Spint, Miller's Creek and Jellico Seams and No. 5 seam Coal in Price Classification A):							
B. Elkhorn.							
C. Harlan.							
D. Dorothy, Hazard.							
E. Island Creek.							
8. Screenings 1 ¹ / ₂ " x 1 ¹ / ₂ " and not exceeding 2 ¹ / ₂ " x 1 ¹ / ₂ "							
A. Premium Kentucky (including coals in High Spint, Miller's Creek and Jellico Seams and No. 5 seam Coal in Price Classification A):							
B. Elkhorn.							
C. Harlan.							
D. Dorothy, Hazard.							
E. Island Creek.							
9. Screenings 1 ¹ / ₂ " x 1 ¹ / ₂ " and not exceeding 2 ¹ / ₂ " x 1 ¹ / ₂ "							
A. Premium Kentucky (including coals in High Spint, Miller's Creek and Jellico Seams and No. 5 seam Coal in Price Classification A):							
B. Elkhorn.							
C. Harlan.							
D. Dorothy, Hazard.							
E. Island Creek.							
10. Screenings 1 ¹ / ₂ " x 1 ¹ / ₂ " and not exceeding 2 ¹ / ₂ " x 1 ¹ / ₂ "							
A. Premium Kentucky (including coals in High Spint, Miller's Creek and Jellico Seams and No. 5 seam Coal in Price Classification A):							
B. Elkhorn.							
C. Harlan.							
D. Dorothy, Hazard.							
E. Island Creek.							
11. Screenings 1 ¹ / ₂ " x 1 ¹ / ₂ " and not exceeding 2 ¹ / ₂ " x 1 ¹ / ₂ "							
A. Premium Kentucky (including coals in High Spint, Miller's Creek and Jellico Seams and No. 5 seam Coal in Price Classification A):							
B. Elkhorn.							
C. Harlan.							
D. Dorothy, Hazard.							
E. Island Creek.							
12. Screenings 1 ¹ / ₂ " x 1 ¹ / ₂ " and not exceeding 2 ¹ / ₂ " x 1 ¹ / ₂ "							
A. Premium Kentucky (including coals in High Spint, Miller's Creek and Jellico Seams and No. 5 seam Coal in Price Classification A):							
B. Elkhorn.							
C. Harlan.							
D. Dorothy, Hazard.							
E. Island Creek.							
13. Screenings 1 ¹ / ₂ " x 1 ¹ / ₂ " and not exceeding 2 ¹ / ₂ " x 1 ¹ / ₂ "							
A. Premium Kentucky (including coals in High Spint, Miller's Creek and Jellico Seams and No. 5 seam Coal in Price Classification A):							
B. Elkhorn.							
C. Harlan.							
D. Dorothy, Hazard.							
E. Island Creek.							
14. Screenings 1 ¹ / ₂ " x 1 ¹ / ₂ " and not exceeding 2 ¹ / ₂ " x 1 ¹ / ₂ "							
A. Premium Kentucky (including coals in High Spint, Miller's Creek and Jellico Seams and No. 5 seam Coal in Price Classification A):							
B. Elkhorn.							
C. Harlan.							
D. Dorothy, Hazard.							
E. Island Creek.							
15. Screenings 1 ¹ / ₂ " x 1 ¹ / ₂ " and not exceeding 2 ¹ / ₂ " x 1 ¹ / ₂ "							
A. Premium Kentucky (including coals in High Spint, Miller's Creek and Jellico Seams and No. 5 seam Coal in Price Classification A):							
B. Elkhorn.							
C. Harlan.							
D. Dorothy, Hazard.							
E. Island Creek.							
16. Screenings 1 ¹ / ₂ " x 1 ¹ / ₂ " and not exceeding 2 ¹ / ₂ " x 1 ¹ / ₂ "							
A. Premium Kentucky (including coals in High Spint, Miller's Creek and Jellico Seams and No. 5 seam Coal in Price Classification A):							
B. Elkhorn.							
C. Harlan.							
D. Dorothy, Hazard.							
E. Island Creek.							
17. Screenings 1 ¹ / ₂ " x 1 ¹ / ₂ " and not exceeding 2 ¹ / ₂ " x 1 ¹ / ₂ "							
A. Premium Kentucky (including coals in High Spint, Miller's Creek and Jellico Seams and No. 5 seam Coal in Price Classification A):							
B. Elkhorn.							
C. Harlan.							
D. Dorothy, Hazard.							
E. Island Creek.							
18. Screenings 1 ¹ / ₂ " x 1 ¹ / ₂ " and not exceeding 2 ¹ / ₂ " x 1 ¹ / ₂ "							
A. Premium Kentucky (including coals in High Spint, Miller's Creek and Jellico Seams and No. 5 seam Coal in Price Classification A):							
B. Elkhorn.							
C. Harlan.							
D. Dorothy, Hazard.							
E. Island Creek.							
19. Screenings 1 ¹ / ₂ " x 1 ¹ / ₂ " and not exceeding 2 ¹ / ₂ " x 1 ¹ / ₂ "							
A. Premium Kentucky (including coals in High Spint, Miller's Creek and Jellico Seams and No. 5 seam Coal in Price Classification A):							
B. Elkhorn.							
C. Harlan.							
D. Dorothy, Hazard.							
E. Island Creek.							
20. Screenings 1 ¹ / ₂ " x 1 ¹ / ₂ " and not exceeding 2 ¹ / ₂ " x 1 ¹ / ₂ "							
A. Premium Kentucky (including coals in High Spint, Miller's Creek and Jellico Seams and No. 5 seam Coal in Price Classification A):							
B. Elkhorn.							
C. Harlan.							
D. Dorothy, Hazard.							
E. Island Creek.							
21. Screenings 1 ¹ / ₂ " x 1 ¹ / ₂ " and not exceeding 2 ¹ / ₂ " x 1 ¹ / ₂ "							
A. Premium Kentucky (including coals in High Spint, Miller's Creek and Jellico Seams and No. 5 seam Coal in Price Classification A):							
B. Elkhorn.							
C. Harlan.							
D. Dorothy, Hazard.							
E. Island Creek.							
22. Screenings 1 ¹ / ₂ " x 1 ¹ / ₂ " and not exceeding 2 ¹ / ₂ " x 1 ¹ / ₂ "							
A. Premium Kentucky (including coals in High Spint, Miller's Creek and Jellico Seams and No. 5 seam Coal in Price Classification A):							
B. Elkhorn.							
C. Harlan.							

SCHEDULE—Continued

Description	1	2	3	4	5	6	7
	Domestic coal		Steam coal		Dealer at plant		
	Delivered	Con- sumer at yard	Delivered	Con- sumer at yard	Domestic	Steam	
IX. High volatile bituminous coal from district No. 10—Continued.							
C. Belleville Sub-District Price Group No. 17:							
1. Egg, 7" x 4"	\$10.50	\$9.50	\$8.80	\$8.40	\$7.75	\$7.30	
2. Egg, 4" x 2"	10.25	9.25	8.55	8.15	7.50	7.55	
3. Stove, 2" x 1 1/4"	10.25	9.25	8.55	8.15	7.50	7.55	
4. Washed screenings, 1 1/4" x 0.	9.10	8.10	6.95	6.55	6.85	5.95	
X. High volatile bituminous coal from district No. 11 (Indiana):							
A. Linton-Sullivan sub-district, 4th Vein, Price Group Nos. 5-13 and 20:							
1. Egg, 8" x 4"	10.95	9.95	9.25	8.85	8.20	8.25	
2. Egg, 4" x 2"	10.70	9.70	8.70	8.30	7.95	7.70	
3. Stove, 2" x 1 1/4"	10.50	9.50	8.50	8.10	7.75	7.50	
4. Washed nut, 1 1/4" x 3 1/2"	10.05	9.05	7.90	7.50	7.80	6.90	
5. Washed screenings (larger than 3 1/2" x 0 but not exceeding 2" x 0).	9.25	8.25	7.10	6.70	7.00	6.10	
XI. High volatile bituminous coal from Arkansas and Oklahoma district No. 14 ("seminanthracite"):							
1. Egg, stove and nut.	15.75	14.75			13.00		7.45
2. Screenings			8.45	8.05			
XII. Pennsylvania anthracite:							
1. Egg, stove and nut.	18.10	17.10			15.35		
2. Pea	16.55	15.55			13.80		
3. Buckwheat	14.75	13.75	13.30	12.90	12.00	12.30	
4. Rice	12.40	11.40	10.45	10.05	10.15		
XIII. Briquettes:							
1. Briquettes	14.80	13.80	13.35	12.95	12.05	12.35	
2. Briquettes made from Beckley Seam district No. 7 coal	15.00	14.00	13.55	13.15	12.25	12.55	
XIV. Byproduct coke:							
1. Egg, stove and nut.	15.45	14.45	14.00	13.60	12.70	13.00	
2. Pea	14.20	13.20	12.75	12.35	11.45	11.75	
XV. Creosote coke from Republic Creosoting Co., St. Louis Park, Minn.	16.25	15.25			13.50		
XVI. Packaged fuel (Pocahontas):							
A. Sales up to 1/4 ton:							
1. 10-pound packages, 1							
2. 15-pound packages, 2							
B. 1/4 ton	5.15	3.80					
C. 1/2 ton	8.80	7.55					
D. 1 ton	16.10	15.10					

¹ 11 for \$1.² 8 for \$1.

(2) The prices provided for in the above schedule shall apply to all sales of all-rail coal and to the dock coal therein described which has been rescreened at the dock. The maximum prices for all sales by dealers for each size and kind of dock-run coal shall be \$0.50 per net ton lower than the maximum prices set forth in the above schedule for the same size and kind of coal which has been rescreened at the dock. The \$0.50 deduction does not apply to stoker coal.

(3) The maximum prices for sales of solid fuel by dealers determining or re-determining their prices under § 1340.254 (b), Rule 1, of Revised Maximum Price Regulation No. 122, as amended, when not provided for by the above schedule, shall be the maximum prices applicable to such sales under Revised Maximum Price Regulation No. 122, as amended, plus 40¢ per ton for domestic coal and 20¢ per ton for steam coal.

(4) When a dealer purchases bituminous coal from a producer or a distributor who has added a treatment charge in accordance with Amendment 98 to Maximum Price Regulation No. 120, the dealer in selling that coal may add to the maximum prices set by this order a treatment charge not in excess of 10¢ per ton providing he states it separately on his invoice. If he purchases coal from the dock and is charged for treating, he

may add an amount not exceeding 15¢ per ton if he states it separately on the invoice. If he treats untreated coal at his own yard he may add a treatment charge of 15¢ per ton for treating the coal.

(d) *Service charges.* Immediately below and as a part of this paragraph (d) is a schedule which sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales under paragraph (c). These charges may be made only if the buyer requests such service of the dealer and only when the dealer renders the service. Such service charge shall be separately stated in the dealer's invoice.

SCHEDULE

Sacking	\$4.00
Trimming, per hour	.80
Carrying from curb, per ton	.75
Labor, per hour	.80
Carrying up or down stairs, per flight, per ton	.25

(e) *Cash discounts.* (1) If payment is made by the buyer not later than the 15th day of the month following the date of receipt of the fuel, the maximum prices set forth in the schedule in paragraph (c) for sales of domestic coal shall be reduced by 50¢ per ton or by 25¢ per half ton, which reduction may be termed a "cash discount."

(2) On all sales made under any budget or installment plan, the maximum prices set forth in the schedule in paragraph (c) shall be reduced by 50¢ per ton or by 25¢ per half ton, if all payments are made on time under such budget or installment plan.

(f) *Sales of quantities other than specified in schedule.* (1) For a sale of less than one ton, delivered to a consumer, unless specifically set forth in the price schedule appearing above, the maximum price shall be computed as follows:

a. From the per ton price set forth in the schedule in paragraph (c), deduct \$1.50 as a "cartage factor."

b. Adjust the balance in proportion to the tonnage sold.

c. Add back the "cartage factor" of \$1.50.

(2) All other variations from specified quantities and prices shall be proportionately adjusted, so that no more than the applicable and proportionate maximum price is obtained.

(g) *The transportation tax.* The transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set forth by this order, provided the dealer states it separately from the price on his invoice or statement. But no part of that tax may be collected in addition to the maximum price on sales of quarter-ton or lesser quantities.

(h) *Addition of increases in supplier's price prohibited.* Notwithstanding the provisions of Revised Maximum Price Regulation No. 122, the maximum prices set by this order may not be increased and need not be decreased by a dealer to reflect increases or decreases in purchase costs or in his supplier's maximum prices occurring after the effective date hereof; but increases or decreases in the maximum prices set hereby, to reflect such changes, are within the discretion of the Regional Administrator.

(i) *Petitions for amendments.* This order may be revoked, amended or modified at any time. Any dealer may at any time file with the Twin Cities District Office of the Office of Price Administration a petition for amendment to this order in accordance with the provisions of Revised Procedural Regulation No. 1.

(j) *Records.* (1) Each dealer shall continue to preserve for examination by the Office of Price Administration all his existing records relating to:

(i) The prices he charged on deliveries made by him during December 1941;

(ii) His offering prices (as defined in Rule 1A of § 1340.254 of Revised Maximum Price Regulation No. 122) for delivery during the period December 15-31, 1941;

(iii) His customary allowances, discounts and other price differentials;

(iv) His charges for all special services and rates of interest on all forms of debts during December, 1941;

(v) The prices charged to him by all of his suppliers during the last month of 1941 in which he received each different size, kind and quality of solid fuel.

(2) Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof, showing the date, the name and address of the buyer (if known), the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

(k) *Posting of maximum prices; sales slips and receipts.* (1) Each dealer subject to this order shall post all the maximum prices set by it for all his types of sales. He shall post his prices in this place of business in a manner plainly visible to and understandable by the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuel. No report of the maximum prices established by this order need be made by any dealer under § 1340.262 (c) of Revised Maximum Price Regulation No. 122.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this order shall, within thirty days after the date of delivery of the fuel, give to the buyer a statement showing: the date of the sale, the name and address of the dealer and of the buyer, the kind, size and quantity of the solid fuel sold, the price charged, and separately stating any transportation tax or service charge. This paragraph (k) (2) shall not apply to sales of quantities of less than one-quarter ton unless the dealer customarily gave such a statement on such sales.

(3) In the case of all other sales, every dealer who, during December 1941, customarily gave buyers sales slips or receipts shall continue to do so. Every dealer must, on request of a purchaser, provide a receipt containing the information required in the preceding paragraph (k) (2).

(1) *Definitions and explanations.* When used in this Revised Order No. G-5 the term, (1) "Twin Cities Area" shall include the urban and rural area in the state of Minnesota surrounding and including St. Paul and Minneapolis bounded by a line drawn between the outermost boundaries of the cities or villages of Robbinsdale, Golden Valley, Hopkins, Richfield, Bloomington, South St. Paul, Newport, Mahtomedi, White Bear, Brooklyn Center and Robbinsdale.

(2) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at the point nearest and most accessible to the buyer's bin or storage space.

(3) "Yard sales" shall mean deliveries made by the dealer in his customary manner at his yard or at any place other than by his truck.

(4) "Domestic coal" means all coal which is not steam coal.

(5) "Steam coal" means solid fuels as defined in Revised Maximum Price Regulation No. 122, and which is sold to: (a) commercial, institutional and industrial

establishments and to hotels, rooming houses, four-plexes and apartment buildings having more than four apartments and having one central heating plant; and (b) where the annual consumption is normally 25 tons or more; and (c) where no single delivery is a load lot at weights of less than three (3) tons for coal and (2) tons for coke.

(6) "Pennsylvania anthracite" means only coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(7) "Egg, stove, nut," etc., sizes of Pennsylvania anthracite refer to the sizes of such coal prepared at the mine in accordance with standard sizing specifications adopted by the Anthracite Committee, effective December 15, 1941.

(8) "District No." refers to the geographical bituminous coal-producing districts as delineated and numbered by the Bituminous Coal Act of 1937, as amended.

(9) "Low volatile bituminous coal" refers to coal produced in the low volatile sections of the producing districts specified herein.

(10) "Medium volatile bituminous coal" refers to coal produced in the medium volatile sections of the producing districts specified herein.

(11) "High volatile bituminous coal" refers to coal produced in the high volatile sections of the producing districts specified herein.

(12) "Egg, stove, nut," etc., sizes of bituminous coal received entirely by rail or barge refer to the sizes of such coal as defined in the Bituminous Coal Act of 1937, as amended, and as prepared at the mine in accordance with the applicable minimum price schedule promulgated by the Bituminous Coal Division of the United States Department of the Interior, in effect as of August 23, 1943, except that "domestic run-of-mine" shall be that size sold as such by the dealer and which he customarily purchased at the mine as lump size.

(13) "Lump, egg, stove, nut, or stoker" sizes of Bituminous Coal received via the Great Lakes refer to the sizes of coals which are rescreened, prepared, and sold at the docks under such designations and sizes and shall be the same sizes and designations as were prepared at the docks during December 1941.

(14) Except as otherwise provided herein or as the context may otherwise require all terms used in this order shall bear the meaning given them in Revised Maximum Price Regulation No. 122 or the Emergency Price Control Act of 1942; or if not therein defined, they shall be given their ordinary and popular trade meaning.

(15) Whenever in this revised order any reference is made to "minimum price schedule", "price classifications", "sizes" (other than those produced or rescreened at the docks) "district No." or "coal producing districts," etc., those terms shall hereafter be construed to have the same meaning, definition, force and effect which they had under the Bituminous Coal Act of 1937 or under any order, schedule, rule or regulation issued by the

Bituminous Coal Division of the United States Department of the Interior, and which was established or in effect as of midnight August 23, 1943.

(m) *Effect of order on Revised Maximum Price Regulation No. 122.* Except as herein otherwise provided, the provisions of Revised Maximum Price Regulation No. 122, as amended, shall remain in full force and effect.

(n) *Power to amend, revoke, correct, or modify.* This order, or any provision thereof, including all or any portion thereof, including all or any portion of any appendix hereto, may be revoked, modified, amended, or corrected at any time.

This Revised Order No. G-5 shall become effective September 30, 1944.

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

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 25th day of September 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-16181; Filed, Oct. 20, 1944;
12:36 p. m.]

[Region VI Order G-10 Under RMPR 122,
Amdt. 2]

SOLID FUELS IN DES MOINES, IOWA

Pursuant to the authority vested in the Regional Administrator of Region VI by § 1340.260 of Revised Maximum Price Regulation No. 122, and by § 1340.209 of Maximum Price Regulation No. 120, and for reasons stated in the opinion issued simultaneously herewith, *It is ordered*, That Order No. G-10, as amended, be, and it is hereby, amended as follows:

The first paragraph is amended to read as follows:

Pursuant to the authority vested in the Regional Administrator of Region VI by § 1340.260 of Revised Maximum Price Regulation No. 122, as amended, and by § 1340.209 of Maximum Price Regulation No. 120, as amended, and for reasons stated in the opinion issued herewith, *It is ordered*:

The price schedule set forth in paragraph (c) (1) is amended to read as follows:

(c) *Price schedule.* (1) Immediately below and as part of this paragraph (c) is a schedule which sets forth maximum prices for sales by direct delivery of specified sizes, kinds and quantities of solid fuels. Column 1 describes the coal for which prices are established; columns 2, 3 and 4 show maximum prices for sales of coal delivered in the quantities indicated by each column heading. Column 5 shows the maximum prices for coal sold for use by buyers whose customary annual requirements of coal exceed 50 tons. All prices are stated on a net ton basis.

1941 in which he received each different size, kind and quality of solid fuel.

(2) Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof, showing the date, the name and address of the buyer (if known), the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

11. Hi-volatile bituminous coals from District No. 9:

1. Lump size group No. 1, stray seam.
2. Egg size group No. 3.
3. Stove 2^{1/2}.
4. Screenings (stoker raw or treated 2^{1/2} x 0 and 1^{1/2} x 10 mesh).

IV. Hi-volatile bituminous coals from District No. 10:

- A. Lump and egg: Size group, Nos. 1, 2, and 3; price group, Nos. 1, 2, and 8.
- B. Small egg and stove: Size group, Nos. 4, 5, 6, and 8; price group, Nos. 1, 2, and 8.
- C. Special stoker treated: Size group, Nos. 21, 22, and 28; price group, Nos. 1, 2, and 8.
- D. Belleville subdistrict:

- A. Lump and egg: Size group, Nos. 1, 2, and 3; price group, Nos. 16-22, inc.
- B. Small egg and stove: Size group, Nos. 4, 5, 6, and 8; price group, Nos. 16-22, inc.
- C. Washed nut and pea (treated): Size group, Nos. 17-22; price group, Nos. 16-22, inc.
- D. Washed screenings: Size group, Nos. 23 and 24; price group, Nos. 16-22, inc.

3. Fulton Pororia subdistrict:

- A. Lump and egg: Size group, Nos. 1, 2, and 3; price group, Nos. 24, 25 and 26.
- B. Small egg and stove: Size group, Nos. 4, 5, 6, and 8; price group, Nos. 24, 25, and 26.

4. DuQuoin subdistrict:

- A. Lump and egg: Size group, Nos. 1, 2, and 3; price group, Nos. 10 and 16-22, inc.
- B. Washed nut and pea: Size group, Nos. 17 to 22; price group, Nos. 10 and 16-22, inc.

V. Hi-volatile bituminous coals from District No. 12:

1. Chunk size group No. 1.
2. Lump size group No. 2.
3. Egg size group No. 3 and 4.
4. Mine run size group No. 5.
5. Stoker nut size group Nos. 6 and 7.
6. Screenings size group No. 8.
7. Crushed ind. stoker size group No. 9.
8. Carbon size group No. 10.

VII. Hi-volatile bituminous coals from District No. 15:

1. Fatty or standard nut price group No. 3.
2. Stoker nut group No. 3, top size 1^{1/2} and smaller, bottom size 3/8".
3. Stoker price group No. 10, 14^{1/2} x 3^{1/2}.
- VIII. Pennsylvania anthracite—Chestnut.
- VIII. Byproduct coke:
1. Egg...

Issued this 7th day of September 1944.

Rae E. WALTERS,
Regional Administrator.

F. R. Doc. 44-16183; Filed, Oct. 20, 1944;
12:37 p. m.]

[Region VI Order G-11, Under RMPS 122,
Amdt. 4]

SOLID FUELS IN CHICAGO, ILL., AREA

Pursuant to the authority vested in the Regional Administrator of Region VI by § 1340.260 of Revised Maximum Price Regulation No. 122, as amended, for reasons stated in the opinion issued here-with, *It is ordered*, That Items No. IV and V of paragraph (c) (1) of Order No. G-11, as amended, be, and they are hereby, amended to read as follows:

SCHEDULE

	2 ton or more	1 ton	1/4 ton	50 ton or more to 1 ton	1	2	3	4	5	6	7
I. Low volatile bituminous coals from District No. 7:											
1. Egg size group No. 2.											
II. Hi-volatile bituminous coals from District No. 8:											
1. Lump:											
A. Millers Creek.....	\$13.05	\$13.30	\$7.05	\$12.80	12.20	6.80	6.50	11.75	11.15	10.65	
B. Straight Creek.....	12.55	12.80	6.80	12.50	6.50	6.30	6.15	6.30	6.05	5.95	
C. Dorothy.....	12.00	12.25	6.50	11.65	6.30	6.15	6.05	6.30	6.05	5.95	
D. Hazard.....	10.90	11.40	6.30	11.15	6.15	6.05	5.95	6.30	6.05	5.95	
2. Egg:											
A. Straight Creek.....	11.70	11.95	6.35	11.45	6.25	6.15	6.05	6.35	6.05	5.95	
B. Elkhorn.....	11.45	11.70	6.25	11.20	6.10	6.05	5.95	6.20	6.05	5.95	
C. Dorothy.....	11.20	11.45	6.10	11.05	6.05	5.95	5.95	6.10	5.95	5.95	
D. Hazard.....	10.70	10.95	5.85	10.45	5.85	5.85	5.85	6.05	5.85	5.85	
III. Hi-volatile bituminous coals from District No. 9:											
1. Lump size group No. 1, stray seam.....	8.50	8.75	4.75	8.25	8.05	8.05	8.05	8.35	8.05	8.05	
2. Egg size group No. 3.....	8.30	8.55	4.65	8.15	7.90	7.90	7.90	8.20	7.90	7.90	
3. Stove 2 ^{1/2}	7.65	7.90	4.35	7.15	7.40	7.40	7.40	7.70	7.40	7.40	
4. Screenings (stoker raw or treated 2 ^{1/2} x 0 and 1 ^{1/2} x 10 mesh).....	7.40	7.65	4.20	7.15	7.15	7.15	7.15	7.40	7.15	7.15	
IV. Hi-volatile bituminous coals from District No. 10:											
A. Lump and egg: Size group, Nos. 1, 2, and 3; price group, Nos. 1, 2, and 8.	8.65	8.90	4.85	8.40	8.40	8.40	8.40	8.75	8.40	8.40	
B. Small egg and stove: Size group, Nos. 4, 5, 6, and 8; price group, Nos. 1, 2, and 8.	8.00	8.25	4.50	7.75	7.75	7.75	7.75	8.10	7.75	7.75	
C. Special stoker treated: Size group, Nos. 21, 22, and 28; price group, Nos. 1, 2, and 8.	7.90	8.15	4.45	7.65	7.65	7.65	7.65	8.00	7.65	7.65	
D. Belleville subdistrict:											
A. Lump and egg: Size group, Nos. 1, 2, and 3; price group, Nos. 16-22, inc.	7.00	7.85	4.35	7.35	7.35	7.35	7.35	7.75	7.35	7.35	
B. Small egg and stove: Size group, Nos. 4, 5, 6, and 8; price group, Nos. 16-22, inc.	6.95	7.20	4.00	6.70	6.70	6.70	6.70	7.05	6.70	6.70	
C. Washed nut and pea (treated): Size group, Nos. 17-22; price group, Nos. 16-22, inc.	7.05	7.30	4.05	6.85	6.85	6.85	6.85	7.20	6.85	6.85	
D. Washed screenings: Size group, Nos. 23 and 24; price group, Nos. 16-22, inc.	6.55	6.80	3.80	6.30	6.30	6.30	6.30	6.65	6.30	6.30	
3. Fulton Pororia subdistrict:											
A. Lump and egg: Size group, Nos. 1, 2, and 3; price group, Nos. 24, 25 and 26.	7.00	8.15	4.45	7.65	7.65	7.65	7.65	8.00	7.65	7.65	
B. Small egg and stove: Size group, Nos. 4, 5, 6, and 8; price group, Nos. 24, 25, and 26.	7.05	7.35	4.05	6.80	6.80	6.80	6.80	7.15	6.80	6.80	
4. DuQuoin subdistrict:											
A. Lump and egg: Size group, Nos. 1, 2, and 3; price group, Nos. 10 and 16-22, inc.	6.70	7.20	4.00	6.70	6.70	6.70	6.70	7.05	6.70	6.70	
B. Washed nut and pea: Size group, Nos. 17 to 22; price group, Nos. 10 and 16-22, inc.	6.55	7.05	3.95	6.60	6.60	6.60	6.60	7.00	6.65	6.65	
5. Fulton Pororia subdistrict:											
A. Lump and egg: Size group, Nos. 1, 2, and 3; price group, Nos. 24, 25 and 26.	6.55	7.05	3.95	6.60	6.60	6.60	6.60	7.00	6.65	6.65	
B. Small egg and stove: Size group, Nos. 4, 5, 6, and 8; price group, Nos. 24, 25, and 26.	6.50	7.00	3.90	6.55	6.55	6.55	6.55	6.90	6.55	6.55	
6. Belleville subdistrict:											
A. Lump and egg: Size group, Nos. 1, 2, and 3; price group, Nos. 16-22, inc.	6.55	7.05	3.95	6.60	6.60	6.60	6.60	7.00	6.65	6.65	
B. Washed nut and pea: Size group, Nos. 17 to 22; price group, Nos. 16-22, inc.	6.50	7.00	3.90	6.55	6.55	6.55	6.55	6.90	6.55	6.55	
7. DuQuoin subdistrict:											
A. Lump and egg: Size group, Nos. 1, 2, and 3; price group, Nos. 10 and 16-22, inc.	6.55	7.05	3.95	6.60	6.60	6.60	6.60	7.00	6.65	6.65	
8. Belleville subdistrict:											
A. Lump and egg: Size group, Nos. 1, 2, and 3; price group, Nos. 16-22, inc.	6.55	7.05	3.95	6.60	6.60	6.60	6.60	7.00	6.65	6.65	
9. DuQuoin subdistrict:											
A. Lump and egg: Size group, Nos. 1, 2, and 3; price group, Nos. 16-22, inc.	6.55	7.05	3.95	6.60	6.60	6.60	6.60	7.00	6.65	6.65	
10. Belleville subdistrict:											
A. Lump and egg: Size group, Nos. 1, 2, and 3; price group, Nos. 16-22, inc.	6.55	7.05	3.95	6.60	6.60	6.60	6.60	7.00	6.65	6.65	
11. DuQuoin subdistrict:											
A. Lump and egg: Size group, Nos. 1, 2, and 3; price group, Nos. 16-22, inc.	6.55	7.05	3.95	6.60	6.60	6.60	6.60	7.00	6.65	6.65	
12. Belleville subdistrict:											
A. Lump and egg: Size group, Nos. 1, 2, and 3; price group, Nos. 16-22, inc.	6.55	7.05	3.95	6.60	6.60	6.60	6.60	7.00	6.65	6.65	
13. DuQuoin subdistrict:											
A. Lump and egg: Size group, Nos. 1, 2, and 3; price group, Nos. 16-22, inc.	6.55	7.05	3.95	6.60	6.60	6.60	6.60	7.00	6.65	6.65	
14. Belleville subdistrict:											
A. Lump and egg: Size group, Nos. 1, 2, and 3; price group, Nos. 16-22, inc.	6.55	7.05	3.95	6.60	6.60	6.60	6.60	7.00	6.65	6.65	
15. DuQuoin subdistrict:											
A. Lump and egg: Size group, Nos. 1, 2, and 3; price group, Nos. 16-22, inc.	6.55	7.05	3.95	6.60	6.60	6.60	6.60	7.00	6.65	6.65	
16. Belleville subdistrict:											
A. Lump and egg: Size group, Nos. 1, 2, and 3; price group, Nos. 16-22, inc.	6.55	7.05	3.95	6.60	6.60	6.60	6.60	7.00	6.65	6.65	
17. DuQuoin subdistrict:											
A. Lump and egg: Size group, Nos. 1, 2, and 3; price group, Nos. 16-22, inc.	6.55	7.05	3.95	6.60	6.60	6.60	6.60	7.00	6.65	6.65	
18. Belleville subdistrict:											
A. Lump and egg: Size group, Nos. 1, 2, and 3; price group, Nos. 16-22, inc.	6.55	7.05	3.95	6.60	6.60	6.60	6.60	7.00	6.65	6.65	
19. DuQuoin subdistrict:											
A. Lump and egg: Size group, Nos. 1, 2, and 3; price group, Nos. 16-22, inc.	6.55	7.05	3.95	6.60	6.60	6.60	6.60	7.00	6.65	6.65	
20. Belleville subdistrict:											
A. Lump and egg: Size group, Nos. 1, 2, and 3; price group, Nos. 16-22, inc.	6.55	7.05	3.95	6.60	6.60	6.60	6.60	7.00	6.65	6.65	
21. DuQuoin subdistrict:											
A. Lump and egg: Size group, Nos. 1, 2, and 3; price group, Nos. 16-22, inc.	6.55	7.05	3.95	6.60	6.60	6.60	6.60	7.00	6.65	6.65	
22. Belleville subdistrict:											
A. Lump and egg: Size group, Nos. 1, 2, and 3; price group, Nos. 16-22, inc.	6.55	7.05	3.95	6.60	6.60	6.60	6.60	7.00	6.65	6.65	
23. DuQuoin subdistrict:											
A. Lump and egg: Size group, Nos. 1, 2, and 3; price group, Nos. 16-22, inc.	6.55	7.05	3.95	6.60	6.60	6.60	6.60	7.00	6.65	6.65	
24. Belleville subdistrict:											
A. Lump and egg: Size group, Nos. 1, 2, and 3; price group, Nos. 16-22, inc.	6.55	7.05	3.95	6.60	6.60	6.60	6.60	7.00	6.65	6.65	
25. DuQuoin subdistrict:											
A. Lump and egg: Size group, Nos. 1, 2, and 3; price group, Nos. 16-22, inc.	6.55	7.05	3.95	6.60	6.60	6.60	6.60	7.00	6.65	6.65	
26. Belleville subdistrict:											
A. Lump and egg: Size group, Nos. 1, 2, and 3; price group, Nos. 16-22, inc.	6.55	7.05	3.95	6.60	6.60	6.60	6.60	7.00	6.65	6.65	
27. DuQuoin subdistrict:											
A. Lump and egg: Size group, Nos. 1, 2, and 3; price group, Nos. 16-22, inc.	6.55	7.05	3.95	6.60	6.60	6.60	6.60	7.00	6.65	6.65	
28. Belleville subdistrict:											
A. Lump and egg: Size group, Nos. 1, 2, and 3; price group, Nos. 16-22, inc.	6.55	7.05	3.95	6.60	6.60	6.60	6.60	7.00	6.65	6.65	
29. DuQuoin subdistrict:											
A. Lump and egg: Size group, Nos. 1, 2, and 3; price group, Nos. 16-22, inc.	6.55	7.05	3.95	6.60	6.60	6.60	6.60	7.00	6.65	6.65	
30. Belleville subdistrict:											
A. Lump and egg: Size group, Nos. 1, 2, and 3; price group, Nos. 16-22, inc.	6.55	7.05	3.95	6.60	6.60	6.60	6.60	7.00	6.65	6.65	
31.											

FEDERAL REGISTER, Tuesday, October 24, 1944

This Amendment No. 4 to Order No. G-11, as amended, shall become effective September 15th, 1944.

E.O. 9328, 8 F.R. 4681)
Issued this 7th day of September 1944.
D. E. WATSON

W. F. R. Doc. 44-18182; Filed, Oct. 20, 1944;
RAE E. WALTERS,
Regional Administrator.

12:37 p. m.1

SCIENTIFIC CITIES AREA REGION VI ORDER G-18 Under RMFR 122, Amdt. 5]

Pursuant to the authority vested in the Regional Administrator of Region VI

§ 1340.260 of Revised Maximum Price Regulation No. 122. It is ordered, That

price schedule contained in para
graph (c) (1) of General Order No. G-15
and it hereby is, amended to read as

lows:

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Pursuant to the authority vested in the Regional Administrator of Region VI, § 1340.260 of Revised Maximum Price

3 1070-100 34-15
regulation No. 122. It is ordered, That
the price schedule contained in para-

Graph (c) (1) of General Order No. G-15, and it hereby is, amended to read as follows:

This Amendment No. 5 to General Order No. G-15 shall be effective immediately.

(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 30th day of September 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-16180; Filed, Oct. 20, 1944;
12:35 p. m.]

[Fresno Order 1 Under Restaurant MPR 2,
Amdt. 1]

POSTING REQUIREMENTS IN FRESNO, CALIF.

Pursuant to Restaurant Maximum Price Regulation No. 2, Executive Orders No. 9250 and 9328, and for the reasons set forth in the accompanying opinion, this order is amended in the following respects:

In section 1 the date "August 16, 1944" is changed to read "August 23, 1944".

Issued and effective August 12, 1944.

J. H. FARRIOR,
Acting District Director.

[F. R. Doc. 44-16189; Filed, Oct. 20, 1944;
12:33 p. m.]

[Fresno Order 1 Under Restaurant MPR 2,
Amdt. 2]

POSTING REQUIREMENTS IN FRESNO, CALIF.

Pursuant to Restaurant Maximum Price Regulation No. 2, Executive Orders No. 9250 and 9328, and for the reasons set forth in the accompanying opinion, this order is amended in the following respects:

Appendix B is added to said order to read as set forth in the attached appendix.

Issued August 16, 1944.

Effective August 19, 1944.

J. H. FARRIOR,
Acting District Director.

APPENDIX B—CHINESE RESTAURANT LIST

1. Chow Mein
2. Chicken Chow Mein
3. Beef Chow Mein
4. Shrimp Chow Mein
5. Chinese Chop Suey Chow Mein
6. Boiled Noodle
7. Bean Sprout Chop Suey Noodle
8. Chinese Chop Suey Noodle
9. Chicken Chop Suey
10. Pineapple Chicken Chop Suey
11. Bean Sprout Chop Suey
12. Chinese Chop Suey
13. Shrimp Chop Suey
14. Green Pepper Chop Suey
15. Fried Jumbo Shrimp
16. Fried Shrimp in Tomato Juice
17. Pineapple Spareribs
18. Sweet and Sour Spareribs
19. Plain Breaded Spareribs
20. Barbecued Spareribs
21. Barbecued Pork
22. Boiled Rice (Plain)
23. Chinese Green Chow Yuk
24. Bean Sprout Chow Yuk

25. Water Chestnut Chow Yuk
26. Green Pepper Chow Yuk
27. Tomato Onion and Pepper Chow Yuk
28. Shrimp Chow Yuk
29. Pork Fried Rice
30. Shrimp Fried Rice
31. Ham Fried Rice
32. Pork Foo Yoong
33. Chop Suey Foo Yoong
34. Ham Foo Yoong
35. Chop Suey Vegetable Soup
36. Chicken Rice Soup
37. Mustard Greens Soup
38. Fresh Tomato Chow Mein
39. Tomato Sauce Chow Mein

No tax included with above.

[F. R. Doc. 44-16190; Filed, Oct. 20, 1944;
12:33 p. m.]

[Region VIII Order G-1 Under MPR 225]

PRINTING OPERATIONS IN SAN FRANCISCO,
CALIF.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator by § 1347.469 of Maximum Price Regulation No. 225, *It is hereby ordered:*

(a) If you make a sale subject to Maximum Price Regulation No. 225, as amended, and your employees' wage rates have been increased pursuant to an order issued by the National War Labor Board, and your "percentage of adjusted net profit" to sales for 1943, as determined under paragraph (b) of this order is less than 2%, your adjusted maximum price for that sale shall be your maximum price as determined under Maximum Price Regulation No. 225, as amended, plus 15 cents for each hour of direct labor involved in that sale for which labor the wage rate has been adjusted by the National War Labor Board.

(b) *How you calculate your "percentage of adjusted net profit".* In making these calculations, use only the labor costs, sales, and profits in your printing operations; except that if these figures are not segregated into departments by your accounting methods, use your total labor costs, total sales, and total profits.

(1) Calculate the amount of increased labor cost which you would have incurred during 1943 had the wage increases authorized by the National War Labor Board prior to the time of sale been in effect during the entire calendar year 1943. In order to do this, select a typical two-week payroll period before the wage increases were in effect; do not use a period in which holidays occur; then:

(i) Take the amounts paid to your employees during this two-week payroll period;

(ii) Recalculate the wages for this same two-week period, using the new wage rates authorized by the National War Labor Board;

(iii) Subtract the result of (i) from that of (ii) to obtain the increase in wages for the two-week period;

(iv) Divide the amount of this increase by the amount of the original payroll as shown in step (i) to determine the percentage increase in your payroll as a result of the War Labor Board action;

(v) Multiply your total labor cost during the year 1943 by this percentage to obtain the increased labor cost for 1943;

(vi) Multiply this increased labor cost by 5% to cover payroll taxes and insurance;

(vii) Add the results of steps (v) and (vi) to obtain the total increases in labor cost for 1943.

(2) Calculate your adjusted net profit for the year 1943. In order to do this:

(i) Take your net profit for 1943 before deducting income and excess profits taxes;

(ii) If no wages or salaries have been included as expenses to cover services of the owner or partners, deduct an appropriate amount, using wage or salary rates to correspond to the type of service performed by the owner or partners;

(iii) Subtract the estimated increase in labor cost as calculated under step (1) (vii) above.

(3) Compute your "percentage of adjusted net profit" to sales for the year 1943, as follows: Divide the adjusted net profit, as calculated in step (2) above, by your net sales for the year 1943.

EXAMPLE

Step	
(1) (i)	Total payroll during two-week period (omit selling and administrative wages and salaries)
	\$1,000.00
(1) (ii)	Total payroll during two-week period, calculated at new rates
	1,063.00
(1) (iii)	Increase in wages
	63.00
(1) (iv)	Percent increase in payroll
	$\frac{63.00}{1000.00}$
	6.3%
(1) (v)	Total labor cost in 1943 (omit selling and administrative wages and salaries)
	25,000.00
Estimated increase, step	
(1) (iv), 6.3%	1,575.00
(1) (vi)	5% allowance for payroll taxes and insurance
	78.75
(1) (vii)	Total increase in labor cost
	1,653.75

(2) (i)	Net profit before income and excess profits taxes for year 1943	6,000.00
(2) (ii)	Allowance for owner's or partners' services not included in expenses	3,000.00
		3,000.00
(2) (iii)	Increase in labor cost	
(1) (vii) above		1,653.75
Adjusted net profit		1,346.25
(3) Net sales for year 1943		65,000.00
Percent of adjusted net profit to sales		
$\frac{1,346.25}{65,000.00}$		2.1%

(c) Every seller increasing his maximum prices under the provisions of paragraph (a) of this order shall file with the San Francisco District Office of the Office of Price Administration a report of the increased price. The report shall include a calculation of the percentage of adjusted net profit to sales, following the form of the example at the end of paragraph (b) of this order. Such re-

port shall be filed on or before the date of the first sale at the increased prices. The seller may thereupon charge the increased prices: *Provided, however,* That the Regional Office of the Office of Price Administration, by letter mailed to the seller, may disapprove such increased prices.

(d) This order shall be subject to revocation or amendment at any time hereafter either by special order or by any price regulation issued hereafter or by any supplement or amendment hereafter issued as to any price regulation, the provisions of which may be contrary hereto.

(e) This order shall become effective October 12, 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 12th day of October 1944.

GEORGE MONCHARSH,
Acting Regional Administrator.

[F. R. Doc. 44-16187; Filed, Oct. 20, 1944;
12:39 p. m.]

[Region VIII Order G-2 Under Supp. Order 94]

MOTORCYCLES IN DESIGNATED WESTERN STATES

MAXIMUM PRICES FOR SALES BY DEALERS OF CERTAIN INDIAN AND HARLEY DAVIDSON MOTORCYCLES SOLD BY THE PROCUREMENT DIVISION OF THE TREASURY DEPARTMENT

For the reasons set forth in an accompanying opinion and pursuant to the authority conferred upon the Regional Administrator by sections 11 and 13 of the Supplementary Order No. 94 and Price Operating Instruction, General Number 15, for Supplementary Order No. 94, it is ordered as follows:

(a) The maximum prices for sales at retail by resellers of shaft driven Indian and Harley Davidson motorcycles, assembled and in running condition, purchased from the Procurement Division of the Treasury Department shall be \$500.00.

(b) This order shall apply to all sales and deliveries in the States of California, Washington, Nevada, Oregon, except Malheur County, and Arizona, except those portions of Coconino County and Mohave County lying north of the Colorado River; and the following counties in the State of Idaho: Benewah, Bonner, Boundary, Clearwater, Kootenai, Latah, Lewis, Nez Perce, Shoshone, and Idaho.

This order shall become effective October 11, 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 10th day of October 1944.

GEORGE MONCHARSH,
Acting Regional Administrator.

[F. R. Doc. 44-16186; Filed, Oct. 20, 1944;
12:38 p. m.]

[Region VIII Order G-3 Under RMPR 269,
Amtd. 1]

POULTRY ITEMS IN SAN FRANCISCO REGION

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 § 1429.14 (e) of Revised Maximum Price Regulation No. 269, and the authority reserved in paragraph (c) of Order G-3 issued under § 1429.14 (e) of Revised Maximum Price Regulation No. 269, and with the approval in writing of the Price Executive of the Poultry, Eggs and Dairy Branch of the Food Division of the Office of Price Administration, and the Division Counsel for Food of the Office of Price Administration, said Order G-3 is hereby amended in the following respects:

(a) The two undesignated sentences of paragraph (b) are amended to read as follows:

The definition of "wholesaler" set forth in § 1429.21 (b) (5) of Revised Maximum Price Regulation No. 269, as amended, shall be modified as follows: "Wholesaler" means any person other than a "processing plant" who possesses all of the following characteristics:

(b) Paragraph (b) (ii) is amended to read as follows:

He must maintain at the particular place where he is located, a business establishment where he receives and stocks poultry items, and where he employs a personnel which physically handles and distributes 75% or more of his dollar volume of such poultry items to individual retail stores or institutional, industrial or commercial users, Naval or Military establishments, or the War Shipping Administration.

This amendment shall become effective October 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 11th day of October 1944.

GEORGE MONCHARSH,
Acting Regional Administrator.

[F. R. Doc. 44-16185; Filed, Oct. 20, 1944;
12:38 p. m.]

[Los Angeles Order G-2 Under MPR 426]

APPLES IN LOS ANGELES, CALIF.

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Los Angeles District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration, *It is hereby ordered*:

(a) With respect to the commodity described in line (1) of the table below, there is set forth in said table in line (2) the shipping point to be used for apples originating in Wenatchee and Yakima, Washington; in line (3) the wholesale receiving point; in line (4) the method of transportation which is hereby determined to be the cheapest method of transportation which is customarily and generally available from said shipping points to said wholesale receiving point; and in line (5) the freight rate per cwt., protective services per car, and 3% transportation tax, by said method (4) between points; and in line (6) the maximum prices arrived at using these calculations for apples originating from the shipping points of Wenatchee or Yakima, Washington, delivered to the City of Los Angeles, California.

TABLE

1. Commodity	Apples.
2. Shipping points (apples originating in Wenatchee and Yakima, Washington, only).	Wenatchee or Yakima, Washington.
3. Wholesale receiving point	City of Los Angeles, California.
4. Method of transportation	Carlot.
5. Freight rate	\$0.60 per cwt.
Protective service	\$62.50 per car.
Transportation tax	3% of freight and protective service charges.
6. Maximum prices at said wholesale receiving point:	

Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum prices of sales delivered to the city of Los Angeles in any quantity
2			August 20-October 31	\$3.14
3			November 1-November 15	3.24
4	Apple box (WPB L232 No. 1)		November 16-November 30	3.29
5	Apple box (WPB L232 No. 2)		December 1-January 5	3.37
6	Apple box (WPB L232 No. 3)	Per box or bushel	January 6-February 5	3.40
7	Apple box (WPB L232 No. 58)		February 6-March 5	3.43
8	Bushel basket (2150.42 cu. in.)		March 6-April 5	3.46
9			April 6-May 5	3.51
10			May 6-June 5	5.56
11			June 6-end of season	3.61

there is set forth in said table in line (2) the shipping point to be used for apples originating in Ogden, Utah; in line (3) the wholesale receiving point; in line (4) the method of transportation which is hereby determined to be the cheapest method of transportation which is customarily and generally available from said shipping point to said wholesale re-

[Los Angeles Order G-7 Under MPR 426]

APPLES IN LOS ANGELES, CALIF.

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Los Angeles District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration, *It is hereby ordered:*

(a) With respect to the commodity described in line (1) of the Table below, where is set forth in said table in line

(2) the shipping point to be used for apples originating in Twin Falls, Idaho; in line (3) the wholesale receiving point; in line (4) the method of transportation which is hereby determined to be the cheapest method of transportation which is customarily and generally available from said shipping point to said wholesale receiving point; and in line (5) the freight rate per cwt., protective services per car, and 3% transportation tax, by said method (4) between points; and in line (6) the maximum prices arrived at using these calculations for apples originating from the shipping point of Twin Falls, Idaho, delivered to the city of Los Angeles, California.

APPLIES IN LOS ANGELES COUNTY

APPLIES IN LOS ANGELES CITY

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Los Angeles District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration, *It is hereby ordered:*

(a) With respect to the commodity described in line (1) of the Table below, there is set forth in said table in line

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1. Commodity	Apples.
2. Shipping point (apples originating in Ogden, Utah)	Ogden, Utah.
3. Wholesale receiving point	City of Los Angeles, Calif.
4. Merchant of transportation	Carlot.
5. Freight rate	\$0.53 per cwt.
Protective service	\$52.50 per car.
Transportation tax	3 % of freight and protective service charges

6. Maximum prices at said wholesale receiving point;

7. The term "apples" when used in this order includes all varieties of apples except lady apples and crab apples.

This order shall become effective immediately and may be revoked, amended, or corrected at any time.

(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 10th day of October 1944.

FRANK S. BALTHIS, Jr.,
District Director.
[2 p. m.]

7. The term "apples" when used in this order includes all varieties of apples except lady apples and crab apples.

This order shall become effective immediately and may be revoked, amended, or corrected at any time.

(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 10th day of October 1944.

FRANK S. BALTHIS, Jr.,
District Director.

[F. R. Doc. 44-16170; Filed, Oct. 20, 1944; 12:32 p. m.]

[Los Angeles Order G-8 Under MPR 426]

APPLES IN LOS ANGELES, CALIF.

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Los Angeles District Office by section 8 (a) (7) of Maximum Price

Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration. *It is hereby ordered:*

(a) With respect to the commodity described in line (1) of the Table below, there is set forth in said table in line (2) the shipping point to be used for apples originating in Watsonville, California; in line (3) the wholesale receiving point; in line (4) the method of transportation which is hereby determined to be the cheapest method of transportation which is customarily and generally available from said shipping point to said wholesale receiving point; and in line (5) the freight rate per cwt., including protective services and 3% transportation tax, by said method (4) between points; and in line (6) the maximum prices arrived at using these calculations for apples originating at Watsonville, California, delivered to the city of Los Angeles, California.

TABLE

1. Commodity	Apples.	Location of dealer	Delivery condition	Maximum producers' price per unit—240 logs
2. Shipping point (apples originating in Watsonville, California, only).	Watsonville, California.			
3. Wholesale receiving point	City of Los Angeles, Calif.			
4. Method of transportation	Trucklot.			
5. Freight rate, including protective services and 3% transportation tax, by method (4) from said shipping point to said wholesale receiving point.	\$0.44 per cwt.			
6. Maximum prices at said wholesale receiving point:				

Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum prices of sales delivered to the city of Los Angeles in any quantity
2			August 20-October 31	\$2.97
3			November 1-November 15	.07
4			November 16-November 30	.12
5	Apple box (WPB L232 No. 1)	Per box or bushel	December 1-January 5	.20
6	Apple box (WPB L232 No. 2)		January 6-February 5	.23
7	Apple box (WPB L232 No. 3)		February 6-March 5	.26
8	Apple box (WPB L232 No. 58)		March 6-April 5	.29
9	Bushel basket (2150.42 Cu. in.)		April 6-May 5	.34
10			May 6-June 5	.39
11			June 6-end of season	.44
12			August 20-October 31	.06
13			November 1-November 15	.068
14			November 16-November 30	.069
15			December 1-January 5	.071
16			January 6-February 5	.072
17			February 6-March 5	.073
18			March 6-April 5	.073
19			April 6-May 5	.074
20			May 6-June 5	.075
21			June 6-end of season	.076
22			August 20-October 31	.052
23			November 1-November 15	.054
24			November 16-November 30	.055
25			December 1-January 5	.057
26	Any of the above containers, the contents of which do not meet the requirements of pack specified for standard containers (see paragraph (b) (3)); and apples graded and packed in any other container.	Per pound	January 6-February 5	.058
27			February 6-March 5	.059
28			March 6-April 5	.059
29			April 6-end of season	.06
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53	Apples sold loose and ungraded (tree-ripened) in any container.	Per pound		

7. The term "apples" when used in this order includes all varieties of apples except lady apples and crab apples.

This order shall become effective immediately and may be revoked, amended, or corrected at any time.

(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 10th day of October 1944.

FRANK S. BALTHIS, Jr.,
District Director.

[F. R. Doc. 44-16171; Filed, Oct. 20, 1944; 12:32 p. m.]

hereby ordered. That Order No. G-9 be amended in the following particulars:

(a) Section (b) (1) shall be amended to read as follows:

(1) *Producers' sales.* The maximum price for sales of Presto-Logs to retail dealers located in each of the counties mentioned below shall be the price set forth opposite the county in which the retail dealer is located.

Location of dealer	Delivery condition	Maximum producers' price per unit—240 logs
(i) King County, Pierce County, Whatcom County, Island County, Kitsap County, and that portion of Skagit County lying west of the eastern shore of Fidalgo Island or Swinomish Slough, including the City of Anacortes.	F. o. b. producer's mill.	\$5.28
(ii) Skagit County except that portion lying west of the eastern shore of Fidalgo Island or Swinomish Slough, including the City of Anacortes, and the County of Snohomish.	F. o. b. producer's mill.	5.52

(b) This amendment to Order No. G-9 may be revoked, amended, or corrected at any time.

(c) This amendment shall become effective October 10, 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 10th day of October 1944.

ARTHUR J. KRAUSS,
District Director.

[F. R. Doc. 44-16175; Filed, Oct. 20, 1944; 12:34 p. m.]

[Jackson Order G-2 Under MPR 426]

FRUITS AND VEGETABLES IN JACKSON, MISS., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Mississippi District Office of the Office of Price Administration by section (f) (1) of Appendix H, section (g) (1) of Appendix I, section (l) (1) of Appendix J, and section (r) (1) of Appendix K to Maximum Price Regulation No. 426, as amended, and by Region IV Delegation Orders No. 35, 52, and 53, it is hereby ordered:

SECTION 1. *What this order does.* This order establishes maximum delivery charges, as set out below, for the delivery by any service wholesaler or secondary jobber located in the Mississippi District Office area, when delivering to the premises of a purchaser any of those fresh fruits and vegetables which are at the time of delivery to the purchaser covered by said Appendices H, I, J, and K:

[Seattle Order G-9 Under 18 (c), Amdt. 1]

PRESTO-LOGS SOLD IN SPECIFIED COUNTIES OF WESTERN WASHINGTON

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Seattle District Office of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation as amended and Order of Delegation No. 34 under Revised General Order No. 32 and section (f) of Order No. G-9 under § 1499.18 (c) of the General Maximum Price Regulation, *It is*

Cents per container	
For containers of less than 40 pounds, gross weight	6
For containers of 40 pounds to 60 pounds, gross weight	12
For containers of more than 60 pounds, gross weight	15

SEC. 2. Maximum charges for delivery by service wholesalers and secondary jobbers. Any service wholesaler or secondary jobber located within the area served by the Mississippi District Office, handling any of the said fresh fruits and vegetables, may add to his proper maximum prices for these fruits and vegetables a charge in an amount not to exceed the rates given above to cover transportation costs, to the premises of the purchaser. In no event shall any such delivery charge be made by any service wholesaler or secondary jobber for sales f. o. b. his store or warehouse.

SEC. 3. Geographical applicability. This order shall apply only to deliveries made by service wholesalers and secondary jobbers, whose place of business is located within the Mississippi District Office area.

SEC. 4. Definitions—(a) Service wholesaler. "Service wholesaler" means a person who maintains a store or warehouse at which the particular goods being priced is received and stored, or warehoused, who receives the commodity at the premises of his store or warehouse, who maintains at such store or warehouse facilities for cold storage, ripening, trimming, sorting, washing, packing and other handling of the listed commodity, who employs salesmen to call on the trade in the city or country points which he services, and who sells the particular goods being priced to retail stores, government procurement agencies, or institutional buyers.

(b) Secondary jobber. "Secondary jobber" means a person other than a retailer who for his own account and profit purchases the listed commodity being priced in less-than-carloads or less-than-trucklots and resells it in any quantities.

(c) Purchaser. "Purchaser" means a retail store, a government procurement agency, or an institutional buyer.

SEC. 5. Applicability of Maximum Price Regulation No. 426, as amended. All sales for which the maximum prices are not adjusted by this order shall be subject to Maximum Price Regulation No. 426, as amended.

SEC. 6. Revocation. This order may be revoked, amended, or corrected at any time.

SEC. 7. Effective date. This order shall become effective at 12:01 A. M. on the 20th day of September 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 18th day of September 1944.

WILLIAM E. HOLCOMB,
District Director.

Approved:

JAMES H. PALMER,
Regional Director,
War Food Administration.

[F. R. Doc. 44-16250; Filed, Oct. 21, 1944;
12:02 p. m.]

[Region VI Order G-89 Under SR 15, MPR 280 and MPR 329, Amdt. 1]

FLUID MILK IN STEVENS POINT, WISC.

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 § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, by § 1351.807 (a) of Maximum Price Regulation No. 280 and § 1351.408 (a) of Maximum Price Regulation No. 329, *It is ordered*, That paragraph (e) of Regional Order No. G-68 be and the same is hereby amended to read as follows:

(e) Applicability of distributor prices. For the purpose of paragraph (c) of this order, sales and deliveries within the Stevens Point, Wisconsin, area shall mean:

(1) All sales made within the city limits of Stevens Point, Wisconsin, and all sales at or from an establishment located in or within a radius of 5 miles of the city limits of Stevens Point, Wisconsin.

(2) All sales of fluid milk by any seller at retail at or from an establishment obtaining a major portion of its supply of milk from a seller at wholesale located within or within a radius of 5 miles from the city limits of Stevens Point, Wisconsin.

This order shall become effective October 7, 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 2d day of October 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-16247; Filed, Oct. 21, 1944,
12:01 p. m.]

[Region VI Order G-89 Under SR 15, MPR 280 and MPR 329]

FLUID MILK IN CHARLESTON, ILL.

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 § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, by § 1351.807 (a) of Maximum Price Regulation No. 280 and § 1351.408 (a) of Maximum Price Regulation No. 329, it is ordered:

(a) Maximum producer prices. The maximum prices which distributors may pay to producers for milk sold for human consumption in fluid form shall be \$2.65 per cwt. for 3.5% milk plus not more than 5¢ for each one-tenth of a pound of butterfat in excess of 3.5% and minus not less than 5¢ for each one-tenth of a pound of butterfat below 3.5%.

(b) Applicability of producer prices. Paragraph (a) of this order shall apply to all purchases of milk from producers for resale for human consumption in fluid form by distributors whose bottling plants are located within Charleston, Illinois, or who sell within that city 50% or more of the milk sold by them.

(c) Maximum distributor prices. The maximum prices for the sale and delivery of fluid milk at wholesale and retail in Charleston, Illinois, shall be the maximum prices determined under the General Maximum Price Regulation or Maximum Price Regulation No. 280 whichever is applicable, or the following prices, whichever shall be the higher:

	Wholesale	Retail
Standard butterfat content milk:		
Bulk (gallon)	\$0.32	
Quarts	.10	\$.12
½ pints	.03	.04
Chocolate drink:		
Quarts	.10	.12
½ quarts	.03½	.05
½ pints	.03	.04
Buttermilk:		
Bulk (gallon)	.22	.25
Quarts	.07	.09
½ pints	.04	.05

All sales at wholesale shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(d) Maximum distributor prices for sales to the Army and Navy. The maximum price for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (c) of this order for the particular size and type of container, plus whichever of the following provisions is the higher:

(1) One-half cent per quart or a proportionate amount for a part of a quart.

(2) The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(e) Applicability of distributor prices. For the purpose of paragraph (c) of this order, sales and deliveries within the Charleston, Illinois area shall mean:

(1) All sales made within the city limits of Charleston, Illinois and all sales at or from an establishment located in Charleston, Illinois.

(2) All sales of fluid milk by any seller at retail at or from an establishment obtaining a major portion of its supply of milk from a seller at wholesale located within Charleston, Illinois.

(f) Definitions. (1) Standard butterfat content milk shall mean cow's milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance, distributed and sold for consumption in fluid form as whole milk.

(2) Sales at wholesale shall include all sales to retail stores, and to restaurants, Army camps, prisons, schools, hospitals, and other institutions.

(g) Relation to Office of Price Administration regulations. Except as otherwise herein provided, the provisions of the General Maximum Price Regulation, Maximum Price Regulation No. 280, and Maximum Price Regulation No. 329 shall remain in full force and effect and shall not be evaded by any change in the customary delivery, business or trade practices in effect during the base periods established by those regulations.

(h) Revocability. This order may be revoked, amended or corrected at any time.

This order has been approved by the Regional Administrator of the War Food

Administration insofar as producer prices are affected.

This order shall be effective August 24, 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 19th day of August 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-16249; Filed, Oct. 21, 1944;
12:01 p. m.]

[Region VI Order G-96 Under SR 15]

FLUID MILK IN NEW ROCKFORD, N. DAK.

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 § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation; it is ordered:

(a) *Maximum distributor price for sales to civilian purchasers.* The maximum price for the sale and delivery of standard butterfat content fluid milk at wholesale and retail in New Rockford, North Dakota shall be the maximum price determined under the General Maximum Price Regulation, or the following prices, whichever shall be the higher:

Container size	Wholesale	Retail
Gallon.....	\$0.37	\$0.45
1/2 gallon.....	.19	.23
Quart.....	.10	.12
Pint.....	.051/2	.061/2
1/2 pint.....	.03	.031/2

Where the maximum price set forth is expressed in terms of 1/2 cent, the price charged for a single unit at retail may be increased to the next even cent. An opportunity must, however, be given to each buyer to purchase two units for which the maximum price will be twice the single unit price. All sales at wholesale and home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(b) *Maximum distributor prices for sales to the Army and Navy.* The maximum price for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (a) of this order for the particular size and type of container, plus whichever of the following provisions is the higher:

(1) One-half cent per quart or a proportionate amount for a part of a quart.

(2) The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(c) *Applicability of distributor prices.* For the purpose of paragraph (a) of this order, sales and deliveries within New Rockford, North Dakota, area shall mean:

(1) All sales made within the city limits of New Rockford, North Dakota,

and all sales delivered from an establishment located in New Rockford, North Dakota.

(2) All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within New Rockford, North Dakota.

(d) *Definitions.* (1) Standard butterfat content milk shall mean cow's milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance and distributed and sold for consumption in fluid form as whole milk.

(2) Sales at wholesale shall include all delivered sales to retail stores, restaurants, schools, hospitals, prisons and other institutions.

(3) Army or Navy means the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships' stores, officers' messes, and stores operated as Army canteens or post exchanges.

(e) *Relation of this order to Office of Price Administration regulations.* Except as modified by this order, the provisions of the General Maximum Price Regulation shall remain in full force and effect and shall not be evaded by any change in business or trade practices in effect during the applicable base period of such regulations.

(f) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective October 1, 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 26th day of September 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-16248; Filed, Oct. 21, 1944;
12:01 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-940]

ASSOCIATED GAS & ELECTRIC CORP., ET AL. ORDER GRANTING APPLICATIONS AND PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 18th day of October 1944.

In the matter of Denis J. Driscoll and Willard L. Thorp, trustees of Associated Gas and Electric Corporation, NY PA NJ Utilities Company, The United Coach Company, Associated Utilities Corporation, Associated Real Properties, Inc., The Railway and Bus Associates, Dover Casualty Insurance Co.; File No. 70-940.

Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation ("Agecorp"), a registered holding company; NY PA NJ Utilities Company ("NY PA NJ"), a registered holding company and a subsidiary of

Agecorp; The United Coach Company ("United Coach"), a subsidiary of Agecorp; Associated Utilities Corporation ("Aucorp"), a registered holding company and a subsidiary of Agecorp; Dover Casualty Insurance Co. ("Dover") and Associated Real Properties, Inc. ("Areal"), both subsidiaries of Aucorp; and The Railway and Bus Associates ("Railway"), a subsidiary of Areal, having filed joint applications-declarations, and amendments thereto, pursuant to sections 9 (a), 10, 12 (b), 12 (c), 12 (d), and 12 (f) of the Public Utility Holding Company Act of 1935 and Rules U-42, U-43 and U-45 promulgated thereunder, regarding the following proposed transactions:

(1) Subject to obtaining an appropriate order from the District Court of the United States for the Southern District of New York, Agecorp will donate all the common stock of United Coach to Aucorp;

(2) United Coach will file a certificate of dissolution with the Secretary of the State of Delaware and, in connection therewith, Aucorp will surrender to United Coach for cancellation all of the shares of common stock of United Coach. United Coach will thereafter, as promptly as may be practicable, distribute to Aucorp all its assets, or the proceeds thereof, subject to all its liabilities other than its liability to make distributions to Aucorp as its sole stockholder at the date of dissolution. Such distribution will be made in cash or in kind except that no distribution in kind of the common stock of Schenectady Rapid Transit, Inc., will be made except upon further application to this Commission for an appropriate order authorizing the distribution of such stock by United Coach and the acquisition thereof by Aucorp;

(3) Aucorp will purchase from Areal 166 shares of beneficial interest in Railway for a consideration of \$1,000;

(4) Railway will thereupon be liquidated pursuant to a program whereby it will from time to time and as promptly as may be practicable deliver to Aucorp as liquidating dividends all the assets of Railway or the proceeds thereof, subject to all its liabilities other than its liability to make distribution to Aucorp. Such distribution will be made in cash or in kind except that no distribution in kind of the common stock of Schenectady Railway Company will be made except upon further application to this Commission for an appropriate order authorizing the distribution of such stock by Railway and the acquisition thereof by Aucorp. Aucorp will surrender for cancellation to Railway 166 shares of beneficial interest in Railway;

(5) Dover, having outstanding 2,500 shares of common stock, will purchase 1,600 shares for retirement from Aucorp for a consideration of \$450,000 and correspondingly reduce its capital from \$700,000 to \$250,000. Dover will pay for said shares in part by delivering to Aucorp, at the market value thereof at the date of delivery, \$200,000 principal amount of 3 1/4% income debentures, due 1978, and \$125,000 principal amount of 8% bonds, due 1940, of Agecorp; and the

7/ and

balance of the purchase price will be paid by Dover to Aucorp in cash:

(6) NY PA NJ will pay off, in cash, its \$500,000 principal amount 3% demand note now held by Aucorp, plus interest thereon;

(7) Agecorp, holding a 2% convertible obligation, due 1963, of Aucorp, amounting to \$82,747,814.66 at July 1, 1944, will receive from Aucorp, as payment on account, \$3,300,000 in cash; the securities of Agecorp which Aucorp will have acquired from Dover; and certain other securities and indebtedness of Agecorp, Associated Gas and Electric Company, the Mohawk Valley Company, and NY PA NJ Utilities Company, having an aggregate carrying value of \$26,527,252.76;

(8) Subject to obtaining an appropriate order from the District Court of the United States for the Southern District of New York, Agecorp will make a cash donation to NY PA NJ Utilities Company in the sum of \$4,000,000 to be used by the latter to discharge its bank loan of like amount from Guaranty Trust Company of New York;

(9) Subject to obtaining an appropriate order from the District Court of the United States for the Southern District of New York, Agecorp will donate to Aucorp, as a contribution to capital surplus, \$50,500,000 principal amount of the 2% convertible obligation, due 1963, of Aucorp; and

(10) Aucorp will thereupon effect an accounting reorganization by (a) restating its then assets at amounts at which such assets are estimated to be worth, (b) closing out its then surplus deficit to its then capital surplus account, and (c) creating a reserve for contingencies from the balance remaining in such capital surplus; and

Applicants-declarants having requested that the Commission enter an order finding that the proposed transactions are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935, and that such order conform to the pertinent requirements of the Internal Revenue Code, as amended, including sections 371 (d), 373, and 1808 (f) thereof, and contain the recitals, specifications and itemizations therein required; and

A public hearing having been held after appropriate notice in which the security holders of applicants-declarants and other interested persons were afforded opportunity to be heard; and requests for findings, briefs and oral argument having been waived; and

The Commission having considered the record and having entered its findings and opinion herein, and deeming it appropriate in the public interest and in the interest of investors and consumers to grant the applications, as amended, and permit the declarations, as amended, to become effective, subject to certain conditions, and to grant the request of the applicants-declarants as to the suggested recitals;

It is hereby ordered, That, pursuant to the applicable provisions of said act, including sections 10 and 12 thereof, and the rules and regulations promulgated thereunder, the aforesaid applications-declarations, as amended, be, and hereby

are, granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24 of the general rules and regulations under the act, and subject to the further condition that NY PA NJ Utilities Company shall not reduce its open account indebtedness with Agecorp below \$24,000,000; and *It is further ordered*, That:

(1) The donation by Agecorp, upon the obtaining of an appropriate order from the District Court of the United States for the Southern District of New York, to Aucorp of the common stock of United Coach;

(2) The dissolution of United Coach and in connection therewith the surrender by Aucorp to United Coach for cancellation of all the outstanding shares of stock of United Coach and all the indebtedness of United Coach described in Exhibit D to said Applications-Declarations that is held by Aucorp;

(3) The acquisition by Aucorp from United Coach of all the assets of United Coach described in said Exhibit D that are in said Application-Declaration proposed to be delivered to Aucorp;

(4) The acquisition by Aucorp from Areal of 166 shares of beneficial interest in Railway for a consideration of \$1,000 in cash;

(5) The acquisition by Aucorp from Railway of all its assets, subject to its liabilities, upon the liquidation of Railway, as more fully described in said Exhibit D; the surrender to Railway by Aucorp for cancellation the 166 shares of beneficial interest in Railway and the income note due 1960 of Railway in the amount of \$1,218,336.57;

(6) The acquisition by Dover from Aucorp of 1600 shares of the common stock of Dover for a consideration of \$450,000 and the corresponding reduction in the stated value of the capital stock of Dover from \$700,000 to \$250,000; the acquisition by Aucorp from Dover as part consideration for said 1600 shares of \$200,000 principal amount of 3 1/4% income debentures due 1978 and \$125,000 principal amount of 8% Bonds due 1940 of Agecorp at the market value thereof at the date of delivery, and the receipt by Aucorp from Dover of the balance of said \$450,000 in cash;

(7) The receipt by Agecorp from Aucorp as payment on account of the principal amount of the 2% Convertible Obligation due 1963 of Aucorp, amounting to \$82,747,814.66 at July 1, 1944, of \$3,300,000 in cash;

The securities of Agecorp specified in item (6) above; and

The securities and indebtedness of Agecorp, Associated Gas and Electric Company, The Mohawk Valley Company, and NY PA NJ. Having an aggregate carrying value of \$26,527,252.76, as more fully described in said Exhibit D;

(8) The receipt by NY PA NJ from Agecorp, upon the obtaining of an appropriate order from the District Court of the United States for the Southern District of New York, of a cash donation in the sum of \$4,000,000, to be used by NY PA NJ to discharge its bank loan of like amount from Guaranty Trust Company of New York; and

(9) The receipt by Aucorp from Agecorp, upon the obtaining of an appropriate order from the District Court of the United States for the Southern District of New York, of a donation, as a contribution to capital surplus, of \$50,500,000 principal amount of the 2% Convertible Obligation due March 1, 1963 of Aucorp held by Agecorp; are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL]

ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 44-16206; Filed, Oct. 20, 1944;
3:23 p. m.]

[File No. 70-905]

PATCHOGUE ELECTRIC LIGHT CO. AND NEW YORK STATE ELECTRIC & GAS CORP.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 18th day of October 1944.

New York State Electric & Gas Corporation, a direct subsidiary of NY PA NJ Utilities Company, a registered holding company, which in turn is a direct subsidiary of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, also a registered holding company, and the Patchogue Electric Light Company, a subsidiary of New York State Electric & Gas Corporation, having filed a joint application-declaration, pursuant to sections 9, 10, and 12 of the Public Utility Holding Company Act of 1935 and Rules U-43, U-44 and U-45 promulgated thereunder, concerning: (1) The sale for a consideration of \$625,000 in cash of the entire capital stock of The Patchogue Electric Light Company, consisting of 1,000 shares of no par value preferred stock and 11,000 shares of no par value common stock (or securities into which these stocks may be reclassified), to a group of ten individuals, one of whom is a vice-president of Pennsylvania Electric Company, an associate company of New York State Electric & Gas Corporation and the Patchogue Electric Light Company; (2) the sale by The Patchogue Electric Light Company of 490 shares of common stock of Atlantic Utility Service Corporation to New York State Electric & Gas Corporation for \$1.00; and (3) the indemnification by New York State Electric & Gas Corporation of The Patchogue Electric Light Company and/or the aforesaid purchasers against: (a) Any and all liabilities of The Patchogue Electric Light Company running to Atlantic Utility Service Corporation; and (b) any and all damage, expense, or other obligation on account of federal income or excess profits taxes for any period or periods prior to the date of closing, except to the extent of \$12,914.22, estimated to be the portion of the consolidated Federal income tax of the Associated Gas and Electric Company system for the year 1943 applicable to The Patchogue Electric

Light Company, any unpaid balance of which will be paid to New York State Electric & Gas Corporation prior to or at the closing;

The Commission having on August 13, 1942, pursuant to section 11 (b) (1) of the act, directed Denis J. Driscoll and Willard L. Thorp as Trustees of Associated Gas and Electric Corporation to sever relationship, direct and indirect, with The Patchogue Electric Light Company;

Applicants-declarants having requested that the Commission's order and findings and opinion herein conform to the requirements of sections 371, 373 and 1808 of the Internal Revenue Code, as amended; and

The Commission having examined the record and having filed its findings and opinion herein, and having determined that the applicable provisions of section 10 are satisfied and that there is no basis for any adverse findings under the applicable provisions of section 12 and Rules U-43, U-44 and U-45 thereunder;

It is ordered, That the joint application-declaration, as amended, be, and the same hereby is, granted and permitted to become effective forthwith, subject to the terms and conditions of Rule U-24;

It is further ordered and recited, That the sale by New York State Electric & Gas Corporation of the 1,000 shares of preferred stock, no par value, and the 11,000 shares of common stock, no par value (or the securities into which these two classes of stock may be reclassified) of The Patchogue Electric Light Company for \$625,000 in cash and the sale by The Patchogue Electric Light Company and the acquisition by New York State Electric & Gas Corporation of the 490 common shares of Atlantic Utility Service Corporation for \$1.00 are necessary or appropriate to effectuate the provisions of section 11 (b) of the act.

By the Commission.

[SEAL] ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 44-16204; Filed, Oct. 20, 1944;
3:23 p. m.]

[File No. 70-960]

PHILADELPHIA ELECTRIC CO.

SUPPLEMENTAL ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 19th day of October 1944.

Philadelphia Electric Company, a public-utility subsidiary of The United Corporation, a registered holding company, having filed an application, and amendments thereto, under section 6 (b) of the Public Utility Holding Company Act of 1935, seeking exemption from the provisions of sections 6 (a) and 7 for the issue and sale, pursuant to the competitive bidding provisions of Rule U-50, of

\$65,000,000 principal amount of First and Refunding Mortgage Bonds 2 3/4 % Series, due 1967, and \$65,000,000 principal amount of First and Refunding Mortgage Bonds 2 3/4 % Series, due 1974; and

The Commission, by its order of October 12, 1944, having granted said application, as amended, subject to the condition, among others, that the proposed issue and sale of the bonds not be consummated until the results of the competitive bidding were made a matter of record in this proceeding and a further order entered in the light of the record so completed, and having reserved jurisdiction over the prices to be paid for the bonds, the redemption prices thereof, the underwriters' spread and its allocation; and

Philadelphia Electric Company having filed a further amendment to the application setting forth the action taken to comply with Rule U-50 and showing that, pursuant to the invitation for competitive bids, one bid was received, covering both series of bonds, from a group of underwriters headed jointly by Mellon Securities Corporation and The First Boston Corporation, as follows:

	Price to company ¹	Cost to company
2 3/4 % series, maturing 1967	99.44888	2.78
2 3/4 % series, maturing 1974	98.94888	2.80

¹ Plus accrued interest.

The amendment having further stated that Philadelphia Electric Company has accepted the bid of the group headed by Mellon Securities Corporation and The First Boston Corporation for the bonds, as set forth above, and that the bonds maturing in 1967 will be offered for sale to the public at 100.5% of the principal amount and accrued interest, and the bonds maturing in 1974 will be offered for sale to the public at 100% of the principal amount and accrued interest, representing a spread to the underwriters for each maturity of 1.05112%; and

The Commission having examined the amendment and having considered the record herein, and finding no basis for imposing terms and conditions with respect to the prices to be paid for the bonds, the redemption prices thereof, and the underwriters' spread and its allocation,

It is ordered, That the jurisdiction heretofore reserved over the prices to be paid for the bonds, the redemption prices thereof, the underwriters' spread and its allocation be, and the same hereby is, released and the application be, and the same hereby is, granted, subject, however, to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 44-16205; Filed, Oct. 20, 1944;
3:23 p. m.]

[File No. 54-108]

CRESCENT PUBLIC SERVICE CO., ET AL.
NOTICE OF FILING AND NOTICE OF AND
ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 21st day of October, A. D. 1944.

In the matter of Crescent Public Service Co., Central Ohio Light & Power Co., Colorado Central Power Co., Oklahoma Utilities Co., Empire Southern Service Co., Helene Curley Rea, Robert W. Rea, Floyd W. Woodcock, Kathleen T. Woodcock, Robin Corporation, Elberta Corporation, The Tarrent Corporation, File No. 54-108.

I. Notice is hereby given that an application has been filed with this Commission by Crescent Public Service Company ("Crescent"), a registered holding company, Central Ohio Light & Power Company ("Central Ohio"), Colorado Central Power Company ("Colorado Central"), Oklahoma Utilities Company ("Oklahoma Utilities"), Empire Southern Service Company ("Empire Southern"), subsidiaries of Crescent, and Helene Curley Rea, Robert W. Rea, Floyd W. Woodcock, Kathleen T. Woodcock, Robin Corporation, Elberta Corporation, and The Tarrent Corporation, affiliates of Crescent, whereby the said applicants seek approval, pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, of a plan designed to enable Crescent to comply with section 11 (b) of said act.

All interested persons are referred to said document, which is on file in the office of this Commission, for a statement of the transactions therein proposed, which may be summarized as follows:

Crescent, a Delaware corporation, proposes to liquidate and dissolve after having satisfied and discharged its outstanding Collateral Trust 6% Income Bonds, Series B, due October 1, 1954 ("Income Bonds") and distributed its then remaining assets to its common stockholders, on the basis described below. As of July 31, 1944, Crescent had outstanding \$2,802,000 of Income Bonds and 60,000 shares of common stock, par value \$1 per share.

To carry out this plan, the following steps are proposed:

(1) *Liquidation of Oklahoma Utilities*. The proceeds of the sale of the remaining assets of Oklahoma Utilities, which sale was approved by the Commission by order dated September 29, 1944, and the further proceeds of its final liquidation are to be deposited with the City Bank Farmers Trust Company, trustee for the Income Bonds, in reduction of the principal of the 7% demand note of Oklahoma Utilities owed to Crescent and held by the trustee as collateral for such Income Bonds. It is estimated that the total of such payments to the trustee will be approximately \$330,000. Thereafter Oklahoma Utilities is to be dissolved.

(2) *Recapitalization of the Remaining Subsidiaries of Crescent*—(a) *Central Ohio*. As of July 31, 1944, Central Ohio had outstanding 13,972 shares of \$6 Preferred Stock, of which 2,000 shares were owned by Crescent. It is proposed that Crescent will contribute the 2,000 shares of Central Ohio's \$6 Preferred Stock which it owns to Central Ohio, which company will cancel such shares and credit the stated value thereof (approximately \$192,480) to its capital surplus account. In addition, Crescent proposes to make a cash payment to Central Ohio of \$300,000, as contribution to its capital surplus.

It is further proposed that thereafter Central Ohio will refinance its remaining 11,972 shares of \$6 Preferred Stock through the issuance of a like number of shares $4\frac{1}{2}\%$ Preferred Stock with a par value of \$100 per share. Holders of the \$6 Preferred Stock are to be offered, in exchange for each of such shares held, one share of $4\frac{1}{2}\%$ Preferred Stock plus a cash payment (presently estimated at \$10) equal to the excess of the redemption price of the \$6 Preferred Stock (\$110 per share) over the offering price to the public of such shares of the $4\frac{1}{2}\%$ Preferred Stock as may not be exchanged. Shares of the $4\frac{1}{2}\%$ Preferred Stock which are not issued in exchange are to be offered for sale to the public and the proceeds, together with other funds, are to be used to redeem the unexchanged shares of \$6 Preferred Stock at the redemption price of \$110 per share.

It is further proposed that Central Ohio will issue 84,600 shares of common stock of \$1 par value per share to Crescent in exchange for the 20,000 shares of common stock of no par value, which Crescent now owns. The excess of the stated value (\$1,000,000) of the outstanding common stock over the aggregate par value (\$84,600) of the common shares to be issued, or an amount of \$915,400, is proposed to be credited to capital surplus.

(b) *Colorado Central*. Colorado Central proposes to issue 44,000 shares of common stock of \$1 par value per share to Crescent in exchange for the 10,000 shares of common stock of no par value outstanding and owned by Crescent. The excess of the stated value (\$300,000) of the outstanding common stock over the aggregate par value (\$44,000) of the common shares to be issued, or an amount of \$256,000, is to be credited by Colorado Central to its capital surplus.

(c) *Empire Southern*. Crescent proposes to surrender to Empire Southern for cancellation the latter's 6% Promissory Note, on which the unpaid balance of the principal as of September 30, 1944, was \$375,000. The unpaid principal amount thereof is to be credited by Empire Southern to its capital surplus.

Empire Southern proposes to issue 13,000 shares of common stock of \$1 par value per share in exchange for the 1,000 shares common stock of no par value now outstanding and held by Crescent. The excess of the stated value (\$200,000)

of the outstanding common stock over the aggregate par value (\$13,000) of the common shares to be issued, or an amount of \$187,000, is to be credited by Empire Southern to its capital surplus. Upon completion of its recapitalization, Empire Southern proposes to restate its plant account on the basis of estimated original cost. Such restatement will involve a reduction of the plant account by \$178,063.89 and charges to the Reserve for Renewals, Replacements and Retirements and to the Earned Surplus of \$52,530.98 and \$125,532.91, respectively. The resulting deficit in the Earned Surplus is to be written off against capital surplus.

(3) *Satisfaction and discharge of Crescent's Income Bonds*. Holders of Income Bonds are to be permitted the election of receiving, for each \$1,000 Income Bond held, either:

(a) \$1,000 in cash (the redemption price), plus accrued interest to the date fixed for redemption, or

(b) Common stocks of subsidiaries, as follows:

	Number of shares
Central Ohio	27
Colorado Central	14
Empire Southern	4

(4) *Proposed distribution to the holders of common stock of Crescent*. Holders of common stock of Crescent are to receive, for each 100 shares owned, common stocks of subsidiaries, as shown in the following tabulation:

	Number of shares
Central Ohio	15
Colorado Central	8
Empire Southern	3

In addition to the distribution of common stocks of subsidiaries to holders of Crescent common stock, as hereinbefore outlined, said holders are to be given the prior right to subscribe to and purchase, on a pro rata basis, such common stocks of subsidiaries which are not taken by the holders of Income Bonds.

It is further proposed that common stocks of subsidiaries which are not distributed to security holders of Crescent and which are not subscribed to and purchased by holders of Crescent common stock will be underwritten and sold to the public and the proceeds of such sale used for retirement of Income Bonds owned by holders electing to receive a cash payment therefor.

Crescent further proposes to convert all its assets remaining after the above distribution into cash and pay a final liquidating dividend, if any, to the holders of its common stock and thereupon will dissolve.

Registered certificates of interest are to be issued in lieu of issuing stock in amounts of less than full shares of the common stocks of Central Ohio, Colorado Central and Empire Southern proposed to be distributed. It is proposed that such certificates of interest which aggregate one or more whole shares may be exchanged within a period of three years

for shares of common stock of such subsidiaries represented thereby, including accumulated dividends. Such shares of common stock as are not delivered in exchange for certificates of interest on or before the expiration date are proposed to be sold and the net proceeds thereof, together with any dividends applicable to such shares of common stock, are to be distributed pro rata among the record holders of certificates of interest as of the date of expiration.

The consummation of the plan is subject to all necessary approvals by this Commission and to approval by a United States Court having jurisdiction with respect thereto, and upon such approvals having been obtained, the plan and each of the steps, terms and provisions thereof is to be binding upon all security holders of Crescent.

Crescent requests an exemption from the provisions of Rule U-50 with respect to the issuance and sale of any stocks under the plan.

Crescent further requests that if the Commission should approve the plan, such order or orders of approval shall contain recitals sufficient to meet the requirements of Supplement R of the Internal Revenue Code.

II. The Commission being required by the provisions of section 11 (e) of the act, before approving any plan thereunder, to find, after notice and opportunity for hearing, that such plan, as submitted or as modified, is necessary to effectuate the provisions of section 11 (b) of the act, and is fair and equitable to the persons affected by such plan:

It is hereby ordered, That a hearing on such matters under the applicable provisions of the act and the rules of the Commission thereunder be held on the 6th day of November, 1944, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in room 318 will advise as to the room in which such hearing will be held.

It is further ordered, That Allen McCullen, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearing above ordered. 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.

Notice is hereby given of said hearing to the above named applicants, Public Utilities Commission of Colorado, Public Utilities Commission of Ohio, Railroad Commission of Texas, and to all interested persons, said notice to be given to said applicants and to the Public Utilities Commission of Colorado, Public Utilities Commission of Ohio, and Railroad Commission of Texas by registered mail, and to all other persons by publication of this notice and order in the *FEDERAL REGISTER*. It is requested that any persons desiring to be heard in these proceedings shall file with the Secretary of this Commiss-

sion on or before November 3, 1944, an appropriate request or application to be heard, as provided by Rule XVII of the Commission's rules of practice.

It is further ordered, That Crescent shall give additional notice of said hearing to all known holders of its Income Bonds and its common stock by causing a copy of this notice and order of hearing to be mailed to such holders at their respective last-known addresses, such mailing to be made not less than ten days prior to the date of said hearing.

It is further ordered, That without limiting the scope of the issues presented by said application under section 11 (e) and otherwise to be considered in these proceedings, particular attention shall be directed at the hearing to the following matters and questions:

(1) Whether the plan as proposed or as it may be hereafter modified is necessary to effectuate the provisions of section 11 (b) of the act and is fair and equitable to the persons affected thereby;

(2) Whether the proposed allocation of the common stocks of Central Ohio, Colorado Central, and Empire Southern to the bondholders and common stockholders of Crescent is fair and equitable, and, if not, what allocation thereof would be fair and equitable;

(3) Whether the proposed recapitalizations of the subsidiary companies of Crescent meet the applicable standards of the act;

(4) Whether the proposed securities to be issued under the plan meet the requirements of the act and whether an exemption from the requirements of Rule U-50 should be granted with respect to the proposed sale of such securities;

(5) Whether the accounting adjustments and entries proposed to be made in connection with the plan are proper and in accordance with sound accounting practice;

(6) Whether the proposed acquisitions of the common stock of Central Ohio, Colorado Central, and Empire Southern by Helene Curley Rea, Robert W. Rea, Floyd W. Woodcock, Kathleen T. Woodcock, Robin Corporation, Alberta Corporation, and The Tarrent Corporation, meet the standards of section 10, and particularly 10 (c) thereof;

(7) Whether the plan contains appropriate provisions with respect to the payment of fees and expenses in connection with the plan and all transactions incidental thereto;

(8) To what extent, if any, the proposed plan should be modified or amended to render it feasible and fair and equitable to the persons affected and what terms and conditions, if any, should be imposed in the public interest or for the protection of investors and consumers.

By the Commission.

[SEAL]

ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 44-16265; Filed, Oct. 23, 1944;
9:39 a. m.]

[File No. 70-966]

THE POTOMAC EDISON CO.

ORDER PERMITTING DECLARATION TO BECOME
EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 20th day of October A. D. 1944.

The Potomac Edison Company, a registered holding company and an indirect subsidiary of American Water Works and Electric Company, Inc., also a registered holding company, having made a filing under the Public Utility Holding Company Act of 1935, regarding the sale of \$16,981,000, principal amount of First Mortgage and Collateral Trust Bonds to be dated October 1, 1944 and to mature on October 1, 1974, the interest rate and sales price of such Bonds to be fixed by competitive bidding pursuant to Rule U-50 promulgated under the Act;

Public hearings on such matter having been held after appropriate notice; the Commission having considered the record and having made and filed its findings and opinion herein;

It is ordered, That the declaration, as amended concerning the filing, be and the same hereby is permitted to become effective subject, however, to the terms and conditions prescribed in Rule U-24 and to the following terms and conditions:

1. That the proposed issuance and sale of the \$16,981,000 aggregate principal amount of First Mortgage and Collateral Trust Bonds shall not be consummated until the results of the competitive bidding have been made a matter of record in this proceeding and a further order shall have been entered by this Commission in the light of the record so completed, which order shall contain such further terms and conditions, if any, as may then be deemed appropriate, jurisdiction being reserved for the imposition thereunder in connection with the proposed transactions;

2. That within one year from the date of this order the \$2,000,000 deposited with the indenture trustee as additional security for the new bonds shall have been exhausted in connection with either the acquisition of the securities specified in the mortgage indenture or by payment for property additions of The Potomac Edison Company and that failing such employment in full within such period, the fund or any balance therein remaining be used for the redemption of bonds of The Potomac Edison Company; and

3. That jurisdiction also be reserved with respect to the redemption premiums applicable to the new bonds and the payment of any and all fees and expenses incurred, or to be incurred, in connection

with the consummation of the proposed transactions.

By the Commission.

[SEAL]

ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 44-16266; Filed, Oct. 23, 1944;
9:39 a. m.]

[File No. 812-362]

A. P. W. PAPER CO., INC., ET AL.

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 21st day of October A. D. 1944.

In the matter of A. P. W. Paper Co., Inc., A. P. W. Properties, Inc., and American Public Welfare Trust, File No. 812-362.

An application has been filed by A. P. W. Paper Company, Inc. pursuant to section 17 (b) of the Investment Company Act of 1940 for an order exempting from the provisions of sections 17 (a) (1) and 17 (a) (2) of said act, the proposed sale by A. P. W. Paper Company, Inc. to A. P. W. Properties, Inc. of certain real property owned by A. P. W. Paper Company, Inc. known as 1275 Broadway Building, Albany, New York, and the proposed purchase by A. P. W. Paper Company, Inc. from A. P. W. Properties, Inc. of certain real property and equipment owned by A. P. W. Properties, Inc. located at Foot of Bridge Street, Albany, New York. A. P. W. Paper Company, Inc. and A. P. W. Properties, Inc. are affiliated persons of the American Public Welfare Trust, of Babson Park Massachusetts, a registered investment company.

It is ordered, Pursuant to section 40 (a) of said act, that a hearing on the aforesaid application be held on November 3, 1944 at 10:00 a. m., eastern war time, in room 318 of the Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

It is further ordered, That William W. Swift, Esquire, or any other officer or officers of the Commission designated by it for that purpose, shall preside at such hearing. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to Trial Examiners under the Commission's rules of practice.

Notice of such hearing is hereby given to A. P. W. Paper Company, Inc., A. P. W. Properties, Inc. and American Public Welfare Trust and to any other persons whose participation in such proceeding may be in the public interest or for the protection of investors.

By the Commission.

[SEAL]

ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 44-16269; Filed, Oct. 23, 1944;
9:39 a. m.]

[File No. 70-971]

THE CALIFORNIA OREGON POWER CO.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 19th day of October 1944.

The California Oregon Power Company, a public utility subsidiary of the Standard Gas and Electric Company, a registered holding company, having filed an application pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 for exemption from the provisions of section 6 (a) of the act with respect to the issuance and sale, in accordance with Rule U-50 promulgated under the act, of \$13,500,000 principal amount of First Mortgage Bonds, Series due November 1, 1974, and the application of the proceeds from the sale of said Bonds, together with general funds of the applicant presently on hand, to the redemption of its presently outstanding \$13,500,000 principal amount of First Mortgage Bonds, 4% Series due 1966, at 105½% of the principal amounts thereof plus accrued interest to the date of redemption; and

A public hearing having been held after appropriate notice and the Commission having considered the record and made and filed its findings and opinion herein;

It is ordered, That the application, as amended, be and the same is hereby granted subject, however, to the terms and conditions contained in Rule U-24, and subject to the following terms and conditions:

That the proposed issuance and sale of securities shall not be consummated until the results of the competitive bidding pursuant to Rule U-50 shall have been made a matter of record in this proceeding and a further order shall have been entered by this Commission, which order may contain further terms or conditions, as may then be deemed appropriate, with respect to the price for the Bonds, the underwriters' spread and its allocation, and jurisdiction is hereby reserved for these purposes.

By the Commission.

[SEAL]

ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 44-16268; Filed, Oct. 23, 1944;
9:37 a. m.]

[File No. 70-981]

KEYES FIBRE CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 20th day of October 1944.

Notice is hereby given that an application or declaration has been filed with this Commission by Keyes Fibre Company, a nonutility subsidiary of New England Public Service Company, a registered holding company, pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935 and the general rules and regulations of this Commission promulgated thereunder.

All interested persons are referred to said document, which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

Keyes Fibre Company proposes the issuance and sale of \$1,800,000 principal amount of First Mortgage Sinking Fund 4% Bonds dated October 1, 1944 and due October 1, 1959. The proceeds of such issuance and sale will be applied to the redemption and retirement of all of its outstanding First Mortgage Sinking Fund 4½% Bonds (due October 1, 1956) in the principal amount of approximately \$1,138,000, and to provide the company with approximately \$600,000 to finance new construction and plant expansion. Such redemption and retirement will be at 102½, the redemption price specified in the indenture under which said 4½% bonds are now outstanding. The applicant or declarant also requests that it be granted an exemption from the competitive bidding requirements of Rule U-50 of the general rules and regulations of this Commission, promulgated under the Public Utility Holding Company Act of 1935, in respect of the issuance and sale of the new bonds.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to the said application or declaration and that said application or declaration should not be granted or permitted to become effective except pursuant to further order of this Commission:

It is ordered, That a hearing on such matter under the applicable provisions of said act and the rules and regulations promulgated thereunder, be held on October 30, 1944 at 10:00 a. m., e. w. t., at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pa. On such date, the hearing room clerk in room 318 will advise as to the room where such hearing will be held. At such hearing cause shall be shown why such application or declaration should be granted or permitted to become effective. Notice is hereby given of said hearing to the above named applicant or declarant and to all interested parties, said notice to be given to said applicant or declarant by registered mail and to all other persons by publication in the FEDERAL REGISTER.

It is further ordered, That Charles S. Lobingier or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matter. 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 rules of practice of the Commission.

It is further ordered, That any person desiring to be heard at said hearing or proposing to intervene therein shall file with the Secretary of the Commission on or before October 28, 1944 his request or application therefor as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That, without limiting the scope of the issues presented by the said application or declaration otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the proposed issue and sale is solely for the purpose of financing the business of the applicant or declarant or if not, whether such issue and sale meet the requirements of section 7.

2. Whether the issuance and sale of the bonds by the applicant should be exempted from the competitive bidding requirements of paragraph (b) and (c) of Rule U-50 in accordance with paragraph (a) (5) of said rule.

3. What terms and conditions, if any, are necessary or appropriate in the public interest or the interest of investors or consumers to insure compliance with the requirements of the Public Utility Holding Company Act of 1935, or any rules, regulations, or orders promulgated thereunder.

By the Commission.

[SEAL]

ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 44-16267; Filed, Oct. 23, 1944;
9:37 a. m.]

WAR FOOD ADMINISTRATION.

Commodity Credit Corporation.

PURCHASE, SALE AND USE OF PEANUTS, 1944
CROP

DELEGATIONS OF AUTHORITY

Pursuant to the provisions of War Food Order No. 100 issued on May 9, 1944 (9 F.R. 4974), and amended on August 26, 1944 (9 F.R. 10446) and on October 17, 1944, and to effectuate the purposes of such order:

(a) Carl C. Farrington, Vice President of Commodity Credit Corporation is hereby designated and empowered to exercise and perform all the powers, functions and duties conferred or imposed upon the President of Commodity Credit

Corporation by such order and any amendments thereto; and

(b) W. T. Parker, Chief, Peanut Section, Oilseeds Division of the Commodity Credit Corporation is hereby designated and empowered, within such limits and in accordance with such rules of procedure as may be approved from time to time by Mr. Farrington, to authorize the cleaning, shelling, crushing, and otherwise changing of farmers' stock peanuts from their natural state by such persons and in such quantities as he may deem proper, and, further, to exercise and perform all the powers, functions and duties conferred or imposed upon the President of Commodity Credit Corporation by section (e) of such order.

Mr. Farrington and Mr. Parker shall be assisted in such functions by such persons within the War Food Administration as they may designate.

(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; War Food Order No. 100, 9 F.R. 4974, 10446)

Issued this 20th day of October 1944.

J. B. HUTSON,
President.

[F. R. Doc. 44-16207; Filed, Oct. 20, 1944;
8:59 p. m.]

[P. & S. Docket No. 1433]

BELT RAIL ROAD AND STOCK YARDS CO.
NOTICE OF PETITION FOR MODIFICATION

By an order entered on February 17, 1943 (2 A. D. 48), made pursuant to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U. S. C. 1940 ed. 181 et seq.), effect was given to the terms of a stipulation entered into by the Food Distribution Administration (now the Office of Distribution) and the respondent, a stockyard, by which the Administration agreed to recommend holding in abeyance a general inquiry into the respondent's rates and charges, instituted on November 27, 1941, provided the respondent, among other things, agreed to reduce its charges applicable to hogs, feed, and bedding. Except for modifications of such stipulation, approved by supplemental orders, dated August 10, 1943 and June 26, 1944 (2 A D 334 and 3 A D 491), the schedule of respondent's rates and charges, effective as of February 17, 1943, has remained unchanged.

By a document filed on October 12, 1944, the respondent requested a further modification of the stipulation referred to above to permit it to file a supplement to its tariff providing for the assessment of service charges against dealers operating at its stockyard in the following manner:

(a) *Service charges.* On all livestock resold in Commission Divisions the following charges will apply:

Cattle, 400 lbs. or over, 18¢ per head.
Calves, under 400 lbs., 10¢ per head.
Hogs, 6¢ per head.
Sheep or goats, 5¢ per head.

(b) *Exceptions to service charges.* On all livestock resold, except livestock resold in Commission Divisions, the following charges will apply:

Cattle, 40 lbs. or over, 6¢ per head.
Calves, under 400 lbs., 3¢ per head.
Hogs, 2¢ per head.
Sheep or goats, 2¢ per head.

(c) *Special services.* Charges for special services by arrangement. The effect of such proposed modifications, if granted, would result in additional revenue to the respondent and, accordingly, it appears that public notice should be given to all interested persons of the request of the respondent and to afford all interested persons, including patrons of the respondent, an opportunity to manifest their desire to be heard on the matter.

Therefore, notice is hereby given to the public and to all interested persons of the request of the respondent for a further modification of the aforesaid stipulation and for the purpose of affording said respondent and all other interested persons, including patrons of the respondent, an opportunity to be heard upon the matters covered in the petition for modification.

All interested persons who desire to be heard shall notify the hearing clerk, Office of the Solicitor, United States Department of Agriculture, Washington 25, D. C., within fifteen days from the date of the publication of this order.

Copies hereof shall be served on the respondent by registered mail or in person.

Done at Washington, D. C., this 21st day of October 1944.

C. W. KITCHEN,
Deputy Director,
Office of Distribution.

[F. R. Doc. 44-16205; Filed, Oct. 23, 1944;
11:16 a. m.]

Farm Security Administration.

KEMPER COUNTY, MISS.

DESIGNATION OF LOCALITIES FOR LOANS

In accordance with the rules and regulations promulgated by the Secretary of Agriculture on July 1, 1941, as extended by the War Food Administrator's Delegation of Authority issued August 2, 1944, loans made in the county mentioned herein, under Title I of the Bankhead-Jones Farm Tenant Act, may be made within the localities herein described and designated. The value of the aver-

age farm unit of thirty acres and more in each of these localities has been determined in accordance with the provisions of the said rules and regulations. A description of the localities and the determination of value for each follow:

REGION VI	
MISSISSIPPI	
COUNTY, KEMPER	
Locality I—Consisting of Beat 1, Scooba	\$1,373
Locality II—Consisting of Beat 2, Oak Grove	792
Locality III—Consisting of Beat 3, Moscow	1,237
Locality IV—Consisting of Beat 4, Kellis Store	1,466
Locality V—Consisting of Beat 5, De Kalb	1,181

The purchase price limit previously established for the county above-mentioned is hereby cancelled.

Approved: October 20, 1944.

FRANK HANCOCK,
Administrator.

[F. R. Doc. 44-16294; Filed, Oct. 23, 1944;
11:16 a. m.]

NAVARRO COUNTY, TEX.

DESIGNATION OF LOCALITIES FOR LOANS

In accordance with the rules and regulations promulgated by the Secretary of Agriculture on July 1, 1941, as extended by the War Food Administrator's Delegation of Authority issued August 2, 1944, loans made in the county mentioned herein, under Title I of the Bankhead-Jones Farm Tenant Act, may be made within the localities herein described and designated. The value of the average farm unit of thirty acres and more in each of these localities has been determined in accordance with the provisions of the said rules and regulations. A description of the localities and the determination of value for each follow:

REGION VIII

TEXAS

NAVARRO COUNTY

Locality I—Consisting of Precinct 1	\$6,857
Locality II—Consisting of Precinct 2	5,971
Locality III—Consisting of Precinct 3	7,586
Locality IV—Consisting of Precinct 4	5,864
Locality V—Consisting of Precinct 5	4,641
Locality VI—Consisting of Precinct 6	5,621
Locality VII—Consisting of Precinct 7	4,515
Locality VIII—Consisting of Precinct 8	7,178

The purchase price limit previously established for the county above-mentioned is hereby cancelled.

Approved: October 20, 1944.

FRANK HANCOCK,
Administrator.

[F. R. Doc. 44-16293; Filed, Oct. 23, 1944;
11:16 a. m.]

WAR MANPOWER COMMISSION.

ALLENTOWN, PA., AREA

EMPLOYMENT STABILIZATION PLAN

In furtherance of the total war effort and for the purpose of achieving the most effective utilization of the services of labor in essential and locally needed activities, the Area Director of the Allentown Area of the War Manpower Commission for Region III, after consultation with the Area Management-Labor Committee pursuant to authority granted in § 907.3 (a), War Manpower Commission Regulation 7 (8 F.R. 11338) and by the Regional Director, establishes the following plan for the Allentown Area with respect to the stabilization of employment throughout the area.

Sec.

1. Control of hiring and solicitation of workers.
2. Establishment and adaption of area plans.
3. Minimum standards.
4. Existing contracts.
5. Advertising.
6. Advance notice of lay-offs.
7. Limited statements of availability.
8. Request to remain on or return to a job.
9. Definitions.
10. Establishment of ceilings.

SECTION 1. Control of hiring and solicitation of workers. All hiring and solicitation of workers in, or for work in the Allentown Area shall be conducted in accordance with the provisions of this employment stabilization plan.

SEC. 2. Establishment and adaptation of area plans—(a) General. All prior and presently existing employment stabilization plans which are operative in the Allentown Area shall cease to have operative effect on and after October 15, 1943, pursuant to the established regulations governing the formulation and adaptation of area employment stabilization plans.

(b) Adaptation to meet regional or local conditions. Additional employment stabilization provisions and regulations designed to meet special manpower needs and changing regional and area conditions may be incorporated by the Area War Manpower Director after consultation with the Area Management-Labor Committee: *Provided*, Such changes or additions are not in conflict with the minimum national standards set forth in Regulation 7: *And provided further*, That such adaptations receive the prior approval of the Regional Director.

(c) Labor management manpower committee. The Area Management-Labor Committee is hereby authorized to consider questions of policy, standards, and safeguards in connection with the administration of this plan and to make recommendations regarding these factors to the Area Director.

SEC. 3. Minimum standards—(a) General. A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid

in the effective prosecution of the war only if:

(1) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(2) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

(b) Issuance of statements of availability by employers. An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(1) He has been discharged, or his employment has been otherwise terminated by his employer, or

(2) He has been laid off for an indefinite period, or for a period of seven or more days, or

(3) Continuance of his employment would involve undue personal hardship, or

(4) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(5) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

(c) Issuance of statements of availability by United States Employment Service. (1) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in subsection B is found to exist in his case. If the employer fails or refuses to issue a statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

(2) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who, the War Manpower Commission finds, after notice, hearing and final decision, has not complied with any War Manpower Commission Employment Stabilization Plan, regulation or policy, and for so long as such employer continues his non-compliance after such finding.

(d) Referral in case of under-utilization. If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

(e) Workers who may be hired only upon referral by the United States Employment Service. A new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or with the consent of, the United States Employment Service when:

(1) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation.

(2) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period.

(3) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work, *Provided*, That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration, *And provided*, That such an individual may be hired for non-agricultural work for a period not to exceed six weeks without referral or presentation of a statement of availability.

(4) The new employee is a male worker.

(f) Exclusions. No provision of the employment stabilization plan shall be applicable to:

(1) The hiring of a new employee for agricultural employment;

(2) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purpose of the program, unless the employee is customarily engaged in work of less than seven days' duration;

(3) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii;

(4) The hiring by a foreign, State, county, or municipal government, or their political subdivisions, or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, County, or municipal government, or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the program;

(5) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service;

(6) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

(g) Appeals. Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under this employment stabilization plan, in accordance with regulations and procedures of the War Manpower Commission.

(h) Content of statements of availability. A statement of availability issued to an individual pursuant to this

plan shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

(i) *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization plan, except in a manner consistent with such restrictions.

(j) *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

(k) *Representation.* Nothing contained in this plan shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of this plan.

(l) *General referral policies.* No provision in the program shall limit the authority of the United States Employment Service to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 4. *Existing contracts.* Nothing in this plan shall be construed to prejudice existing seniority rights of an employee under any agreement with his employer.

SEC. 5. *Advertising.* Employer's advertisements for employees are required to meet the following conditions:

(a) Indicate clearly that employees now employed in essential activity cannot be considered without a statement of availability.

(b) When the advertisement for employees does not include reference to the use of the facilities of the United States Employment Service of the War Manpower Commission by the employer, the employer's name must appear.

SEC. 6. *Advance notice of lay-offs.* Employers are required when possible to provide at least three days advance notice to the United States Employment Service whenever a lay-off of ten or more employees will occur and such notice shall contain a statement as to the number of employees to be laid off by occupation.

SEC. 7. *Limited statements of availability.* Limited statements of availability specifying a particular date on which employees shall be returned to their previous employer shall be issued by the United States Employment Service of the War Manpower Commission, whenever, in the judgment of the appropriate Area Manpower Director, the best interests of the war effort will be served by such action: *Provided*, That such action

is agreeable to both the employer and employees involved: *And provided further*, That such limited statements of availability shall not be issued for a period longer than three months.

SEC. 8. *Request to remain on or return to a job.* The United States Employment Service of the War Manpower Commission shall request any employee to return to or remain on his job and shall request any employer to retain such employee in his employ:

(a) Pending any determination on the employee's request for a statement of availability;

(b) Pending decision on the employee's appeal from a determination denying him a statement of availability;

(c) Upon a final determination that the employee is not entitled to a statement of availability.

SEC. 9. *Definitions.* As used in this plan:

(a) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees, and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(b) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30 days period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(d) "Essential activity" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission.

(c) "Critical occupation" means any activity included in the War Manpower Commission List of Essential Activities.

(e) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(f) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employments mean his principal employment.

(g) "Employment stabilization plan" includes any arrangement involving restrictions on separation or hiring of workers, whether through issuance of statements of availability, referral by the United States Employment Service or otherwise.

(h) The Allentown War Manpower Commission Area shall be understood to include all of the territory in Lehigh, Monroe, Northampton, and Pike Counties, Pennsylvania.

SEC. 10. The Area Manpower Director may fix for all or any establishments in the Allentown Area, fair and reasonable employment ceilings and/or allowances, limiting the number of employees, or

specified types of employees, which such establishments may employ during specified periods. Such ceilings and/or allowances will be determined on the basis of establishments' actual labor requirements, the available labor supply, and/or the relative urgency of establishments' products or services to the war effort. Except as authorized by the Area Manpower Director, no employer shall hire any new employee if the hiring of such employee would result in the establishment's exceeding the employment ceiling and/or manpower allowance currently applicable to it.

F. P. MAGUIRE,
Area Manpower Director.

Approved: October 14, 1944.

FRANK L. MCNAMEE,
Regional Director.

[F. R. Doc. 44-16191; Filed, Oct. 20, 1944;
2:33 p. m.]

SCRANTON, PA., AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for Scranton Area IV is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs," effective August 16, 1943 (8 F.R. 11338).

Sec.

1. Purpose.
2. Definitions.
3. Control of hiring and solicitation of workers.
4. Adaptation of area plan.
5. Minimum standards.
6. Existing contracts.
7. Advertising.
8. Advance notice of lay-offs.
9. Limited statements of availability.
10. Request to remain on or return to a job.
11. Manpower allowance control.

SECTION 1. *Purpose.* In furtherance of the war effort and for the purpose of achieving the most effective utilization of the services of labor in essential and locally needed activities, the Area Director of the War Manpower Commission for the Scranton area, with the concurrence of the Area War Manpower Committee, and with the approval of the Regional Director, hereby establishes the following plan for the Scranton area with respect to the stabilization of employment throughout the area:

SEC. 2. *Definitions.* (a) "Scranton area" is comprised of the counties of Luzerne, Lackawanna, Wyoming, Schuylkill, Carbon, Columbia, Wayne, Susquehanna, and the southeastern section of Northumberland County wherein anthracite coal is mined. This section includes the cities of Mount Carmel and Shamokin.

(b) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees, and poultry, and shall not include any packing, canning,

processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(c) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(d) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission.

(e) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities.

(f) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(g) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employments mean his principal employment.

(h) "Employment stabilization plan" includes any arrangement involving restrictions on separation or hiring of workers, whether through issuance of statements of availability, referral by the United States Employment Service or otherwise.

(i) "Manpower Director" means a director of the War Manpower Commission, or his authorized representative.

(j) "Priority classification" means a designation assigned establishments by the Area Manpower Director governing the general order in which the United States Employment Service shall offer job opportunities to workers, based upon the relative urgency of establishments' manpower needs in light of the war effort.

(k) "Manpower allowance" means an administrative determination by the Area Manpower Director of the number of employees, or specified types of employees, which an establishment is not permitted to exceed during a specified period, and is used as a means for allocation and referral of labor during the period.

(l) "Separation rate" means the number of workers separating from an establishment during a given period, expressed as a ratio or percentage of the establishment's average employment during the period.

(m) "Rejection of referral rate" means the number of individuals not hired by an establishment from among those referred to it by the United States Employment Service during a given period, expressed as a ratio or percentage of the total number of individuals referred to it by the United States Employment Service during the period.

(n) "Clearance opening" means an opening for workers in an establishment located outside of the area covered by a particular United States Employment Service local office.

SEC. 3. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the Scranton area shall be conducted in accordance with the provisions of this Employment Stabilization Plan.

SEC. 4. *Adaptation of area plan—(a) Adaptation to meet area conditions.* This plan may be adapted as the need arises to meet changing area conditions by the Area Manpower Director after consultation with the appropriate Management-Labor Manpower Committee: *Provided*, That such adaptations are not in conflict with minimum national standards as set forth in regulation 7 and with Regional standards, *And, provided further*, That such adaptations are approved by the Regional Director.

(b) *Area labor-management manpower committee.* The Area Labor-Management Manpower Committee is hereby authorized to consider questions of policy standards and safeguards in connection with the establishment and administration of this plan and to make recommendations on these subjects to the Area Director.

SEC. 5. *Minimum standards—(a) General.* A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(1) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(2) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

(b) *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a Statement of Availability from his employer if:

(1) He has been discharged, or his employment has been otherwise terminated by his employer, or

(2) He has been laid off for an indefinite period, or for a period of seven or more days, or

(3) Continuance of his employment would involve undue personal hardship, or

(4) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulations, or

(5) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

(c) *Issuance of statements of availability by United States Employment Service.* (1) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in paragraph (b) is found to exist in his case. If the employer fails or refuses to issue a statement, the United States Employment Service of the War Manpower Commission upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

(2) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who, the War Manpower Commission finds, after notice, hearing, and final decision, has not complied with any War Manpower Commission Employment Stabilization Plan, regulation or policy, and for so long as such employer continues his non-compliance after such finding.

(d) *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

(e) *Workers who may be hired only upon referral by the United States Employment Service.* A new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or with the consent of, the United States Employment Service when:

(1) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation.

(2) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period.

(3) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work: *Provided*, That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration; *And provided*, That such an individual may be hired for non-agricultural work for a period not to exceed six weeks without referral or presentation of a statement of availability.

(4) The new employee is a male worker.

(f) *Exclusions.* No provision of the Employment Stabilization Plan shall be applicable to:

(1) The hiring of a new employee for agricultural employment.

(2) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last" employment for the purposes of this program, unless the employee is customarily engaged in work of less than seven days' duration.

(3) The hiring by a foreign, State, County or municipal government, or their political subdivisions, or their agencies and instrumentalities, or the hiring of any of their employees, unless such foreign, State, County or municipal government, or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the program.

(4) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service.

(5) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

(g) *Appeals.* Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under this Employment Stabilization Plan, in accordance with regulations and procedures of the War Manpower Commission.

(h) *Content of statements of availability.* A statement of availability issued to an individual pursuant to this Plan shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission Officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

(i) *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this Employment Stabilization Plan, except in a manner consistent with such restrictions.

(j) *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

(k) *Representation.* Nothing contained in this plan shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member, or any other representative freely chosen by him, at any step in the operation of this plan.

(l) *General referral policies.* No provision in the program shall limit the authority of the United States Employment Service to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 6. *Existing contracts.* Nothing in this plan shall be construed to prejudice existing seniority rights of an employee under any agreement with his employer.

SEC. 7. *Advertising.* Advertising for employees:

(a) Shall not be of a nature which will have a disruptive effect upon the labor market in a particular area, including either the publication of wage rates

which induce turnover and piracy or the solicitation of workers by employers outside an area except through arrangements with the United States Employment Service of the War Manpower Commission.

(b) Should state clearly that employees now employed in essential activity cannot be considered without a Statement of Availability.

SEC. 8. *Advance notice of lay-offs.* Employers are required when possible to provide at least three days advance notice to the United States Employment Service whenever a lay-off of ten or more employees will occur and such notice shall contain a statement as to the number of employees to be laid off by occupations.

SEC. 9. *Limited statements of availability.* Limited statements of availability specifying a particular date on which employees shall be returned to their previous employer shall be issued by the United States Employment Service of the War Manpower Commission, whenever, in the judgment of the appropriate Area Manpower Director, the best interests of the war effort will be served by such action: *Provided*, That such action is agreeable to both the employer and employees involved: *And, provided further*, That such limited statements of availability shall not be issued for a period longer than 3 months.

SEC. 10. *Request to remain on or return to a job.* The United States Employment Service of the War Manpower Commission shall request any employee to return to or remain on his job and shall request any employer to retain such employee in his employ.

(a) Pending any determination on the employee's request for a statement of availability.

(b) Pending decision on the employee's appeal from a determination denying him a statement of availability.

(c) Upon a final determination that the employee is not entitled to a statement of availability.

SEC. 11. *Manpower allowance control.* The Area Manpower Director may fix for all or any establishments in the Scranton area, fair and reasonable manpower allowances, limiting the number of employees, or specified types of employees, which such establishments may employ during specified periods. Such allowances will be determined on the basis of establishments' actual labor requirements, the available labor supply, and/or the relative urgency of establishments' products or services to the war effort. Except as authorized by the Area Director, no employer shall hire any employee if the hiring of such employee would result in the establishment's exceeding the manpower allowances currently applicable to it.

Dated: September 8, 1944.

JOHN M. CLARK,
Acting Area Director.

Approved: October 14, 1944.

FRANK L. McNAMEE,
Regional Director.

[F. R. Doc. 44-16192; Filed, Oct. 20, 1944;
2:33 p. m.]

GREENFIELD-ATHOL, MASS., AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the Greenfield-Athol Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs," effective August 16, 1943 (8 F.R. 11338).

Sec.

1. Purpose.
2. Definitions.
3. Control of hiring and solicitation of workers.
4. Authority and responsibilities of management-labor committee.
5. Encouragement of local initiative and use of existing hiring channels.
6. General.
7. Issuance of statements of availability by employers.
8. Issuance of statements of availability by United States Employment Service.
9. Referrals in case of under utilization.
10. Workers who may be hired only upon referral by the United States Employment Service.
11. Hiring contrary to the program.
12. Exclusions.
13. Appeals.
14. Statements of availability.
15. Solicitation of workers.
16. Hiring.
17. Representation.
18. General referral policies.
19. Effective date.

SECTION 1. *Purpose.* This employment stabilization program has been adopted in the Greenfield-Athol Area, with the approval of the Regional Director. Its purpose is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management and necessary for the effective prosecution of the war:

(a) The elimination of wasteful labor turnover in essential activities.

(b) The reduction of unnecessary labor migration.

(c) The direction of the flow of scarce labor where most needed in the war program.

(d) The maximum utilization of manpower resources.

SEC. 2. *Definitions.* As used in this employment stabilization program:

(a) The "Greenfield-Athol Area" is comprised of the territory designated in Appendix A.

(b) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding or management of livestock, bees and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(c) "State" includes Alaska, Hawaii, and the District of Columbia.

(d) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental

to the employee's principal work shall be disregarded.

(e) "Additional controlled occupation" means any occupation found by the Area Manpower Director for the Greenfield-Athol Area to be either

(1) One of a category of occupations in an activity in which manpower shortages threaten critically needed production in such area, or

(2) An occupation in which the demand for workers in such Area exceeds the available supply.

A list of the "additional controlled occupations" designated by the Area Manpower Director may be amended from time to time by the Area Manpower Director.

(f) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities. (9 F.R. 3439)

(g) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(h) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employment means his principal employment.

SEC. 3. Control of hiring and solicitation of workers. All hiring and solicitation of workers in, or for work in, the Greenfield-Athol Area shall be conducted in accordance with this employment stabilization program.

This shall include any hiring or solicitation, whether conducted within or outside the area, if the work is to be performed within the area.

SEC. 4. Authority and responsibilities of Management-Labor Committee. The Area Management-Labor War Manpower Committee for the Greenfield-Athol Area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization program, and to make recommendations concerning the same to the Area Manpower Director.

It shall be the responsibility of this committee to hear and decide appeals or to delegate such responsibility to an Area Appeals Committee in accordance with regulations of the War Manpower Commission governing appeals.

SEC. 5. Encouragement of local initiative and use of existing hiring channels. The War Manpower Commission shall encourage local initiative and cooperative efforts to the end that the maximum use shall be made of existing hiring channels, such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions and government agencies. This section shall not be interpreted or deemed to be a waiver of any of the provisions of this program.

SEC. 6. General. A new employee, who during the preceding 60-day period has engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed

to aid in the effective prosecution of the war only if:

(a) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service and

(b) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

SEC. 7. Issuance of statements of availability by employers. An individual whose last employment is or was an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance in his employment would involve undue personal hardship, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(e) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

SEC. 8. Issuance of statements of availability by United States Employment Service. (a) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in section 7 is found to exist in his case. If the employer fails or refuses to issue a statement of availability to an individual entitled to such statement of availability, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual. Pending such finding the United States Employment Service shall either request the worker to remain on his present job, or to return to it in instances where the worker has voluntarily terminated his employment. When none of the circumstances set forth in section 7 is found to exist in an individual's case, the United States Employment Service shall attempt to persuade such individual to return to his former employment in an essential or locally needed activity providing the employer will reemploy the worker without prejudice.

(b) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer whom the War Manpower Commission finds, after notice, hearing and final decision, has not complied with any War Manpower Com-

mission Employment Stabilization Program, regulation, or policy, or has not made a reasonable effort to comply with a recommendation of a duly authorized representative of the War Manpower Commission with respect to the more effective utilization of labor and for so long as such employer continues his non-compliance after such findings. An employer who continues to be in non-compliance after notice, hearing, and final decision, may not hire any new employee, whether or not such person has a statement of availability.

(c) A statement of availability shall be issued by the United States Employment Service to an individual upon his request, when it is found that he has received from a former employer with whom he has reemployment rights under an existing collective bargaining agreement a notice that he must return to his former employment in order to preserve his seniority status.

(d) A temporary statement of availability, valid for a period not in excess of 60 days, may be issued by the United States Employment Service to an individual at his request, who because of seasonal or temporary lay-off is not employed at his customary work. In such cases, an employer may hire such worker for the period designated in the temporary statement of availability and shall release such worker at the end of such period. Upon release of such a worker, the employer shall not issue a statement of availability to him but shall instruct him to return to his former employment. A temporary statement of availability shall contain in addition to the provisions of the regular form:

The employer hiring the above-named worker shall not retain such worker in his employ after _____ and shall not issue a statement of availability to such worker upon his release.

SEC. 9. Referrals in case of underutilization. If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort. For the purposes of this section, a forty hour week shall be deemed to constitute full time employment.

SEC. 10. Workers who may be hired only upon referral by the United States Employment Service. Under the circumstances set forth below, a new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with, the United States Employment Service:

(a) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation, or

(b) The new employee is to be hired for work in an additional controlled occupation, or his statement of availability

indicates that his last employment was in such an occupation, or

(c) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period

(d) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work: *Provided*, That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration; *And provided further*, That such an individual may be hired for non-agricultural work for a period of not to exceed six weeks without referral or presentation of a statement of availability, or

(e) The new employee is a male worker.

SEC. 11. Hiring contrary to the program. An employer shall, upon written request of the United States Employment Service promptly release from employment any worker hired:

(a) In violation of this program, or
(b) Upon referral by the United States Employment Service, if such referral resulted from any misrepresentation on the part of such worker when otherwise a referral would not have been made.

SEC. 12. Exclusions. No provision of this employment stabilization program shall be applicable to:

(a) The hiring of a new employee for agricultural employment, or
(b) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of this program, unless the employee is customarily engaged in work of less than seven days' duration, or

(c) The hiring of an employee in any territory or possession of the United States, except Alaska and Hawaii, or

(d) The hiring by a foreign, State, County, or municipal government or their political subdivisions or agency or instrumentality, or to the hiring of any of their employees, unless such foreign, State, County, or municipal government or political subdivision or agency has indicated its willingness to conform with the program;

(e) The hiring of a new employee for domestic service or to the hiring of a new employee whose last regular employment was in domestic service, or

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period, or

(g) The transfer of workers between agencies and department of the Federal Government.

SEC. 13. Appeals. Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under this employment stabilization program, in accordance with regulations and procedures of the War Manpower Commission.

SEC. 14. Statements of availability. A statement of availability issued to an individual pursuant to this program shall contain only the individual's name, address, social security number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, or in an additional controlled occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

Statements of availability received by any employer pursuant to this program shall be retained during the continuance of this program and for a reasonable time thereafter. They shall be made accessible to the Area Manpower Director or his representative upon request.

SEC. 15. Solicitation of workers. No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under the employment stabilization program, except in a manner consistent with such restrictions.

SEC. 16. Hiring. The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

The Federal Government shall be considered as a single essential employer for the purposes of this program, and all hiring for departments and agencies of the Federal Government subject to the Civil Service Act, rules and regulations shall be conducted by the U. S. Civil Service Commission which will recruit in accordance with the policies of the War Manpower Commission.

SEC. 17. Representation. Nothing in this program shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the program.

SEC. 18. General referral policies. No provision in this program shall limit the authority of the United States Employment Service or any other governmental agency designated by the War Manpower Commission to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 19. Effective date. This program shall become effective July 1, 1944, and is in substitution for and supersedes the employment stabilization plan in effect prior to such date. It shall, subject to such amendments as the War Manpower Commission may promulgate, continue in effect for six months following the termination of the war, unless sooner

terminated by the War Manpower Commission.

Dated: October 9, 1944.

G. F. HARDING,
Acting Area Manpower Director.

Approved: October 14, 1944.

ARTHUR C. GERNES,
Regional Manpower Director.

APPENDIX A—DESIGNATION OF THE GREENFIELD-ATHOL AREA

The Greenfield-Athol area is comprised of the territories included in the following towns in the Commonwealth of Massachusetts:

Ashfield, Athol, Barre, Bernardston, Buckland, Charlemont, Colrain, Conway, Deerfield, Erving, Gill, Greenfield, Hardwick, Hawley, Heath, Leverett, Leyden, Montague, New Salem, Northfield, Orange, Petersham, Phillipston, Rowe, Royalston, Shelburne, Shutesbury, Sunderland, Warwick, Wendell, and Whately.

[F. R. Doc. 44-16254; Filed, Oct. 21, 1944;
1:58 p. m.]

NORTH ADAMS, MASS., AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the North Adams Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs," effective August 16, 1943 (8 F.R. 11338).

Sec.

1. Purpose.
2. Definitions.
3. Control of hiring and solicitation of workers.
4. Authority and responsibilities of Management-Labor Committee.
5. Encouragement of local initiative and use of existing hiring channels.
6. General.
7. Issuance of statements of availability by employers.
8. Issuance of statements of availability by United States Employment Service.
9. Referrals in case of under utilization.
10. Workers who may be hired only upon referral by the United States Employment Service.
11. Hiring contrary to the program.
12. Exclusions.
13. Appeals.
14. Statements of availability.
15. Solicitation of workers.
16. Hiring.
17. Representation.
18. General referral policies.
19. Effective date.

SECTION 1. Purpose. This employment stabilization program has been adopted in the North Adams Area, with the approval of the Regional Director. Its purpose is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management and necessary for the effective prosecution of the war:

- (a) The elimination of wasteful labor turnover in essential activities.
- (b) The reduction of unnecessary labor migration.

(c) The direction of the flow of scarce labor where most needed in the war program.

(d) The maximum utilization of manpower resources.

SEC. 2. Definitions. As used in this employment stabilization program:

(a) The "North Adams Area" is comprised of the territory designated in Appendix A.

(b) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding or management of livestock, bees and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(c) "State" includes Alaska, Hawaii, and the District of Columbia.

(d) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(e) "Additional controlled occupation" means any occupation found by the Area Manpower Director for the North Adams Area to be either

(1) One of a category of occupations in an activity in which manpower shortages threaten critically needed production in such Area, or

(2) An occupation in which the demand for workers in such Area exceeds the available supply.

A list of the "additional controlled occupations" designated by the Area Manpower Director may be amended from time to time by the Area Manpower Director.

(f) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities. (9 F.R. 3439)

(g) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(h) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employment means his principal employment.

SEC. 3. Control of hiring and solicitation of workers. All hiring and solicitation of workers in, or for work in, the North Adams Area shall be conducted in accordance with this employment stabilization program.

This shall include any hiring or solicitation, whether conducted within or outside the area, if the work is to be performed within the area.

SEC. 4. Authority and responsibilities of Management-Labor Committee. The Area Management-Labor War Manpower Committee for the North Adams Area is

authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization program, and to make recommendations concerning the same to the Area Manpower Director.

It shall be the responsibility of this committee to hear and decide appeals or to delegate such responsibility to an Area Appeals Committee in accordance with regulations of the War Manpower Commission governing appeals.

SEC. 5. Encouragement of local initiative and use of existing hiring channels. The War Manpower Commission shall encourage local initiative and cooperative efforts to the end that the maximum use shall be made of existing hiring channels, such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions and government agencies.

This section shall not be interpreted or deemed to be a waiver of any of the provisions of this program.

SEC. 6. General. A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(a) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service and

(b) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

SEC. 7. Issuance of statements of availability by employers. An individual whose last employment is or was an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance in his employment would involve undue personal hardship, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulations, or

(e) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

SEC. 8. Issuance of statements of availability by United States Employment Service. (a) A statement of availability

shall be issued promptly to an individual when any of the circumstances set forth in section 7 is found to exist in his case. If the employer fails or refuses to issue a statement of availability to an individual entitled to such statement of availability, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual. Pending such finding the United States Employment Service shall either request the worker to remain on his present job, or to return to it in instances where the worker has voluntarily terminated his employment.

When none of the circumstances set forth in section 7 is found to exist in an individual's case, the United States Employment Service shall attempt to persuade such individual to return to his former employment in an essential or locally needed activity providing the employer will re-employ the worker without prejudice.

(b) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer whom the War Manpower Commission finds, after notice, hearing and final decision, has not complied with any War Manpower Commission Employment Stabilization Program, regulation, or policy, or has not made a reasonable effort to comply with a recommendation of a duly authorized representative of the War Manpower Commission with respect to the more effective utilization of labor and for so long as such employer continues his non-compliance after such findings.

An employer who continues to be in non-compliance after notice, hearing and final decision, may not hire any new employee, whether or not such person has a statement of availability.

(c) A statement of availability shall be issued by the United States Employment Service to an individual upon his request, when it is found that he has received from a former employer with whom he has reemployment rights under an existing collective bargaining agreement a notice that he must return to his former employment in order to preserve his seniority status.

(d) A temporary statement of availability, valid for a period not in excess of 60 days, may be issued by the United States Employment Service to an individual at his request, who because of a seasonal or temporary lay-off is not employed at his customary work. In such cases, an employer may hire such a worker for the period designated in the temporary statement of availability and shall release such worker at the end of such period. Upon release of such a worker, the employer shall not issue a statement of availability to him but shall instruct him to return to his former employment.

A temporary statement of availability shall contain in addition to the provisions of the regular form:

The employer hiring the above-named worker shall not retain such worker in his

employ after _____ and shall not issue a statement of availability to such worker upon his release.

SEC. 9. Referrals in case of underutilization. If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort. For the purpose of this section, a forty hour week shall be deemed to constitute full time employment.

SEC. 10. Workers who may be hired only upon referral by the United States Employment Service. Under the circumstances set forth below, a new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with, the United States Employment Service:

(a) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation, or

(b) The new employee is to be hired for work in an additional controlled occupation, or his statement of availability indicates that his last employment was in such an occupation, or

(c) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period

(d) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work, provided that no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration, and provided further that such an individual may be hired for non-agricultural work for a period of not to exceed six weeks without referral or presentation of a statement of availability, or

(e) The new employee is a male worker.

SEC. 11. Hiring contrary to the program. An employer shall, upon written request of the United States Employment Service promptly release from employment any worker hired:

(a) In violation of this program, or
(b) Upon referral by the United States Employment Service, if such referral resulted from any misrepresentation on the part of such worker when otherwise a referral would not have been made.

SEC. 12. Exclusions. No provision of this employment stabilization program shall be applicable to:

(a) The hiring of a new employee for agricultural employment, or
(b) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of this

program, unless the employee is customarily engaged in work of less than seven days' duration, or

(c) The hiring of an employee in any territory or possession of the United States, except Alaska and Hawaii, or

(d) The hiring by a foreign, State, county, or municipal government or their political subdivisions or agency or instrumentality, or to the hiring of any of their employees, unless such foreign State, County, or municipal government or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the program, or

(e) The hiring of a new employee for domestic service or to the hiring of a new employee whose last regular employment was in domestic service, or

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period, or

(g) The transfer of workers between agencies and department of the Federal Government.

SEC. 13. Appeals. Any workers or employer may appeal from any act or failure to act by the War Manpower Commission under this employment stabilization program, in accordance with regulations and procedures of the War Manpower Commission.

SEC. 14. Statements of availability. A statement of availability issued to an individual pursuant to this program shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, or in an additional controlled occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

Statements of availability received by any employer pursuant to this program shall be retained during the continuance of this program and for a reasonable time thereafter. They shall be made accessible to the Area Manpower Director or his representative upon request.

SEC. 15. Solicitation of workers. No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization program, except in a manner consistent with such restrictions.

SEC. 16. Hiring. The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

The Federal Government shall be considered as a single essential employer for the purposes of this program, and all

hiring for departments and agencies of the Federal Government subject to the Civil Service Act, rules and regulations, shall be conducted by the U. S. Civil Service Commission which will recruit in accordance with the policies of the War Manpower Commission.

SEC. 17. Representation. Nothing contained in this program shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the program.

SEC. 18. General referral policies. No provision in this program shall limit the authority of the United States Employment Service or any other governmental agency designated by the War Manpower Commission to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 19. Effective date. This program shall become effective July 1, 1944 and is in substitution for and supersedes the employment stabilization plan in effect prior to such date. It shall, subject to such amendments as the War Manpower Commission may promulgate, continue in effect for six months following the termination of the war, unless sooner terminated by the War Manpower Commission.

Dated: October 9, 1944.

G. F. HARDING,
Acting Area Manpower Director.

Approved: October 14, 1944.

ARTHUR C. GERNES,
Regional Manpower Director.

APPENDIX A—DESIGNATION OF THE NORTH ADAMS AREA

The North Adams Area is comprised of the territories included in the following city and towns in the Commonwealth of Massachusetts, County of Berkshire:

City. North Adams.

Towns. Adams, Clarksburg, Florida, Monroe, New Ashford, Savoy, and Williamstown.

[F. R. Doc. 44-16258; Filed, Oct. 21, 1944; 2:01 p.m.]

[Amdt. 2]

LOWER NAUGATUCK VALLEY AREA

EMPLOYMENT STABILIZATION PROGRAM

The employment stabilization program for the Lower Naugatuck Valley Area, dated October 15, 1943, is hereby amended as follows:

Section 15 of said program is hereby amended by adding the following new second paragraph, thereby making the present second paragraph the third paragraph:

Applicants subject to priority referral who apply at a local office of the United States Employment Service for referral to a job opening shall be referred to job openings in accordance with the standards of referral (see Appendix B), adopted by the Labor-Management Com-

mittee for the Lower Naugatuck Valley Area.

Dated: September 21, 1944.

WM. J. CRONIN, Jr.,
Area Director.

Approved: October 13, 1944.

ARTHUR C. GERNES,
Regional Director.

APPENDIX B

STANDARDS GOVERNING REFERRALS FOR THE LOWER NAUGATUCK VALLEY AREA

I. Use of priorities. The Manpower Priorities shall be distributed to all authorized referral agencies. These agencies shall be governed by these priorities in referring workers to employers. Nothing in these Standards of Referral shall be construed to prohibit the Area Director from giving priority to a particular category of jobs, and requiring at any time, based upon existent conditions, that referrals be made only to a particular category of jobs, in accordance with the technique provided in Regional Bulletin C-27 and under the conditions prescribed in the Standards of Referral. War Manpower Commission.

II. Standards governing referrals by the War Manpower Commission—A. Order of referral. 1. Based on occupational qualifications a worker possessing skills for which there is demand for the war effort shall be referred to job openings for which he is qualified in order of their relative importance as set forth in paragraph 2, hereof, and, to the extent consistent with current and anticipated manpower needs, in the following order:

- a. To job openings in occupations using his highest skill.
- b. To job openings in occupations which require closely related skills.
- c. To other types of job openings for which he may be qualified.

2. Based on importance in connection with the war effort the order of referral to job openings shall be as follows:

- a. To establishments having manpower priorities, in the order of their relative priority
- b. To establishments in essential or locally needed activities, not on the priority list
- c. To establishments in less essential activities, and only if there are no job openings in a priority establishment or an essential or locally needed activity for which the worker is qualified and which the worker may not decline except as hereinafter provided.

3. In any case in which there are two or more job openings of the same relative urgency for which the worker is equally qualified, he shall be entitled to a free choice of the job opening to which he wishes to be referred.

B. Refusal of referral without prejudice. 1. A worker may refuse a referral to a job opening and continue to be eligible for further referral if:

a. The referral is not to a job opening in an occupation which will use his highest skill, and such job openings are available, or may be expected to become available within a reasonable period of time, in other priority or essential or locally needed activities.

b. The referral is not a job opening in an occupation which will use a closely related skill, and such job openings are available, or may be expected to become available within a reasonable period of time, in other priority or essential or locally needed activities.

c. As a condition of accepting or continuing in the offered employment, he would be required to join, resign from or refrain from joining a labor organization.

d. The wages or working conditions of the job offered are below standards fixed by applicable law.

e. The wage rate for the job offered is less than the minimum of an applicable bracket fixed by the War Labor Board for the occupation and locality, or is less than such amount as has been determined by the War Labor Board for the area or region, as necessary to avoid substandards of living.

f. He can show that acceptance of the job offered would involve for him an undue personal hardship.

2. If a worker refuses referral or refuses to accept a job, which he may decline on one or more grounds set forth in paragraph B hereof, he shall be advised of his rights under the Manpower Program.

C. Unjustified refusal. If a worker refuses a referral on grounds other than those listed in paragraph B, he shall not be referred to another opening until the job he refused has been filled or withdrawn or another opening develops with equal or higher priority for which the applicant is qualified.

D. Reporting. Referral agencies shall render such reports as to the number of referrals and hires made to priority establishments and referrals to non-priority establishments as may be required by the State or Area Manpower Director.

E. Union hiring halls. Under the controlled referral plan and the basic referral policies outlined above, unions which have hiring arrangements with essential or locally needed employers who have a substantial number of workers at the time the controlled referral plan becomes effective may be granted the right to refer their own members to those employers in accordance with the following conditions:

1. In their referral activities the unions shall observe all of the Area Employment Stabilization Plan and all determinations with respect to manpower priorities.

2. The unions shall refer only those of their members who are entitled to referral under the program and in the order of priority set by the Area Manpower Director.

3. The union shall maintain records of its referrals and hires and shall permit review of these records by the WMC or shall supply information relating to its referral activities to the War Manpower Commission as may be required.

[F. R. Doc. 44-16255; Filed, Oct. 21, 1944; 1:58 p. m.]

[Amdt. 2]

NEW HAVEN, CONN., AREA

EMPLOYMENT STABILIZATION PROGRAM

The employment stabilization program for the New Haven Area, dated October 15, 1943, is hereby amended as follows:

Section 15 of said program is hereby amended by adding the following new second paragraph, thereby making the present second paragraph the third paragraph.

Applicants subject to priority referral who apply at a local office of the United States Employment Service for referral to a job opening shall be referred to job openings in accordance with the standards of referral (see Appendix B),

adopted by the Labor-Management Committee for the New Haven Area.

Dated: September 21, 1944.

WM. J. CRONIN, Jr.,
Area Director.

Approved: October 13, 1944.

ARTHUR C. GERNES,
Regional Director.

APPENDIX B

STANDARDS GOVERNING REFERRALS FOR THE NEW HAVEN AREA

I. Use of priorities. The Manpower Priorities shall be distributed to all authorized referral agencies. These agencies shall be governed by these priorities in referring workers to employers. Nothing in these Standards of Referral shall be construed to prohibit the Area Director from giving priority to a particular category of jobs, and requiring at any time, based upon existent conditions, that referrals be made only to a particular category of jobs, in accordance with the technique provided in Regional Bulletin C-27 and under the conditions prescribed in the Standards of Referral.

II. Standards governing referrals by the War Manpower Commission—A. Order of referral. 1. Based on occupational qualifications a worker possessing skills for which there is demand for the war effort shall be referred to job openings for which he is qualified in order of their relative importance as set forth in paragraph 2, hereof, and, to the extent consistent with current and anticipated manpower needs, in the following order:

a. To job openings in occupations using his highest skill.

b. To job openings in occupations which require closely related skills.

c. To other types of job openings for which he may be qualified.

2. Based on importance in connection with the war effort the order of referral to job openings shall be as follows:

a. To establishments having manpower priorities, in the order of their relative priority.

b. To establishments in essential or locally needed activities, not on the priority list.

c. To establishments in less essential activities, and only if there are no job openings in a priority establishment or an essential or locally needed activity for which the worker is qualified and which the worker may not decline except as hereinafter provided.

3. In any case in which there are two or more job openings of the same relative urgency for which the worker is equally qualified, he shall be entitled to a free choice of the job opening to which he wishes to be referred.

B. Refusal of referral without prejudice. 1. A worker may refuse a referral to a job opening and continue to be eligible for further referral if:

a. The referral is not to a job opening in an occupation which will use his highest skill, and such job openings are available, or may be expected to become available within a reasonable period of time, in other priority or essential or locally needed activities.

b. The referral is not a job opening in an occupation which will use a closely related skill, and such job openings are available, or may be expected to become available within a reasonable period of time, in other priority or essential or locally needed activities.

c. As a condition of accepting or continuing in the offered employment, he would be

required to join, resign from or refrain from joining a labor organization.

d. The wages or working conditions of the job offered are below standards fixed by applicable law.

e. The wage rate for the job offered is less than the minimum of an applicable bracket fixed by the War Labor Board for the occupation and locality, or is less than such amount as has been determined by the War Labor Board for the area or region, as necessary to avoid substandards of living.

f. He can show that acceptance of the job offered would involve for him an undue personal hardship.

2. If a worker refuses referral or refuses to accept a job, which he may decline on one or more grounds set forth in paragraph B hereof, he shall be advised of his rights under the Manpower Program.

C. *Unjustified referral.* If a worker refuses a referral on grounds other than those listed in paragraph B, he shall not be referred to another opening until the job he refused has been filled or withdrawn or another opening develops with equal or higher priority for which the applicant is qualified.

D. *Reporting.* Referral agencies shall render such reports as to the number of referrals and hires made to priority establishments and referrals to non-priority establishments as may be required by the State or Area Manpower Director.

E. *Union hiring halls.* Under the controlled referral plan and the basic referral policies outlined above, unions which have hiring arrangements with essential or locally needed employers who have a substantial number of workers at the time the controlled referral plan becomes effective may be granted the right to refer their own members to those employers in accordance with the following conditions:

1. In their referral activities the unions shall observe all of the Area Employment Stabilization Plan and all determinations with respect to manpower priorities.

2. The unions shall refer only those of their members who are entitled to referral under the program and in the order of priority set by the Area Manpower Director.

3. The union shall maintain records of its referrals and hires and shall permit review of these records by the WMC or shall supply information relating to its referral activities to the War Manpower Commission as may be required.

[F. R. Doc. 44-16256; Filed, Oct. 21, 1944; 1:59 p. m.]

[Amdt. 3]

NEW HAVEN, CONN., AREA

EMPLOYMENT STABILIZATION PROGRAM

The employment stabilization program for the New Haven Area, dated October 15, 1943, is hereby amended as follows:

Section 15 of said program is hereby amended by adding the following new third paragraph, thereby making the present third paragraph the fourth paragraph thereof.

The Area Manpower Director may set for all or any establishments in the New

Haven Area, fair and reasonable employment ceilings fixing the number of employees or specified types of employees which such establishments may not exceed. Such ceilings will be determined on the basis of the establishment's actual labor needs, the available labor supply, and/or the relative urgency of the establishment's products or services to the war effort. Except as authorized by the Area Manpower Director, no employer shall hire any new employee for work in such establishment if the hiring of such employee would result in such establishment's exceeding the employment ceiling applicable to it.

Dated: September 21, 1944.

W. J. CRONIN, Jr.,
Area Director.

Approved: October 13, 1944.

ARTHUR C. GERNEs,
Regional Director.

[F. R. Doc. 44-16257; Filed, Oct. 21, 1944; 2:00 p. m.]

DALLAS, TEX., AREA

ORDER RELEASING AREA FROM MINIMUM WARTIME WORKWEEK PROVISIONS

Designation of the Dallas, Texas Area as subject to Executive Order No. 9301.

The designation of the Dallas, Texas Area, dated September 30, 1943, (9 F.R. 2254) as subject to Executive Order No. 9301 is hereby amended to read as follows:

By virtue of the authority vested in me as Regional Director of Region X by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that the provisions of this regulation are no longer necessary to alleviate labor shortages which are impeding the war effort, I hereby rescind the designation of the Dallas, Texas, Area as subject to the provisions of Executive Order No. 9301.

The effective date of this rescission is October 9, 1944.

Date of issuance: October 6, 1944.

J. H. BOND,
Regional Director.

[F. R. Doc. 44-16258; Filed, Oct. 21, 1944; 1:57 p. m.]

WAR SHIPPING ADMINISTRATION.

"FLYING FISH"

DETERMINATION OF VESSEL OWNERSHIP

Notice of determination by War Shipping Administration pursuant to section

3 (b) of the act approved March 24, 1943 (Public Law 17—78th Congress).

Whereas on March 24, 1944 title to the vessel *Flying Fish* (228863) (including all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the act approved March 24, 1943, (Public Law 17—78th Congress), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the Act of June 6, 1941 (Public Law 101, Seventy-Seventh Congress), is not required by the United States, and after such determination has been made and notice thereof has been published in the *FEDERAL REGISTER*, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking: *Provided however*, That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. * * *;

and

Whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the *FEDERAL REGISTER*, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

Dated: October 20, 1944.

[SEAL] E. S. LAND,
Administrator.

[F. R. Doc. 44-16218; Filed, Oct. 21, 1944; 10:50 a. m.]