

THE NATIONAL ARCHIVES
LITTERA
SCRIPTA
MANET
FEDERAL REGISTER
OF THE UNITED STATES
1934

VOLUME 10
NUMBER 27

Washington, Wednesday, February 7, 1945

Regulations

TITLE 7—AGRICULTURE

**Chapter IV—War Food Administration
(Crop Insurance)**

PART 414—WHEAT CROP INSURANCE REGULATIONS

The Federal Crop Insurance Program is part of the general program of the United States Department of Agriculture and the War Food Administration administered for the benefit of agriculture.

By virtue of the authority vested in the Federal Crop Insurance Corporation by the Federal Crop Insurance Act, as amended, these regulations are hereby published and prescribed to be in force and effect, with respect to the wheat crop insurance program, until amended or superseded by regulations hereafter made.

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AUTHORITY: §§ 414.1 to 414.45, inclusive, issued under secs. 506 (e), 507 (c), 508, 509, 516 (b); 52 Stat. 73, 74, 75, 77; 7 U.S.C. 1506 (e), 1507 (c), 1508, 1509, 1516 (b), as amended by 52 Stat. 835, 55 Stat. 255, and Pub. Law 551, 78th Cong., approved Dec. 23, 1944; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783.

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Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$1.50 per month or \$15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington, D. C.

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NOTICE

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MANNER OF OBTAINING INSURANCE

§ 414.1 *Availability of what crop insurance.* (a) Beginning with the 1945 crop year, wheat crop insurance will be provided in accordance with the regulations in this part. For the 1945 crop year, however, no insurance will be provided on winter wheat. The coverage per acre of wheat crop insurance will be 50 or 75 percent of the average yield of wheat for the farm. Such insurance will be provided only under contracts covering three consecutive crop years.

(b) Insurance will not be provided in any county unless written applications for insurance on crops authorized to be insured are filed covering at least fifty farms, or one-third of the farms normally producing these crops, except that insurance may be provided for producers on farms situated in a local producing area bordering on a county with a crop insurance program.

§ 414.2 *Application for insurance.* Application for insurance, on a form prescribed by the Corporation, may be made by any person to cover his interest as landlord, owner, tenant, or sharecropper, in a wheat crop. An application shall cover the applicant's interest in the wheat crop on all insurance units located, or considered for crop insurance purposes to be located, in the county or, where applicable, on all insurance units in the local producing area, in which the applicant has an interest at the time of the seeding of the wheat crop to be harvested in any of the three years specified in the application. Applications shall be submitted to the office of the county association on or before the applicable closing date established by the Corporation for the county in which the insurance unit(s) is located.

§ 414.3 *Acceptance of applications by the Corporation.* (a) Upon acceptance of an application by a duly authorized representative of the Corporation, the insurance contract shall be in effect, provided such application is submitted in accordance with the provisions of the application and of these regulations, including any amendments thereto. The applicant's copy of the accepted application shall be mailed to him.

(b) The Corporation reserves the right to reject any application for insurance with respect to any one or more of the insurance units covered by the application, or to limit the insurance on the applicant's interest in any insurance unit covered by the application to 50 percent of the average yield for such unit.

(c) Insurance contracts covering farms situated in a local producing area shall be handled in the office of the county association of an adjoining county with a crop insurance program.

(d) The insured may cancel the insurance contract as it relates to future crops for the purpose of entering into a new three-year contract, if one is offered, but such cancellation shall not affect any existing insurance coverage. The insured may cancel the insurance contract as it applies to the third year by giving written notice to the county committee on or before the closing date (as defined in § 414.44 hereof) for the second year. The Corporation may cancel the insurance contract in any year by giving written notice to the insured on or before the closing date for such year.

INSURANCE COVERAGE

§ 414.4 *Insurance period.* Insurance with respect to any insurance unit shall attach at the time the wheat is seeded, except that insurance shall not attach with respect to any acreage put to another use before it is too late to reseed to wheat, as determined by the Corporation. Insurance shall cease with respect to any portion of the wheat crop covered by the insurance contract upon threshing (unless combined and field-sacked and remaining in the field, in which event the insurance shall not cease until 120 hours thereafter) or removal from the insurance unit, but in no event shall the insurance remain in effect later than October 31 of each year, unless such time is extended in writing by the Corporation.

§ 414.5 *Insured production.* The insured production for each insurance unit for each year under the contract shall be the number of bushels of wheat determined by multiplying the insured acreage by the average yield per acre, by the insured percentage (50 or 75 percent), and by the insured interest in the crop at the time of seeding. If more than one average yield has been established for the insurance unit, the insured production shall be computed separately, using the applicable acreage for each yield, and the total of such computed amounts shall be the insured production for the insurance unit.

§ 414.6 *Wheat seeded for purposes other than grain.* In the event the insured seeds only a part of his wheat for harvest as grain in any year of the contract, he shall submit to the county committee with his acreage report of wheat seeded, a designation of any acreage seeded for purposes other than harvest as grain. Upon receipt of this designation and with the approval of the Corporation, the acreage used in computing the premium and insured production will not include such acreage. However, the total production from any wheat threshed from such acreage shall be considered as wheat produced on the insured acreage in determining a loss under the contract.

§ 414.7 *Causes of loss insured against.* The insurance contract shall cover loss in yield of wheat due to unavoidable causes, including drought, flood, hail, wind, frost, winter-kill, lightning, fire, excessive rain, snow, wildlife, hurricane, tornado, insect infestation, plant disease, and such other unavoidable causes as may be determined by the Board of Directors of the Corporation.

§ 414.8 *Causes of loss not insured against.* The contract shall not cover damage to quality in any case, or loss in yield caused by the neglect or malfeasance of the insured or of any person in his household or employment or connected with the farm as tenant, sharecropper, or wage hand, nor shall it cover losses caused by theft, domestic animals (including poultry), use of defective or unadapted seed, overpasturing, over-seeding or seeding on land of poorer average quality for the production of wheat than the average quality of the land considered in establishing the average yield for the insurance unit, failure properly to prepare the land for seeding, or properly to seed, care for, or harvest and thresh the insured crop, including any loss due to breakdown of machinery or equipment, failure to follow established good farming practices, or by following different fertilizer or farming practices than those considered in establishing the average yield, or by failure to reseed the wheat in areas and under circumstances where the Corporation determines it is customary to reseed. In addition, where insurance is written on an irrigated basis, the contract shall not cover losses caused by failure properly to apply irrigation water to wheat in proportion to the amount of water available for all irrigated crops, failure of

irrigation equipment due to mechanical defects, failure to provide adequate casing or properly to adjust the pumping equipment in the event of a lowering of the water level in pump wells, or any other such loss not due entirely to unavoidable causes. Likewise, the contract shall not cover loss in yield caused by inability to obtain labor, fertilizer, machinery, repairs, or insect poisons, as a result of war or other conditions.

PREMIUM FOR INSURANCE CONTRACT

§ 414.9 *Amount of annual premium.* (a) The annual premiums for each insurance unit under the contract shall be the number of bushels of wheat determined by multiplying the insured acreage of wheat for the insurance unit by the premium rate per acre and by the insured interest in the crop at the time of seeding. If more than one premium rate has been established for the insurance unit, a premium shall be computed separately using the applicable acreage for each rate, and the total of the amounts so computed shall be the premium for the insurance unit. The annual premium for the insurance contract shall be the total of the premiums computed for the insured for all insurance units covered by the contract. The annual premium with respect to each insurance unit shall be regarded as earned when the wheat crop on the insurance unit is seeded, except that no premium shall be regarded as earned on any acreage put to another use before it is too late to reseed to wheat, as determined by the Corporation. The minimum annual premium payable by the insured with respect to any insurance contract shall be three bushels of wheat.

(b) In any area designated by the Corporation, the insured's annual premium may be reduced in any year not to exceed 50 percent, if it is determined by the Corporation, from a comparison of the insured production with the accumulated balance of premiums paid over indemnities received on consecutively insured crops for the years during which insurance was available (beginning with the 1939 crop), that the risk on wheat crops produced by the insured justify such reduction: *Provided, however,* That the Corporation may determine that the premium rates for all insurance units in any or all such areas shall be adjusted to compensate for such reductions. Failure to apply for insurance in any year shall render any person ineligible for the benefits of this paragraph on the basis of any accumulated balance of premiums previously paid, if insurance is offered in the county in which such person's farm is located and even though insurance may not be provided in the county during such year as stated in § 414.1 (b) hereof. Nothing in this provision shall create in the insured any right to a reduced premium as a result of the total premiums he has paid exceeding the total indemnities he has received.

§ 414.10 *Manner of payment of premium.* (a) Each applicant for insurance shall sign a note in the form and manner prescribed by the Corporation.

Such note shall represent a promise to pay the Corporation the total premium for all insurance units covered by the insurance contract and each annual installment of such premium shall be payable on or before the maturity date specified in § 414.45 hereof. Each annual installment or unpaid portion thereof shall bear interest after maturity at the rate of one-half of one percent for each full calendar month or fraction thereof, except that no interest shall be charged on any amount paid within two calendar months after maturity.

(b) Payment on any such installment may be made in whole or in part before maturity either in wheat or cash, or both. After maturity, payment may be made only in cash. In connection with any payment before maturity, there shall be credited on the installment the number of whole bushels of wheat computed by dividing the payment made (the proceeds of the sale of wheat if wheat is paid) by the cash equivalent price per bushel for the date of payment. The amount of any such installment due at maturity shall be the cash equivalent thereof based on the cash equivalent price per bushel applicable for such maturity date.

(c) Any unpaid amount of any installment (either before or after the date of maturity) may be deducted from any indemnity payable under the contract, from the proceeds of any commodity loan to the insured, and from any payment made to the insured under the Soil Conservation and Domestic Allotment Act, as amended, or any other act of Congress or program administered by the United States Department of Agriculture or the War Food Administration. Where any such deduction is made before the date of maturity, the cash equivalent of the deduction will be based on the cash equivalent price used in computing the indemnity payment or the cash equivalent price determined by the Corporation to be in effect on the day the county committee approves such loan or other payment, whichever is applicable. Such price shall also be used in determining the number of bushels of wheat to be credited on the note.

(d) Payments in cash shall be made by means of cash or by check, money order, or bank draft payable to the order of the Treasurer of the United States. All checks and drafts will be accepted subject to collection, and payments tendered shall not be regarded as paid unless collection is made. When a payment is made in wheat, it shall be by means of an instrument acceptable to the Corporation representing salable wheat.

LOSS

§ 414.11 *Notice of loss or damage of wheat crop.* Unless otherwise provided by the Corporation, if a loss is probable, notice in writing shall be given the Corporation at the office of the county association immediately after any material damage to the insured crop and before the crop is harvested, removed, or any other use is made of it. Any such notice shall be given in time to allow the Corporation to make appropriate inspection.

§ 414.12 *Released acreage.* Any insured acreage on which the wheat crop has been destroyed or substantially destroyed may be put to another use, or other small grain may be seeded with the wheat crop, only with the consent of the Corporation, subject to an appraisal by the Corporation of the yield that would be realized if such portion of the crop remained for harvest. No acreage seeded to wheat shall be considered as put to another use as long as any wheat on such acreage is remaining for harvest, except on an acreage released by the Corporation for the seeding of a substitute crop. On any acreage where the wheat has been partially destroyed but not released by the Corporation, proper measures shall be taken to protect the crop from further damage. There shall be no abandonment of any crop or portion thereof to the Corporation.

§ 414.13 *Time of loss.* Loss, if any, shall be deemed to have occurred at the completion of threshing of such crop (unless combined and field-sacked and remaining in the field, in which event the loss shall be deemed to have occurred 120 hours thereafter) or October 31 of each year (unless such time is extended by the Corporation), whichever occurs first, unless the Corporation determines that the wheat crop was destroyed or substantially destroyed earlier, in which event the loss shall be deemed to have occurred on the date so determined by the Corporation. The wheat crop shall be deemed to have been subsequently destroyed if the Corporation determines that it has been so badly damaged that farmers generally in the area where the farm is located and on whose farms similar damage occurred would not further care for the crop or harvest any portion thereof.

§ 414.14 *Proof of loss.* If a loss is claimed, the insured shall submit to the Corporation, on a form and in the manner prescribed by the Corporation, a statement in proof of loss containing such information regarding the manner and extent of the loss as may be required by the Corporation. The statement in proof of loss shall be submitted not later than sixty days after the time of loss, unless the time is extended in writing by the Corporation. It shall be a condition precedent to any liability under the insurance contract that the insured establish that any loss for which claim is made has been directly caused by one or more of the hazards insured against by the insurance contract during the term of the contract, and that the insured further establish that the loss has not arisen from or been caused by, either directly or indirectly, any of the hazards not insured against by the insurance contract.

§ 414.15 *Amount of loss.* (a) The amount of loss for which indemnity will be payable with respect to any insurance unit will be the amount of the insured production under the contract for such insurance unit, less the product of the insured interest and the total production for such unit: *Provided, however,* That if the seeded acreage on the insurance unit exceeds the insured acreage on such

unit, as determined by the Corporation, the loss for which indemnity will be payable shall be computed by prorating the production on the seeded acreage to determine the production applicable to the insured acreage. Such total production shall include:

(1) Wheat produced from any acreage of the wheat crop which was threshed (not including any wheat produced from any acreage released as provided in subparagraph (3) below);

(2) Wheat production appraised from any acreage of the wheat crop which was not threshed but which was harvested as grain;

(3) The appraised production from any acreage of the wheat crop which is seeded to a substitute crop after a release by the Corporation (small grains seeded with the growing wheat crop shall be considered as a substitute crop), which appraised production shall not be less than 50 percent of the product of (i) such acreage, (ii) the average yield, and (iii) the insured percentage;

(4) The appraised production on any acreage of wheat that is not harvested (except the acreage covered in subparagraph (3) above), which appraised production shall not be less than 20 percent of the product of (i) such acreage, (ii) the average yield, and (iii) the insured percentage, or 5 bushels per acre, whichever is the smaller;

(5) The appraised production for any portion of the insured wheat acreage that is put to another use without the consent of the Corporation, which appraised production shall not be less than the product of (i) such acreage, (ii) the average yield, and (iii) the insured percentage;

(6) The appraised production for any acreage that is cut for hay (excluding acreage specifically designated as seeded for purposes other than grain), which appraised production shall not be less than 20 percent of the product of (i) such acreage, (ii) the average yield, and (iii) the insured percentage, or 5 bushels per acre, whichever is the smaller;

(7) The number of bushels of wheat established by appraisal to represent the production from any wheat acreage which was threshed but which the Corporation determines is unmerchantable as wheat;

(8) The appraised number of bushels by which production on any acreage has been reduced solely because of any cause not insured against, which number of bushels shall not be less than the product of (i) such acreage, (ii) the average yield, and (iii) the insured percentage, minus any quantity of wheat harvested from such acreage; and

(9) The appraised number of bushels by which production on any acreage has been reduced because of any cause not insured against, where damage on such acreage has resulted from a cause insured against and a cause not insured against.

(b) Where the insured fails to establish and maintain separate records of acreage or production for the component parts of a combination of two or more insurance units or portions thereof, the insurance contract may be voided by the Corporation and the premium forfeited

by the insured: *Provided, however,* That if all the component parts of the combination are insured the total of the insured production for the component parts shall be considered as the insured production for the combination, and any loss for such combination shall be determined as outlined in paragraph (a) of this section.

PAYMENT OF INDEMNITY

§ 414.16 *When indemnity payable.* The amount of loss for which the Corporation may be liable with respect to any insurance unit covered by the insurance contract shall be payable within thirty days after satisfactory proof of loss is approved by the Corporation. However, if payment of any indemnity is delayed for any reason beyond the time specified, the Corporation shall not be liable for interest or damages on account of such delay.

§ 414.17 *Indemnity payment.* (a) Any indemnity due under the insurance contract will be paid by the issuance of a certificate of indemnity which shall bear an expiration date. Settlement under such certificate will be made in cash or wheat in accordance with the regulations in this part. Such certificate may also be used to obtain a loan from the Commodity Credit Corporation, if loans on certificates of indemnity are available, in accordance with instructions issued by the Commodity Credit Corporation.

(b) In case of a cash settlement under a certificate of indemnity, the cash equivalent of the indemnity shall be the number of bushels of wheat specified in the certificate of indemnity multiplied by the cash equivalent price per bushel for the day the insured's request is received or the expiration date of the certificate, whichever occurs first. A cash settlement under a certificate of indemnity made more than 14 days after the issuance of the certificate shall be subject to a deduction for a reasonable charge for storage and handling and the schedule of such charges shall be shown on the certificate of indemnity.

(c) Any indemnity payable under an insurance contract shall be paid to, and settlement under the certificate of indemnity made with, the insured or such other person as may be entitled to the benefits of the insurance contract under the provisions of the regulations in this part, notwithstanding any attachment, garnishment, receivership, trustee process, judgment, levy, equity, or bankruptcy directed against the insured or such other person, or against any indemnity alleged to be due to such person; nor shall the Corporation or any officer, employee, or representative thereof be a proper party to any suit or action with reference to such indemnity or the proceeds thereof nor be bound by any judgment, order, or decree rendered or entered therein. No officer, agent, or employee of the Corporation shall, because of any such process, order, or decree, pay or cause to be paid, to any person other than the insured or other person entitled to the benefits of the insurance contract, any indemnity payable, or any amount due in settlement of any certificate of indemnity in accordance with the provi-

sions of the insurance contract. Nothing herein contained shall excuse any person entitled to the benefits of the insurance contract from full compliance with, or performance of, any lawful judgment, order, or decree with respect to the disposition of any sums paid thereunder as an indemnity.

(d) The Corporation shall provide for the posting annually in each county at the county courthouse of a list of indemnities paid for losses on farms in such county.

§ 414.18 *Adjustment in connection with indemnity payments.* Where an adjustment is made in the amount of an indemnity, settlement for such adjustment may be made on the basis of a cash equivalent price per bushel other than that used in making settlement under the certificate of indemnity originally issued.

§ 414.19 *Other insurance.* If the insured has or acquires any other insurance against substantially all the risks that are insured against by the Corporation under the insurance contract on the crop or portion thereof covered in whole or in part by such insurance contract, regardless of whether such other insurance is valid or collectible, the liability of the Corporation shall not be greater than its share would be if the amount of its obligations were divided equally between the Corporation and such other insurer. In any case where an indemnity is paid to the insured by another Government agency because of damage to the wheat crop, the Corporation reserves the right to determine its liability under the insurance contract taking into consideration the amount paid by such other agency.

§ 414.20 *Subrogation.* The Corporation may require from the insured an assignment of all rights of recovery against any person(s) for loss or damage to the extent that payment therefor is made by the Corporation, and the insured shall execute all papers required and shall do everything that may be necessary to secure such rights.

§ 414.21 *Creditors.* An interest existing by virtue of a debt, lien, mortgage, garnishment, levy, execution, bankruptcy, or any other process shall not be considered an interest in an insured crop within the meaning of these regulations.

PAYMENT OF INDEMNITY TO PERSONS OTHER THAN ORIGINAL INSURED

§ 414.22 *Indemnities subject to all provisions of insurance contract.* Indemnities payable to any person shall be subject to all provisions of the insurance contract, including the right of the Corporation to deduct from any such indemnity the unpaid amount of the note of the original insured for the payment of the earned premium or any other obligation of the insured to the Corporation: *Provided, however,* That in case of a transfer of an interest in an insured crop, such deduction to be made from an indemnity payable to the transferee shall not exceed the premium due on the insurance unit or units involved in the transfer, plus the unpaid amount of any other obligation of the trans-

feree to the Corporation. Any indemnity payable to any person other than the original insured as a result of a transfer, or otherwise, shall be subject to any collateral assignment of the insurance contract by the original insured.

§ 414.23 *Collateral assignment of right under insurance contract.* The right to an indemnity under an insurance contract may be assigned by the original insured as collateral security for a loan or other obligation of such insured. Such assignment shall be made by the execution of a form prescribed by the Corporation and, upon approval thereof by the Corporation, the interests of the assignee will be recognized if an indemnity is payable under the insurance contract, to the extent of the amount determined to be the unpaid balance of the amount (including interest and other charges) for which such assignment was made as collateral security: *Provided, however,* That (a) payment of any indemnity will be subject to all conditions and provisions of the insurance contract and to any deductions authorized under § 412.22 hereof, and (b) payment of the indemnity may be made by check payable jointly to all persons entitled thereto and such payment shall constitute a complete discharge of the Corporation's obligation with respect to any loss under the insurance contract. The Corporation's approval of an assignment shall not create in the assignee any right other than derived from the assignor. The Corporation shall in no case be bound to accept notice of any assignment of the insurance contract, and nothing contained in any assignment shall give any right against the Corporation to any person other than the insured, except to an assignee approved by the Corporation. Only one such assignment will be recognized in connection with the insurance contract, but if an assignment is released, a new assignment of the right to an indemnity under the insurance contract may be made.

§ 414.24 *Payment to transferee.* In the event of a transfer of all or a part of the insured interest in a wheat crop before the beginning of harvest or the time of loss, whichever occurs first, the transferor shall immediately notify the Corporation thereof in writing at the office of the county association. The transferee under such a transfer shall be entitled to the benefits of the insurance contract with respect to the interest so transferred, subject to any assignment made by the original insured in accordance with § 414.23 hereof: *Provided, however,* That an involuntary transfer of an insured interest in a wheat crop solely because of the existence of a debt, lien, mortgage, garnishment, levy, execution, bankruptcy, or other process shall not entitle any holder of any such interest to any benefits under the insurance contract: *Provided, further,* That the Corporation shall not be liable for a greater amount of indemnity in connection with the insured crop than would have been paid if the transfer had not taken place. If, as a result of any such transfer, diverse interests appear with respect to any insurance unit, the indem-

nity, if any, payable with respect to such unit may be paid jointly to all persons having the insured interest in the crop at the time harvest is commenced or the time of loss, whichever occurs first, or to one of such persons on behalf of all such persons, and payment in any such manner shall constitute a complete discharge of the Corporation's liability with respect to such unit under the insurance contract.

§ 414.25 *Death, incompetence, or disappearance of insured.* (a) If the insured dies, is judicially declared incompetent, or disappears, before the time of loss, and his insured interest in a wheat crop is a part of his estate at such time, or if the insured dies, is judicially declared incompetent, or disappears subsequent to such time, the indemnity, if any, shall be paid to the legal representative of his estate, if one is appointed or is duly qualified. If no such representative is or will be so qualified, the indemnity shall be paid to the persons beneficially entitled to share in the insured's interest in the crop or to any one or more of such persons on behalf of all such persons: *Provided, however,* That, if the indemnity represents a number of bushels of wheat, the cash equivalent of which exceeds \$500, the Corporation may withhold the payment of the indemnity until a legal representative of the insured's estate is duly qualified to receive such payment.

(b) If the insured dies, is judicially declared incompetent, or disappears before the time of loss, and his interest in the crop is not a part of his estate at such time, the indemnity, if any, shall be paid to the person(s) who succeeded to his interest in the crop in the manner provided for in § 414.24.

(c) If an applicant for insurance or the insured, as the case may be, dies, is judicially declared incompetent, or disappears, before any wheat crop intended to be covered by insurance is seeded, whoever succeeds him on the farm with the right to seed the wheat crop as his heir or heirs, administrator, executor, guardian, committee, or conservator shall be substituted for the original applicant upon filing with the office of the county association, within fifteen days (unless such period is extended by the Corporation) after the date of such death, judicial declaration, or termination of the period which establishes disappearance within the meaning of the regulations in this part, or before the date of the beginning of seeding, whichever is earlier, a statement in writing, in the form and manner prescribed by the Corporation, requesting such substitution and agreeing to assume the obligations of the original applicant arising out of such application. If no such statement is filed, as required by this paragraph, the original application or insurance contract, as the case may be, shall be void.

(d) The insured shall be deemed to have disappeared within the meaning of the regulations in this part if he fails to file with the county committee written notice of his new mailing address within 180 calendar days after any communication by or on behalf of the Corporation is returned undeliverable at the address

given in the statement in proof of loss or after such loss has been established otherwise, whichever is earlier.

§ 414.26 *Fiduciaries.* Any indemnity payable under an insurance contract entered into in the name of a fiduciary who is no longer acting in such capacity at the time for the payment of indemnity and settlement under the certificate of indemnity will be made to the succeeding fiduciary upon appropriate application and proof satisfactory to the Corporation of his incumbency. If there is no succeeding fiduciary, payment of the indemnity shall be made to, and settlement under the certificate of indemnity shall be made with, the persons beneficially entitled under the regulations in this part to the insured interest in the crop, to the extent of their respective interests, upon proper application and proof of the facts: *Provided, however,* That the settlement may be made with any one or more of the persons so entitled, and payment may be made to such person or persons in behalf of all the persons so entitled, whether or not the person to whom payment is made has been authorized by the other interested persons to receive such payment.

§ 414.27 *Determination of person to whom indemnity shall be paid.* In any case where the insured has transferred his interest in all or a portion of the wheat crop on any insurance unit, or has ceased to act as a fiduciary, or has died, has been judicially declared incompetent or has disappeared, payment in accordance with the provisions of the regulations in this part will be made only after the facts have been established to the satisfaction of the Corporation. The determination of the Corporation as to the existence or nonexistence of a circumstance in the event of which payment may be made and of the person(s) to whom such payment will be made shall be final and conclusive. Payment of any indemnity under this section shall constitute a complete discharge of the Corporation's obligation with respect to the loss for which such indemnity is paid and settled and shall be a bar to recovery by any other person.

REFUNDS OF EXCESS NOTE PAYMENTS

§ 414.28 *Refunds of excess note payments.* Before expiration of the insurance contract, the Corporation shall not be required to make a refund of any excess payment made on any annual installment of the premium, and any such excess payment may be credited on remaining installments. However, the Corporation may elect to make such refund at any time before the expiration of the insurance contract. If a refund is to be made of any excess payment received before the maturity date of any installment, the cash equivalent of such refund shall be determined on the basis of the number of bushels of wheat to be refunded and the cash equivalent price for the appropriate class and grade of such wheat effective for the date such payment was submitted to the Corporation. If more than one payment is made on any installment of

the crop insurance premium, the payments shall be applied in the order of submittal to the Corporation. In computing the amount of any refund, the payments shall be considered in their inverse order and each such payment or portion thereof shall be regarded as a separate payment in determining the cash equivalent of the refund. Refunds of excess payments received after the maturity of any annual installment of the crop insurance premium shall be refunded in the actual amount of money paid to the Corporation in excess of that determined to be necessary to pay such installment.

There shall be no refund of an amount less than \$1.00, with respect to payments made either before or after the maturity of any installment, unless written request for such refund is received by the Corporation within one year after the expiration of the contract.

§ 414.29 *Assignment or transfer of claims for refunds not permitted.* No claim for a refund, or any part or share thereof, or any interest therein, shall be assignable or transferable, notwithstanding any assignment of the insurance contract as security or any transfer of interest in any wheat crop covered by the insurance contract. Refund of any excess note payment will be made only to the person who made such payment except as provided in § 414.30.

§ 414.30 *Refund in case of death, incompetence, or disappearance.* In any case where a person who is entitled to a refund of a payment has died, has been judicially declared incompetent, or has disappeared, the provisions of § 414.25 with reference to the payment of indemnities in any such case shall be applicable with respect to the making of any such refund.

ESTABLISHMENT OF AVERAGE YIELDS AND PREMIUM RATES

§ 414.31 *Determination of farm average yields of wheat per acre.* The Corporation shall establish average yields of wheat for farms on the basis of the recorded or appraised yields for a representative period of years and shall, where necessary, adjust such yields so that the average yields for farms in the same area which are subject to the same conditions shall be fair and just. A record of the average yields so established for all farms in the county shall be maintained in the office of the county association and such record shall be open to inspection by any producer whose farm is listed thereon.

§ 414.32 *Determination of premium rates.* The Corporation shall establish premium rates for all farms for which average yields are established and such rates shall be those deemed adequate to cover claims for wheat crop losses and to provide a reasonable reserve against unforeseen losses. A record of the premium rates so established for all farms in the county shall be maintained in the office of the county association and such record shall be open to inspection by any producer whose farm is listed thereon.

§ 414.33 *Average yields and premium rates where farm varies widely in pro-*

ductivity or farming hazards, or where tracts of the farm are widely separated. If the land comprising any farm consists of tracts varying widely in productivity, topography, or farming hazards, or if tracts of the farm are widely separated, separate average yields and premium rates may be established by the Corporation for such tracts on the basis of appraisal, taking into consideration the yield data available.

§ 414.34 *Average yields and premium rates for fractional parts of a farm and for farms which are combined or divided after the listing sheets are prepared.*

(a) The average yield and premium rate for a fractional part of a farm which is to be insured as a separate insurance unit shall be the same as the average yield and premium rate for the entire acreage considered in establishing such average yield and premium rate, except as provided in § 414.33.

(b) Where due to combinations of insurance units after yields and rates applicable to the component parts of the combination have been approved by the Corporation, and determination of the acreage seeded to wheat on such component parts is not feasible or practical, average yields and premium rates for the acreage comprising such combinations may be established by the Corporation: *Provided,* The combination was effected before the seeding of any wheat on the combination. Such determination shall be based upon the average yield and premium rate for farms similar in acreage, farming practices, topography, and farming hazards, taking into consideration the average yield(s) and premium rate(s) for the original farm(s).

§ 414.35 *Average yields and premium rates for special farming practices.* In areas where farming practices are followed which are determined by the Corporation to be special practices, yields and premium rates may be established for each special practice for the county or administrative area and for individual insurance units. The method used for establishing average yields and premium rates for a special practice shall be substantially the same as that used for establishing the yields and premium rates for the general practice. The yield and premium rate thus established for the insurance unit(s) shall apply to the acreage of wheat seeded on the insurance unit in accordance with the special farming practices on the insurance unit(s).

§ 414.36 *Yield and rate appeals.* An applicant may appeal for a change in the yield and premium rate established under the regulations in this part with respect to any insurance unit, in accordance with instructions issued by the Corporation.

GENERAL

§ 414.37 *Meaning of terms.* For the purpose of the Wheat Crop Insurance Program, the term:

(a) "Average yield" means the average yield of wheat per acre established by the Corporation for each insurance unit.

(b) "Cash equivalent price per bushel" means the net price per bushel of wheat established by the Corporation for the area in which the insurance unit is located on the basis of the price of wheat at the basic market designated by the Corporation for the area, with differentials for the location of the area in which the insurance unit is situated.

(c) "Corporation" means the Federal Crop Insurance Corporation.

(d) "Crop year" means the period within which the wheat crop is seeded and normally harvested, and shall be designated by reference to the calendar year in which the crop is normally harvested.

(e) "County" means the area commonly designated as such, and includes a parish in Louisiana.

(f) "County association" means the County Agricultural Conservation Association in the county.

(g) "County Committee" means the County Agricultural Conservation Committee for the county.

(h) "Farm" means all adjacent or nearby farm land under the same ownership which is operated by one person, including also: (1) Any other adjacent or nearby farm land which the county committee determines is operated by the same person as part of the same unit with respect to the rotation of crops and with workstock, farm machinery, and labor substantially separate from that for any other lands; and (2) any field-rented tract (whether operated by the same or another person) which, together with any other land included in the farm constitutes a unit with respect to the rotation of crops: *Provided, however*, That for the purpose of determining the minimum participation for a crop insurance program in any county, the term "farm" means that acreage of land which constitutes an insurance unit.

A farm shall be regarded as located in the county or administrative area, as the case may be, in which the principal dwelling is situated, or, if there is no dwelling thereon, it shall be regarded as located in the county or administrative area, as the case may be, in which the major portion of the farm is located. In addition, a farm shall be considered to be located in a county for crop insurance purposes if it is listed on the crop insurance listing sheets for such county.

(i) "Insurance contract" means the contract of insurance entered into between the applicant and the Corporation by virtue of the application for insurance and these regulations and any amendments thereto.

(j) "Insured acreage" means either the acreage reported by the insured as seeded to wheat on the insurance unit, or the acreage determined by the Corporation as actually seeded thereon, whichever the Corporation shall elect: *Provided, however*, That the Corporation reserves the right to limit the acreage to be insured in any year. Any acreage seeded to wheat on the insurance unit which is put to another use before it is too late to reseed wheat, as determined by the Corporation, shall not be considered insured acreage.

(k) "Insured interest" means either the insured's reported interest in the crop at the time of seeding, or the interest which the Corporation determines as the insured's actual interest at the time of seeding, whichever the Corporation shall elect, except that for the purpose of determining loss, the insured interest shall not exceed the insured's actual interest at the time of loss.

(l) "Insured percentage" means the percentage of the average yield of wheat per acre for the insurance unit covered by an insurance contract, and shall be either 50 or 75 percent.

(m) "Insurance unit" means all or that portion, as the case may be, of the farm (considered for the purpose of establishing the average yield(s) and premium rate(s)) in which the insured has an interest as a wheat producer at the time of seeding, except that when a part of such land is regularly irrigated and the remainder never irrigated, or when separate yields and rates have been established for widely separated parts of such land, such portions of the land shall constitute separate insurance units.

(n) "Local producing area" means any area, approved by the Corporation for the purposes of § 414.1 (b) hereof, which is similar with respect to types of soil, topography, and type of farming, to an adjacent area in an adjoining county with a crop insurance program.

(o) "Operator" means a person who as landlord or cash tenant, or standing-rent or fixed-rent tenant, is operating a farm, or who as a share tenant is operating a whole farm.

(p) "Person" means an individual, partnership, association, corporation, estate, or trust, or other business enterprise or other legal entity and, wherever applicable, a State, a political subdivision of a State, or any agency thereof.

(q) "Premium rate" means the premium rate per acre established by the Corporation for insurance on wheat.

(r) "Sharecropper" means a person who works a farm in whole or in part under the general supervision of the operator and is entitled to receive for his labor a share of the wheat crop thereon or of the proceeds therefrom.

(s) "State committee" means the State Agricultural Conservation Committee for the State.

(t) "State Director" means the representative of the Corporation in the operation of the crop insurance program in the State.

(u) "Tenant" means a person other than a sharecropper who rents land from another person (for cash, a fixed commodity payment, or a share of the crop or proceeds therefrom), and is entitled under a written or oral lease or agreement to receive all or a share of the crop or proceeds therefrom produced on such land.

(v) "Wheat crop" means all seeded spring and winter wheat, including volunteer wheat, other volunteer small grains and vetch, growing with the seeded wheat crop, and including small grains seeded with the growing wheat crop on acreage not released by the Corporation. The term wheat crop shall not include volunteer wheat not grow-

ing with the seeded wheat crop, wheat seeded with a mixture of flax or other small grains or vetch, true type winter wheat seeded in the spring, winter wheat in the 1945 crop year, and spring wheat which has been reseeded on winter wheat acreage in the 1945 crop year.

§ 414.38 *Restriction on purchase and sale of wheat by the Corporation.* The restriction on the purchase and sale of wheat, as provided in section 508 (d) of the Federal Crop Insurance Act, as amended, reads in part as follows:

Insofar as practicable, the Corporation shall purchase the agricultural commodity only at the rate and to a total amount equal to the payment of premiums in cash by farmers or to replace promptly the agricultural commodity sold to prevent deterioration; and shall sell the agricultural commodity only to the extent necessary to cover payments of indemnities and to prevent deterioration: *Provided, however*, That nothing in this section shall prevent prompt offset purchases and sales of the agricultural commodity for convenience in handling. Nothing in this section shall prevent the Corporation from accepting, for the payment of premiums, notes payable in the commodity insured, or the cash equivalent, upon such security as may be determined pursuant to subsection (b) of this section, and from purchasing the quantity of the commodity represented by any of such notes not paid at maturity.

§ 414.39 *Records and access to farm.* For the purpose of enabling the Corporation to determine the loss, if any, that may have occurred under the insurance contract, the insured shall keep, or cause to be kept, for one year after the time of loss, records of the harvesting, storage, shipment, sale, or other disposition, of all wheat produced on each insurance unit covered by the insurance contract. Such records shall be made available for examination by the Corporation, and as often as may reasonably be required, any person or persons designated by the Corporation shall have access to the farm. (See § 414.15 (b) hereof.)

§ 414.40 *Review of determinations of State and county committees.* Any determination by a State or county committee shall be subject to review and approval or revision by duly authorized representatives of the Corporation.

§ 414.41 *Applicant's warranties; voidance for fraud.* In applying for insurance the applicant warrants that the information, data, and representations submitted by him in connection with the insurance contract are true and correct, and are made by him, or by his authority, and shall be taken as his act. The insurance contract may be voided and the premium forfeited to the Corporation without the Corporation's waiving any right or remedy, including its right to collect the amount of the note executed by the insured, whether before or after maturity, if at any time the insured has concealed any material fact or made any false or fraudulent statements relating to the insurance contract, the subject thereof, or his interest in the wheat crop covered thereby, or if the insured shall neglect to use all reasonable means to produce, care for or save the wheat crop covered thereby, whether before or after damage has occurred, or if the insured fails to give any notice, or otherwise fails to comply with the terms of the contract,

including the note, at the time and in the manner prescribed.

§ 414.42 *Modification of insurance contract.* No notice to any county committee or representative of the Corporation or knowledge possessed by any such county committee or representative or by any other person shall be held to effect a waiver of or change in any part of the insurance contract or to estop the Corporation from asserting any right or power under such contract; nor shall the terms of such contract be waived or changed except as authorized in writing by a duly authorized officer or representative of the Corporation; nor shall any provision or condition of the insurance contract or any forfeiture be held to be waived by any delay or omission by the Corporation in exercising its rights and powers thereunder or by any requirement, act, or proceeding, on the part of the Corporation or of its representatives, relating to appraisal or to any examination herein provided for.

§ 414.43 *Fractional units in acres and yields.* Fractions of yields per acre and premium rates shall be rounded to the nearest tenth of a bushel. Fractions of acres representing total acres of wheat shall be rounded to the nearest tenth of an acre. Computations shall be carried to one digit beyond the digit that is to be rounded. If the extra digit computed is 1, 2, 3, or 4, the rounding shall be downward. If the extra digit computed is 6, 7, 8, or 9, the rounding shall be upward. If the extra digit computed is 5, the computation shall be carried to another digit. If the two extra digits are 50, the rounding shall be downward, and if the two extra digits are 51 or any higher figure, the rounding shall be upward.

§ 414.44 *Closing dates.* Closing dates for submission of applications to cover the 1945 spring wheat crop shall be the earlier of: (a) the date of the beginning of seeding of the wheat crop, or (b) April 10 for Montana, North Dakota, and all counties in Minnesota lying north of Traverse, Grant, Douglas, Todd, Morrison, Mille Lacs, Kennebec, and Pine Counties; and March 31 for all other States and counties. (Closing dates for submission of applications to cover the 1946 and subsequent wheat crops will be announced.)

§ 414.45 *Maturity dates for payment of annual installments on premium notes.* The maturity dates by States for the payment of annual installments upon notes shall be as follows: July 1 for Arizona, Arkansas, North Carolina, Oklahoma, Texas and Virginia; August 1 for California, Delaware, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Missouri, Nebraska, New Jersey, New York, Ohio, Pennsylvania, Tennessee, and West Virginia; September 1 for Colorado, Idaho, Michigan, Minnesota, Montana, Nevada, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington, Wisconsin, and Wyoming.

NOTE: The record keeping requirements of these regulations have been approved by, and subsequent reporting requirements will be subject to the approval of, the Bureau of the

Budget in accordance with the Federal Reports Act of 1942.

Adopted by the Board of Directors on January 29, 1945.

[SEAL]

E. R. DUKE,
Chairman.

Approved: February 5, 1945.

GROVER B. HILL,
First Assistant
War Food Administrator.

[F. R. Doc. 45-2152; Filed, Feb. 5, 1945;
3:13 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter I—Bureau of Mines, Department of the Interior

Subchapter B—Respiratory Protective Apparatus; Tests for Permissibility; Fees

PART 14a—NONEMERGENCY GAS RESPIRATORS (CHEMICAL CARTRIDGE RESPIRATORS)¹

REQUIREMENTS AND TESTS

Pursuant to the authority conferred by the act of February 25, 1913 (37 Stat. 681), as amended by section 311 of the act of June 30, 1932 (47 Stat. 410), and Executive Order No. 6611, February 22, 1934, § 14a.5 (d) (5) (i), is amended to read as follows:

§ 14a.5 *Requirements for Bureau of Mines approval.* * * *

(d) *Requirements and tests.* * * *

(5) *Complete nonemergency gas respirator—(i) Resistance to air flow.* There are no specific requirements for the resistance of the cartridges to air flow; only the resistance of the complete respirator to air flow will be considered. The maximum allowable resistance of the complete respirator to a continuous flow of air at a rate of 85 liters per minute is as follows:

Respirators for protection against organic vapors only: Inhalation, 2.0 inches of water; exhalation, 1.0 inch of water.

Respirators for protection against organic vapors, and dust, fumes, and mists: Inhalation, 3.0 inches of water; exhalation, 1.0 inch of water.

R. R. SAYERS,
Director.

Approved: January 30, 1945.

MICHAEL W. STRAUS,
Assistant Secretary,
Department of the Interior.

[F. R. Doc. 45-2165; Filed, Feb. 6, 1945;
10:02 a. m.]

¹ This Part 14a contained the following typographical errors when published at 10 F.R. 469:

§ 14a.4 (b) (2): "maketable" should read "marketable."

§ 14a.4 (c): "decided" should read "decides."

§ 14a.5 (d) (5) (ii): The last two sentences should read as follows: "To meet the requirements of this test the respirators shall give complete respiratory protection to the wearers for 30 minutes. Undue discomfort must not be experienced because of fit or other physical or mechanical features of the respirator."

Chapter VI—Solid Fuels Administration for War

PART 602—GENERAL ORDERS AND DIRECTIVES

STATEMENT CONCERNING DISTRIBUTION OF CERTAIN COAL VIA THE GREAT LAKES

The estimated shortage in the supply of bituminous coals to be produced in the Appalachian area during the 1945-1946 coal year makes it necessary that their use be curtailed whenever practicable. Because railroads which normally receive such coal via the Great Lakes for locomotive fuel use generally have available alternate sources of supply in midwestern states, their use of eastern coal shipped via the lakes should be eliminated to the maximum extent practicable. Some other industrial consumers who normally use Appalachian coals received ex-lake dock can and should use coal produced in the Midwest. Therefore, in order to accomplish a more equitable distribution of coal produced in the Appalachian districts,

(1) It will be part of the program of SFAW to prohibit, on and after April 1, 1945, any bituminous coal produced in Districts 1 to 8, inclusive, from moving via the Great Lakes for use as railroad locomotive fuel. Railroads which heretofore have received coal from eastern districts via the Great Lakes for railroad fuel use should make arrangements to obtain coal from other districts after April 1, 1945.

Under the contemplated program it will be required that any request for exception from the prohibition described above be in writing and addressed to the Solid Fuels Administration for War, Washington 25, D. C. Consumers of coal for railroad locomotive fuel use are advised, however, that exceptions will be granted only upon a clear and definite showing that substantial impediments to necessary war production would result from compliance with the prohibition.

(2) SFAW also proposes, within the near future, to inspect and study the equipment of industrial consumers, other than railroads, who receive coal via the Great Lakes and ex-lake dock, to determine the practicability in each instance of such consumers converting from Appalachian coals to midwestern coals. A committee of technical experts will be appointed to consider this problem and to make recommendations to SFAW.

Issued this 5th day of February 1945.

C. J. POTTER,
Deputy Solid Fuels
Administrator for War.

[F. R. Doc. 45-2172; Filed, Feb. 6, 1945;
11:23 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Operations Order 34]

LOCAL BOARDS IN ALASKA

AUTHORIZATION TO DETERMINE QUALIFICATIONS OF REGISTRANTS

Under and by virtue of the authority vested in me by the Selective Training

and Service Act of 1940, as amended, I hereby authorize:

Each local board in the Territory of Alaska, without regard to any provisions of the Selective Service regulations in conflict with this order, to determine that a registrant is, by reason of physical or mental disability, disqualified for any military service or qualified for limited military service only, based upon (1) information contained in the registrant's file, and (2) information concerning the current physical and mental standards of the armed forces.

LEWIS B. HERSHEY,
Director.

FEBRUARY 5, 1945.

[F. R. Doc. 45-2166; Filed, Feb. 6, 1945;
10:15 a. m.]

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-562, Stay of Execution]

JACKSON UPHOLSTERY CO., INC.

The Jackson Upholstery Co., Inc. of York, New York, has again appealed from the provisions of Suspension Order No. S-562 which was reinstated on January 1, 1945 and requested a stay of the Order. The Chief Compliance Commissioner has directed that the provisions of Suspension Order No. S-562 be stayed pending final determination of the appeal, or until further order by the Chief Compliance Commissioner. In view of the foregoing, it is hereby ordered, that: The provisions of Suspension Order No. S-562, reinstated January 1, 1945, are hereby stayed pending final determination of the appeal, or until further order by the Chief Compliance Commissioner.

Issued this 5th day of February 1945.

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

[F. R. Doc. 45-2163; Filed, Feb. 5, 1945;
4:14 p. m.]

PART 3270—CONTAINERS

[Limitation Order L-317, as Amended February 6, 1945]

FIBRE SHIPPING CONTAINERS: MANUFACTURE,
DELIVERY AND USE

Section 3270.6 *Limitation Order L-317*, as amended September 9, 1944 is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials entering into the production of fibre shipping containers for defense, for private account and for export; and the following order is deemed necessary and ap-

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propriate in the public interest and to promote the national defense.

§ 3270.6 *Limitation Order L-317—*

(a) *What this order does.* This order places various restrictions on the manufacture, delivery, acceptance and use of new fibre shipping containers. (Note that "reshippers", as defined in paragraph (b) (1) (ii), and sheets, rolls, and interior fittings are included within the restrictions). Paragraph (d) prohibits the manufacture of the types of containers listed in Schedule I. Paragraph (e) requires a certificate with each purchase order for containers. Paragraph (f) prohibits the packing in containers of the products listed in Schedule II. Paragraph (g) places quotas on a packer's use of containers for products listed in Schedule III, excluding his wholesale and retail deliveries. Paragraph (h) places quotas on a packer's use of containers for his wholesale and retail deliveries of all products. (Whether or not listed on the schedules). Paragraph (i) lists certain meat products that may only be packed in containers which conform to the specifications set forth in Schedule IV. Paragraph (m) restricts a person's inventory of containers. Paragraph (r) provides that all appeals granted under this order prior to February 6, 1945, are cancelled. Various exemptions to each of the above restrictions and other restrictions are also contained in the order.

(b) *Definitions.* Whenever used in this order: (1) "Fibre shipping container" means all of the following items:

(i) Any empty new box, crate, case, basket, 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 storage, delivery or shipment of material. It includes any such container which has not been used before, such as containers which may have been rejected during the course of manufacture, containers which may be considered obsolete by the owner, and containers which may be in idle inventory and not usable by the owner. It does not include trunks, luggage or military locker boxes, fibre cans, tubes or drums or any combination wood and fibre shipping containers consisting of 50 per cent or more wood (by area);

(ii) Any new container made in whole or in part from solid fibre (.045 or heavier) or corrugated fibre which is known in commerce or used as a "reshipper", and which contains empty inner containers (such as glass jars, cans, etc.) that are received by the packer and then used by him for shipping or delivering inner containers packed by him with some product;

(iii) Any new solid fibre (.045 or heavier) or corrugated fibre sheet or any 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;

(iv) 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).

(2) "Packer" means any person who uses fibre shipping containers for commercially packing, storing or shipping any product. Wherever used in this Order, the term "packer" shall not include the Army or Navy of the United States.

(3) "Total containerboard content" means the total amount of solid fibre (.045 or heavier) and corrugated fibre containerboard in all fibre shipping containers used by a packer in any calendar quarter. This amount is required to be computed in later provisions of this order both in terms of weight and in terms of square feet.

(4) "Wholesale and retail delivery" means a delivery by a packer of a product which has not been produced by him and on which he has done no processing or fabricating other than minor finishing or decorative operations usually performed by wholesalers and retailers (such as assembly of knock-down furniture, monogramming of linen and jewelry, alteration of clothing).

(5) "V-boxes and W-boxes" means fibre shipping containers of the types designated as V-1, 2, 3 and W-5 and 6, in joint Army and Navy Specifications JAN-P-108 dated June 30, 1944, and parallel specifications; and in War Food Administration Export Packing Specification FSC No. 1742-E.

(6) "Dunnage" means material used in railroad cars, trucks, ships or planes (including but not limited to material used for wall, floor, or car lining or for layering or blocking purposes) for the protection of bulk or packaged shipments.

Restrictions on Manufacture, Sale and Delivery

(c) *General restriction.* No person shall manufacture, sell, or deliver any fibre shipping container which he knows, or has reason to believe, will be accepted or used in violation of any provisions of this order.

(d) *Prohibition on manufacture of certain types.* No person shall manufacture from solid fibre (.045 or heavier) or corrugated fibre, any container of the types listed in Schedule I of this order.

(e) *Certificate for every delivery.* (1) No person shall sell or deliver any fibre shipping containers (including reshippers) to a packer unless he receives from such packer with each purchase order (including each shipment order based on a long term requirements contract), a certificate in substantially the following form, signed manually or as provided in Priorities Regulation 7:

The undersigned purchaser certifies, subject to criminal penalties for misrepresentation, that he is familiar with Order L-317 of

the War Production Board and that the fibre shipping containers (or reshippers) covered by this purchase order will not be accepted or used in violation of the terms of that order.

(2) If a packer's purchase order bears a preference rating accompanied by a certificate as provided in paragraph (v) of Order P-146, the packer may add the following sentence to his rating certificate as a substitute for the above certificate:

The undersigned also certifies that the fibre shipping containers (or reshippers) covered by this purchase order will not be accepted or used in violation of the terms of Order L-317.

(3) The standard certificate provided for in paragraph (d) of Priorities Regulation 7 cannot be used in place of either of the above certificates; nor may either of the certificates be waved in accordance with paragraph (f) of that regulation.

Prohibited Uses

(1) *Use prohibitions*—(1) *Schedule II Products*. Except for his wholesale and retail deliveries and his deliveries to persons listed in paragraph (i) below, no packer shall use fibre shipping containers for packing any of the products listed in Schedule II.

(2) *Dunnage*. No packer shall use in the shipping of any product, any new solid fibre (.045 or heavier) or corrugated fibre sheet or roll for dunnage except where used for door-blocking. When such sheet or roll is used for door-blocking, only the necessary practicable minimum quantity shall be used.

(3) *V-boxes and W-boxes*. No packer shall use any new V-boxes and W-boxes for packing any product, except where such boxes are specified for delivery against (i) Army, Navy, or Lend-Lease orders, or (ii) orders received from ship suppliers licensed under WFO-74 for fabricated meats (not packed in inner containers) for use on ships under War Shipping Administration jurisdiction. No packer shall accept delivery of any V-boxes or W-boxes unless he has reason to believe that he will need them for the uses permitted in this paragraph.

Quota Restrictions

(g) *Quota restrictions for other than wholesale and retail deliveries*. The total containerboard content of the fibre shipping containers used by a packer during any calendar quarter for any class of products listed in Schedule III (excluding his wholesale and retail deliveries, and his quota-exempt deliveries under paragraph (i) below) must be limited to one or the other of the following quotas. One of these quotas must be chosen for each class of product and may not be changed during any calendar year:

(1) Such total containerboard content shall exceed neither ninety-five per cent of the total square feet of containerboard content nor ninety-five per cent of the total weight of containerboard content of all fibre shipping containers lawfully used by that packer for packing that class of products during the corresponding calendar quarter of 1944, excluding those containers he used during that

quarter of 1944 for his deliveries to the persons listed in paragraph (i) below (quota exempt deliveries), his wholesale and retail deliveries, and his deliveries of Schedule II products.

(2) Such containerboard content shall exceed neither 23 $\frac{3}{4}$ per cent of the total square feet of containerboard content nor 23 $\frac{3}{4}$ per cent of the total weight of containerboard content of all fibre shipping containers lawfully used by that packer for packing that class of products during the calendar year 1944, excluding those containers he used during that year 1944 for his deliveries to the persons listed in paragraph (i) below (quota exempt deliveries), his wholesale and retail deliveries, and his deliveries of Schedule II products.

(h) *Quota restrictions for wholesale and retail deliveries*. The total containerboard content of the fibre shipping containers used by a packer during any calendar quarter for all products (whether or not listed in the schedules) for his wholesale and retail deliveries, excluding his quota exempt deliveries under paragraph (i) below, must be limited to one or the other of the following quotas, and whichever one of those quotas is chosen may not be changed during any calendar year:

(1) Such total containerboard content shall exceed neither ninety-five per cent of the total square feet of containerboard content nor ninety-five per cent of the total weight of containerboard content of all fibre shipping containers lawfully used by that packer during the corresponding calendar quarter of 1944 for his wholesale and retail deliveries, excluding his deliveries during that quarter of 1944 to persons listed in paragraph (i) below (quota exempt deliveries).

(2) Such total containerboard content shall exceed neither 23 $\frac{3}{4}$ per cent of the total square feet of containerboard content nor 23 $\frac{3}{4}$ per cent of the total weight of containerboard content of all fibre shipping containers lawfully used by that packer during the calendar year 1944 for his wholesale and retail deliveries, excluding his deliveries during that year of 1944 to persons listed in paragraph (i) below (quota exempt deliveries).

(i) *Quota exempt deliveries*. The quota restrictions of paragraphs (g) and (h) shall not apply to fibre shipping containers used by a packer for deliveries of any product to any of the following persons, or to another person to be redelivered by such person (without further processing, fabrication, or incorporation into any other product, exclusive of wholesalers' and retailers' minor finishing or decorative operations) to any of the following persons: Army or Navy (including Officers' Messes ashore, but excluding post exchanges or ship's service departments located within the 48 States and the District of Columbia), any agency procuring for delivery pursuant to the Act of Congress of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), Veterans Administration, and Maritime Commission or War Shipping Administration (including persons operating vessels for such Commission or Administra-

tion for use thereon, and other persons whose purchase orders bear a preference rating assigned by the Maritime Commission under Form WPB-646 (formerly PD-300)).

(j) *Small user exemption from quota restrictions*. The quota restrictions of paragraphs (g) and (h) do not apply to any packer during any calendar year in which he accepts no more than a total of \$500 worth (cost price to him) of fibre shipping containers for all products (whether or not on the Schedules). A person who accepts fibre shipping containers under the provisions of this paragraph must use them in his own plant and may not deliver them for packing by anyone else. All persons owned or controlled directly or indirectly by the same person shall be deemed to be a single packer for the purpose of this paragraph.

(k) *Rules applicable to quota restrictions*. (1) Where in paragraphs (g) and (h) above, containers are referred to as having been "used" by a packer, that shall mean with respect to such packer that, both for purposes of computing his quota base and for charging his current quota, only the fibre shipping containers which such packer directly filled or used himself for storing, packing or shipping (whether for his own account or for another person) shall be included in his computation. Such packer shall exclude from his computation containers which have been directly filled or used by another for such packer's account.

(2) A packer who has not used, at the end of any calendar quarter, any part of his quota for a class of products in Schedule III or for his wholesale and retail deliveries may not use it for that class of products or those deliveries in the succeeding calendar quarters. Neither may a packer use in advance any part of his quota for a succeeding calendar quarter for any purpose.

(3) With respect to the quotas for the classes of products listed in Schedule III, any such quotas shall not be interchangeable. However, with respect to the quota for each class, a packer may distribute his quota among the several products included in that class as he sees fit.

(4) With respect to a packer's options if he is a multiple-unit organization, see paragraph (n) below.

Packing Specifications for Meat Products

(1) *Packing specifications*. (1) A packer shall neither use fibre shipping containers to pack the products listed in Schedule IV except in accordance with the specifications set forth in that schedule, nor use for packing any Schedule IV product, any fibre shipping container of a style or design requiring the use of more footage or weight of containerboard (per unit packed) in its manufacture than those he most commonly used for that product during the season when he last packed it.

(2) The restrictions of paragraph (1) above shall not apply to the use of fibre shipping containers in the following cases, and such uses shall not be included in the percentage computations in Schedule IV:

(i) Deliveries to the Army, Navy, Maritime Commission, War Shipping Administration, or any United States agency making Lend-Lease purchases, when the packing specifications received in connection with such deliveries require deviations from the standards set forth in Schedule IV.

(ii) Use of fibre shipping containers by a "small user" as defined in paragraph (j).

(iii) Use of fibre shipping containers which were in process of manufacture on or before February 6, 1945, by any packer who on that date was operating under the alternative (now eliminated from the order) of 85 per cent of his 1943 usage.

(iv) Use of fibre shipping containers which were in process of manufacture on or before August 4, 1944.

(v) Use of specific fibre shipping containers by any person who is granted an exception from the above restrictions in writing by the War Production Board. Such exceptions will only be granted on written application and only when the packaging methods which the applicant will substitute for the specifications set forth in Schedule IV will result in his using no greater footage or weight of containerboard content than if he had followed the above restrictions.

Inventory Restrictions

(m) *Inventory restrictions.* (1) No person (except the Army or Navy) shall accept delivery of, or have set aside for his account, any fibre shipping containers (including "V-boxes and W-boxes") which will increase his inventory of fibre shipping containers (including those held by others for his account as well as those he has on hand) to more than his "maximum permitted inventory" described in paragraph (m) (2) below. Furthermore, no person shall place orders for more of these containers than he would be entitled to receive within the inventory restrictions set forth in this paragraph at the time delivery is called for by his purchase orders.

This paragraph (m) does not generally limit inventories of filled fibre shipping containers. The only exception to this rule is where a packer has "reshippers", as defined in paragraph (b) (1) (ii) on hand or held for his account which he will use for delivery of packed inner containers. Such "reshippers" must be charged to his "maximum permitted inventory" and are subject to all the provisions of this paragraph until they have been filled with packed inner containers.

(2) A person may select either of the following as his "maximum permitted inventory" but may not change his selection during any calendar year:

(i) 1½ carloads of all sizes and types of fibre shipping containers;

(ii) The total of his reasonable thirty-day requirements for each size and type of fibre shipping container. This total may be distributed among each size or type which he uses, as he sees fit. He must exclude from his "maximum permitted inventory", computed in accord-

ance with this paragraph (m) (2) (ii), any fibre shipping containers which he expects to use for packing seasonal foods. Such containers are exempt from the inventory restrictions of this paragraph, and the "practical minimum working inventory" provision in § 944.14 of Priorities Regulation 1 (and Interpretation 1-A of that regulation) shall apply to them.

General Provisions

(n) *Multiple-unit organizations.* Any packer who uses fibre shipping containers at more than one place may choose to apply the quota and inventory restrictions and the percentage specifications of Schedule IV of this order either to the operations of each place separately or to the collective operations of all his places. He must make the same choice with respect to all the restrictions. The same choice as to the inventory restrictions is also available to any container distributor who deals in fibre shipping containers at more than one place. After making his choice, no person shall thereafter change it unless authorized by the War Production Board. Any packer or container distributor organization which consists of a parent corporation and one or more wholly owned subsidiary corporations may consider itself as a single packer or distributor for the purposes of this paragraph.

(o) *Exemption in certain cases for containers ordered and in process.* On or before February 20, 1945, any packer may accept and use fibre shipping containers which on or before February 6, 1945, had been ordered by him and were in process, and which he would have been permitted to accept and use, during the first quarter of 1945, under this order as amended September 9, 1944, or under any appeal granted prior to February 6, 1945. He may do this even if the acceptance or use of such containers would cause him to exceed his permitted inventory or quota under the present terms of this order. However, if such acceptance or use would do this, he may accept or use during the first quarter of 1945, no fibre shipping containers in addition to those described in the first sentence of this paragraph, unless he obtains an exception from this order under paragraph (q) below. If such acceptance or use of the additional containers would not cause him to equal or exceed his permitted inventory or quota under this order, he must charge the containers so accepted or used to that inventory or quota.

(p) *Exemption of certain containers from prohibited uses.* Any packer may use for the purpose for which he acquired them, any fibre shipping containers which were in his possession or which were in transit to him on or before October 11, 1943. In the case of any product added to Schedule II after that date he may use for that product the containers which he had acquired or which were in transit to him for that product on or before the date on which the item was added to the Schedule. These exceptions are subject to the quota restrictions of paragraphs (g) and (h).

(q) *Appeals.* (1) Appeals from this order seeking relief, other than for the establishment of a quota (when the applicant has no quota at all), shall be filed by addressing a letter to the Containers Division, War Production Board, Washington 25, D. C., Ref.: L-317. The letter of appeal need not follow any particular form. It should state informally but completely, the particular provision appealed from, the precise relief desired, the reasons why denial of the appeal would result in undue and excessive hardship, and such other statistical and narrative information as may be pertinent. (See Priorities Regulation 16 with respect to procedure for filing appeal and the requirement for filing manpower information.)

(2) Appeals from this order seeking relief for the establishment of a quota (when the applicant has no quota at all) shall be filed as indicated above and in addition shall state: (i) a description of the product for which the containers will be used; time when production started and the number of units produced during each quarterly period; (ii) whether the appellant has received an authorization, a grant of an appeal or other War Production Board approval to manufacture the product. If so, give details; (iii) a description of the type, size, and other specifications of the containers to be used; a quarterly requirement of containers in terms of square footage and tonnage; the appellant's ability and opportunity to reuse containers.

(r) *Cancellation of all appeals granted prior to February 6, 1945.* All appeals granted prior to February 6, 1945, are hereby cancelled. Thereafter, no person shall accept delivery of or use, or shall manufacture, sell or deliver any fibre shipping containers except in accordance with the provisions of this order unless he receives a new grant of an appeal on or after February 6, 1945.

(s) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Containers Division, Washington 25, D. C., Ref.: L-317.

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

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

Issued this 6th day of February 1945.

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

SCHEDULE I—PROHIBITED TYPES OF CONTAINERS
(See Paragraph (d))

- a. Bottle and can carry-outs.
- b. Counter boxes.
- c. Display-shippers.
- d. Laundry boxes and laundry shells.
- e. Retail gift boxes (except certain "overseas shippers" meeting the specifications shown in item (f) below.)
- f. "Overseas shippers" (fibre shipping containers produced for use in shipping articles to individual members of the Armed Forces overseas) excepting "overseas shippers" produced in conformity with the following specifications:

Specifications

Size: Inside dimensions: 12" long, 6 3/4" wide, 4" deep. Outside dimensions: The longest dimension plus the girth must not exceed 36".

Style: Regular slotted Carton with Taped Manufacturer's Joint.

Stock: Minimum test 200# per square inch corrugated board A, B, or C flute.

Printing: Print the words "Overseas Shipper" in not less than 1" type on the large panels (Nos. 1 and 3).

Print the words "This box to be used only for sending merchandise to the armed forces outside of the United States" in not less than 1/2" type on the large panels (Nos. 1 and 3).

Print the following design on the right hand side of top flap No. 1 in not less than 1/2" type with not less than 1/2" spaces, located at least 1" from the edge of the flap:

To -----

Print the following words on the left hand side of top flap No. 1 in not less than 1/2" type:

Merchandise—4th Class Mail.

Postmaster—This parcel may be opened for postal inspection if necessary. This box has the approval of the Post Office Department.

Print the following design in not less than 1/2" type 1/2" from the score line in the corner of top flap No. 3, reading opposite way from the printing on top flap No. 1 when in the blank:

From -----

Print on the bottom flaps, in legible type, the manufacturer's certification or classification stamp and purchaser's WPB-2408 case number.

SCHEDULE II—PROHIBITED USES
(See Paragraph (f) (1))

- a. Paper products:
 - Catalogues.
 - Magazines, including house organs.
 - Posters.
 - Punch boards.
- b. Building materials:
 - Building brick (except glass brick).
 - Cement—except household.
 - Corks—except pipe coverings and insulation board.
 - Flooring, wood, molding, mopboards, trim and wainscoting.
 - Insulation board, rigid (except insulating tile and panel and cork insulation board).
 - Insulation, non-rigid (except blocks, formed or metal encased insulation, blankets, batts).
 - Plaster—cement, lime, gypsum.
 - Sash and doors, except glazed.
 - Shingles (except asbestos siding shingles and asphalt shingles).
 - Tile—except acoustical, asphalt, floor (including asphalt tile), wall or facing tile.

SCHEDULE II—PROHIBITED USES—Continued

- e. Textiles (except clothing):
 - Awnings.
 - Blankets and comforters—less than 6 per package.
 - Carpets and carpeting, size 12 square feet or over.
 - Mattresses—less than 4" thick.
 - Rugs.
 - Tents.
 - Waste wiping rags.
- d. Hardware:
 - Buckets and pails—wood or metal (except metal pails manufactured solely for use as dairy and milk pails and except porcelain-enamelled pails).
 - Cans—refuse garbage.
 - Garden and farm tools, 18" or more in length—including but not limited to: Hoes, rakes, shovels.
 - Wash tubs—wood or metal.
- e. Glass products:
 - 1-pt. home canning jars—less than 24 per case.
- f. Horticultural items:
 - Bulbs.
 - Ornamental shrubs.
 - Seeds (flower).
- g. Miscellaneous:
 - Advertising displays of all kinds, (except when the display is a piece of furniture) including but not limited to floor, window and counter displays, dispenser type displays and sign boards.
 - Athletic uniforms.
 - Ball bats.
 - Baskets: wicker, splint.
 - Brooms, if packed with handles that are 18" long or longer.
 - Charcoal—except activated carbon.
 - Coal.
 - Cones—fir or pine.
 - Fertilizers.
 - Furniture—lawn and porch (except glass parts).
 - Furniture—unfinished, set-up (except glass parts).
 - Handles, 18" or more in length, including but not limited to handles for shovels, picks, axes, brooms, mops.
 - Hose—rubber and fabric, except wire inserted.
 - Ironing boards.
 - Ladders.
 - Linoleum and printed floor coverings—rugs and rolls.
 - Mops (except oil mops packed without handles 18" or longer).
 - Nuts: unshelled, except soft shelled English Walnuts (of Mayette, Willson Wonder, Klondike, Bijou, Monmouth Mayette, Ne plus and IXL varieties), Schley Pecan and Non-pareil Almonds.
 - Peanuts, unshelled.
 - Peat moss.
 - Playground equipment—wood, metal.
 - Rope, string and twine.
 - Trunks (in carload lots).
 - Whips and crops.

SCHEDULE III—QUOTAS
(See Paragraph (g))

Most of the classes below are designated by a code number (e. g. CDGS-648 Cutlery) which may be found in the latest official WPB monthly publication entitled "Products and Priorities". (The latest copy may always be seen at any WPB office.) All of the products (regardless of whether they are made of steel, copper, aluminum or some other material) listed in that publication under the same code number shall be treated as falling within a single "Class" of products for the purpose of computing the packing quota for that "class". The description in "Products and Priorities" of the various classes of products is controlling.

SCHEDULE III—QUOTAS—Continued

as to what are the specific items under each class of products, and the class descriptions in Schedule III do not control (e. g. see page 85 of the January 1945 edition of the publication for the items under CDGS-648 Cutlery). Those classes of products in Schedule III which have no code numbers, have asterisks placed in front of them. The description of those products, as found in Schedule III, is controlling with respect to these classes.

The products listed below do not include repair parts, which are not restricted by this schedule.

Code	Product
(*) FARM-453	Adhesives, household: including but not limited to glue, paste, etc.
(*) PLUM-586	Agriculture equipment: barnyard, dairy, farm, poultry; including but not limited to feeders, beekeeper supplies, stools, waterers, coops, churns (except those listed in Schedule II).
(*) SAFE-555	Air (warm) distribution equipment: registers, smoke pipe, ducts.
(*)	Alarm and signal system, protective.
(*)	Albums, scrap books, diaries, drawing books, cutouts.
(*)	Amusement equipment: automatic phonographs and gaming machines as defined in I-21, pool and billiards.
(*)	Animal proprietary drug remedies.
(*)	Anti-freeze liquids, if packed in inner-containers size five-gallons or less.
CDGS-424	Appliances, cooking or heating: commercial electric.
CDGS-425	Appliances, cooking or heating: domestic electric.
CDGS-426	Appliances, not cooking or heating: commercial electric.
CDGS-427	Appliances, not cooking or heating: domestic electric (except flat irons).
(*)	Art Supplies.
(*)	Artificial fruit, flowers and plants.
(*)	Athletic equipment and sporting goods not otherwise listed on Schedule II or III.
AUTO-251	Auto maintenance equipment.
(*)	Automotive polish, waxes and cleaners.
CDGS-675	Baby Carriages and other baby conveyances.
(*)	Bags: school, shopping.
TEX-907	Baskets, hampers; canvas.
CDGS-429	Batteries: dry cell.
AUTO-430	Batteries: storage.
CDGS-694	Beds, couches: dual sleeping and seating equipment.
CDGS-543	Bed springs and inner-spring mattresses.
CDGS-657	Bells and gongs: not electric.
(*)	Beverages: distilled spirits.
(*)	Beverages: malt.
(*)	Beverages: wines.
(*)	Beverages: non-alcoholic.
CDGS-109	Bicycles.
(*)	Blankets.
(*)	Books.
TEXT-679	Brushes, floor sweeps, brooms: wire, bristle (synthetic and natural), fibre, broomcorn, hair, fabric (except those listed in Schedule II).
CORK-721	Building material accessories, asbestos (except as otherwise listed).
BLDG-723	Building products: non-metallic; metal reinforced (except insulation and items on Schedule II).
BLDG-705	Building products: sheet metal.
BLDG-700	Building products: wire fabricated.
LUMB-743	Buildings: prefabricated/wooden.
(*)	Building products and materials not otherwise listed in Schedule II and III except cork insulation board, and flat glass.
PLUM-591	Burners: gas conversion: domestic.
PLUM-592	Burners: oil: domestic.
(*)	Calendars, blotters.
(*)	Candles.
(*)	Cases: for personal use: for holding such articles as combs, files, knives, toilet sets, manicuring sets, and spectacles (not shipping containers or luggage).

SCHEDULE III—QUOTAS—Continued

Code	Product
CDGS-685	Castiron ware.
(*)	Chewing gum.
(*)	Chinaware, glassware, porcelainware, plastic ware, woodenware, clay and potteryware: (for food preparation and serving): including but not limited to plates, dishes, cups, saucers, bowls, platters, baking dishes and pitchers (except tumblers other than cut, footed or stem).
(*)	China, glass, porcelain, wooden, plastic, clay and potteryware: (not for food preparation and serving): including but not limited to vases, pots, statues, decorative products, and art products (but not including scientific, laboratory, hospital and industrial ware, or shades and reflectors, lantern globes and lamp chimneys).
CDGS-678	Church goods.
(*)	Cleaning preparations—household, including but not limited to: polishes, waxes, bleaches, bluing, laundry starch, water softening compounds, cleaning compounds, wall paper cleaner, glass cleaner, deodorants, toilet bowl cleaner and drain pipe solvents.
CDGS-654	Clocks, watches, chronometers (except alarm clocks).
CONT-640	Closures: metal: not home canning: and crowns: metal: not beverage: for glass containers.
(*)	Clothing and clothing accessories (not otherwise listed), including but not limited to suits, overcoats, raincoats, shirts, ties, gloves (except rubber), overshoes (except rubber), underwear, socks, stockings, dresses, blouses, bedroom slippers, belts, garters, vells, hats, hose, mufflers, scarfs, aprons, slips, brassieres, work clothes, but excluding industrial safety clothes and shoes.
(*)	Combs.
PLUM-609	Controls: combustion, heat generation and distribution: not industrial.
PLUM-579	Conveyors: heating: steel, copper or aluminum.
PLUM-582	Cooking equipment: commercial: not electric.
CDGS-544	Cots, bunks, berths: metal: not shipboard.
CONT-623	Crowns: metal: beverage.
(*)	Cushions, pillows, stuffed stools, hassocks and ottomans.
CDGS-648	Cutlery.
CDGS-110	Cycles: power: not motorcycles.
(*)	Decalcomanias and transfers: except industrial.
(*)	Dentifrices.
PLUM-474	Dishwashing and glass washing machinery: commercial.
BLDG-701	Doors, windows, metal, metal clad: not shipboard, transportation vehicle.
CDGS-660	Emblems, pin tickets, tags: not military.
CDGS-684	Enamelware as defined in Order I-30-b (except hospital enamelware).
(*)	Feathers and cotton batting: packed for domestic use.
TOOLS-664	Files and rasps.
CDGS-676	Fishing equipment, commercial.
CDGS-533	Flashlight cases and portable electric lanterns: incandescent.
(*)	Floor covering (size less than 12 sq. ft.): mats, pads and rugs.
(*)	Flowers and plants: cut or potted.
CDGS-583	Food preparation and serving fixtures, equipment, appliances: commercial: not cooking.
(*)	Food products (each product listed is a separate class of products. The quotas are not interchangeable).
	Bakery goods, such as crackers, pretzels, cookies, cakes, bread.
	Beans, peas and lentils: dried edible.
	Beans, with or without pork (from dried beans).
	Beverage compounds, concentrates and syrups including but not limited to drink powders and soft drink concentrates.
	Butter.
	Caviar.
	Cereals.
	Coffee, tea and spices.
	Confectionery.

SCHEDULE III—QUOTAS—Continued

Code	Product	Code	Product
(*)	Food products (each product listed is a separate class of products. The quotas are not interchangeable)—Continued.	(*)	Insecticides, fungicides, disinfectants and other pest control compounds when packed in inner-container sizes, 5 pounds, 1 gallon or smaller. This does not include preparations for pest control on crops, fowl or animals (except pet), nor compounds specifically prepared for use in governmental projects.
	Corn meal.	(*)	Insulation building: tile, panels, blocks, bats, blankets, formed insulation, metal encased insulation (except as otherwise listed in Schedule II).
	Dessert products.	CDGS-651	Jewelry, toilet sets, cigaret holders, etc.
	Dried fruits.	(*)	Lace and ribbon.
	Filling, pie and cake.	CDGS-637	Lamps and lanterns; liquid fuel.
	Flavorings.	CDGS-638	Lamps, shades, reflectors and portable electric lamps; except for industrial bench machinery or physiotherapy.
	Flour (except home baking mixes).	CDGS-476	Laundry machinery: domestic.
	Food coloring.	(*)	Leather: goat, kid, cabretta, kangaroo.
	Horseshoes.	(*)	Leather: all other.
	Macaroni.	BLDG-536	Lighting fixtures: incandescent; industrial, commercial residential.
	Marshmallow and marshmallow cream.	BLDG-542	Lighting fixtures: street, highway, blackout, dimout, traffic control signals and controllers.
	Mustard.	PRIN-212	Looseleaf binders and parts.
	Noodles.		Luggage as defined in Limitation Order L-284.
	Oleomargarine.	CDGS-665	Marking devices.
	Pectin.	(*)	Matches.
	Popcorn—candied and otherwise, except unpopped.	BLDG-741	Mattresses: (except as listed in Schedule II).
	Potato chips.	CDGS-666	Millwork: woodwork (except as listed in Schedule II).
	Puddings.	CDGS-670	Mirrors.
	Rallies.	SERV-547	Morticians' goods.
	Rice.	CDGS-484	Motion picture projection equipment: 35 mm.
	Salad dressings.	CDGS-671	Mowers: lawn, hand or power driven.
	Salt (for all purposes).	TEXT-715	Musical instruments (as defined in L-37-a).
	Spaghetti.		Nails and tacks: cut nails made from tack plate, wire shoe nails, non-ferrous nails, tacks.
	Sugar.	CDGS-683	Needles: domestic.
	Vermicelli.	*SERV-472	Office machinery.
	All other foods, except meat and meat products (which are controlled by Schedule IV), fishery products, dairy products, poultry, eggs, unprocessed fresh fruits and vegetables and processed fresh fruits and vegetables (that is, fruits and vegetables not previously preserved which are packed in a container and are preserved by the medium of heat or freezing).	CDGS-672	Office supplies.
		(*)	Oil or grease (lubricating), packed in inner containers, sizes, five-gallon or less.
PLUM-587	Furnaces: warm air.	(*)	Ornaments—made of glass, plastic, pottery, china, metal, wood, paper, or leather (except those listed in Schedules II or III).
CDGS-545	Furniture: wooden, except as listed in Schedule II.	(*)	Paper or paper products not otherwise listed in Schedules I, II or III, except condenser tissues, closures, inner-containers, V-mail blanks, forks, spoons, cups, dishes and component parts of industrial products.
(*)	Furniture: not otherwise listed in Schedules II or III.	(*)	Paint, varnishes, roof coatings and cements. This item includes but is not limited to pigmented oil or oleoresinous: Ready mixed or clear paste or paste, white lead in oil, colors in oil, pigmented or clear lacquers, resin emulsion paste, casein paste, vegetable protein paste; casein and calcimine paints in dry form or other paints and paint materials in dry form.
CDGS-683	Galvanized ware and non-metal coated metal articles: buckets, tubs, wash boilers, fire shovels, funnels, storage cans, pails, not garbage pails (except those listed in Schedule II).	(*)	Party and festivities materials: including but not limited to: favors, tallies, horns, masquerade supplies, party napkins, score pads, place cards, decorative paper dishes and holders, crepe paper, crepe paper products, banners, flags, streamers, decorations, festivity costume supplies.
CDGS-682	Galvanized ware and non-metal coated metal articles: garbage pails.	CDGS-673	Pens and pencils.
(*)	Games and toys, including masquerade accessories, playing cards, dice, sleds, children's vehicles, children's playing equipment, dolls, toy furniture and all other articles and devices defined as games and toys in Limitation Order L-81.	(*)	Pet food: (except proprietary drug remedies).
(*)	Greeting cards and illustrated post cards, as defined in Order L-289.	(*)	Pet furnishings: including but not limited to dog collars, muzzles, blankets, food serving utensils, treated bones and beds, except those listed in Schedule II.
(*)	Hair tonics, shampoos and hair dressing preparations.	PRIN-229	Photo-engravings.
BLDG-706	Hardware: builders.	CDGS-648	Photographic equipment, accessories: not 35 mm motion picture projection equipment.
BLDG-708	Hardware: furniture, ladder, locker, luggage, refrigerator, hose fittings, not fire hose or flexible metal hose, screw eyes, and other bright wire goods.		
PLUM-594	Heating facilities: low pressure steam and hot water.		
PLUM-585	Heaters (Unit) and unit heating ventilators: not direct fired.		
PLUM-595	Heaters: water: not electric.		
TEXT-662	Hooks, eyes, slide and snap fasteners, buckles, buttons, miscellaneous apparel and shoe findings.		
(*)	Ink, all types.		
(*)	Incense, odor neutralizers: except industrial.		
RARA-611	Instruments: commercial, including compasses, hydrometers, thermometers, barometers.		

SCHEDULE III—QUOTAS—Continued

Code	Product
(*)	Pictures, plaques, tapestries, mountings, folders.
CDGS-664	Pins: common, safety.
CDGS-661	Pins: Harpins, bobbie pins, and hair curlers.
BLDG-703	Plastering bases and plastering accessories.
PLUM-571	Plumbing fixture fittings and plumbing fixture trim.
PLUM-570	Plumbing: sanitary ware.
(*)	Pocketbooks and all types of purses, billfolds, handbags (not luggage), pocket notebooks, keyholders, identification holders, and other personal flat goods not otherwise listed in Schedule III.
(*)	Printing and publishing products except products otherwise listed in Schedules II and III.
PRIN-226	Printing trades machinery and equipment.
PLUM-610	Pumps: low pressure heating.
(*)	Putty and caulking compound.
PLUM-580	Radiators: cast iron.
CDGS-650	Razor blades.
CDGS-649	Razors: not electric.
(*)	Records: phonograph.
CDGS-530	Refrigerators: ice: domestic.
CDGS-112	Refrigerators: mechanical: domestic.
(*)	Saddles, bridles and horse collars.
(*)	Sanitary tissue products: toilet tissue, towels, napkins (plain), facial tissue, sanitary napkins and medicinal tissue.
BLDG-704	Screen cloth: insect: metal.
CDGS-113	Sewing machines: domestic.
(*)	Shades (cloth or paper) and shade rollers: window and door.
(*)	Shaving creams and soap.
(*)	Shingles and siding, asbestos and asphalt.
(*)	Shoes (except rubber).
(*)	Shoe Polish, cleaners, creams, dressings, dyes and preservatives.
CDGS-652	Silverware: plated.
CDGS-653	Silverware: Sterling.
(*)	Smoking accessories, not otherwise listed in Schedule III.
(*)	Soap, except industrial and shaving.
TARA-825	Sound systems: industrial.
(*)	Souvenirs, novelties and pennants (not otherwise listed in Schedule II or III).
(*)	Sponges: natural or artificial, except industrial.
CDGS-677	Sporting goods: except those listed in Schedule II: not mechanical rubber goods.
CDGS-688	Staples and staplers: cohered staples and rolls of wire for hand operated stitchers: staple driving tackers: hand or foot operated stapling devices: hand operated stitchers.
PLUM-581	Stoves and ranges, cooking: domestic: not electric.
PLUM-584	Stoves, heating: domestic: not electric.
PLUM-593	Stokers: grate area 36 feet or less.
CONT-716	Strapping and seals: metal: round, flat.
PLUM-695	Tanks, hot water storage.
(*)	Tape, gummed: gummed-cloth, paper or sesal: over 500 ft. rolls.
(*)	Textile, household: covers, draperies, curtains, mats, dollies, pads, ironing board covers.
(*)	Textiles, household: sheets, pillow cases, towels, wash cloths, napkins, table cloths, dish cloths, quilts, comforts.
(*)	Tile, building: acoustical, floor (including asphalt tile), wall facing tile.
RUBR-643	Tires, tubes, valves, flaps.
(*)	Tobacco and tobacco products.

SCHEDULE III—QUOTAS—Continued

Code	Product
(*)	Toilet articles and equipment (other than toiletries and cosmetics), including, but not limited to, manicuring, hair fixing, massage and bathing, except articles, otherwise listed in Schedule III.
(*)	Toiletries and cosmetics: including but not limited to perfume, makeup, lotions, skin food, hair remover, manicuring preparations, astringents, deodorants, hair bleach and dye, face and body powder except products otherwise listed in Schedules II or III.
BLDG-645	Tools: edge.
(*)	Tools, hand: garden or farm, except those otherwise listed on Schedules II or III.
BLDG-646	Tools, hand: not mechanics hand service: Except those listed in Schedule II.
TOOLS-647	Tools: mechanical: hand.
CDGS-656	Traps and cages: animal, bird, and insect except as listed in Schedule II and except mouse and rat traps.
CDGS-674	Umbrellas and parasols.
CDGS-691	Utensils: aluminum ware: household, kitchen.
CDGS-659	Utensils: kitchen and household: miscellaneous.
(*)	Wall paper.

SCHEDULE IV—PACKING SPECIFICATIONS

(See Paragraph (1) (1))

Subject to the exceptions listed in paragraph (1) (2) of this order, the products listed below may only be packed in fibre shipping containers in accordance with the provisions of this schedule. The provisions listed under "Class A" apply to all shipments from processing or manufacturing units to units other than retail stores, and the provisions listed under "Class B" apply to all shipments to retailers from processing or manufacturing units. Except where otherwise specified, listed percentages and other provisions of this table are applicable to each class separately.

Unless an exception is provided in Column 7, the products listed in this table may not be shipped in fibre shipping containers in any amounts except those listed for the product in Columns 1 and 4. Likewise they may not be packed in fibre shipping containers exceeding the maximum specifications in Columns 2 and 5. However, solid fibre containers may be substituted for corrugated wherever the former have an equivalent or lower Mullen test than those of the specified corrugated containers. (In this connection, attention is called to Direction 2 to Order M-290 which restricts the manufacture of solid fibre containers).

No containerboard interior packing or fittings may be used except as specifically indicated in Column 7. Percentage figures appearing in Columns 3 and 6 mean that no more than the indicated percentage of the amount of the affected product which a packer packs in new fibre shipping containers during each calendar quarter may be packed in new fibre shipping containers of the capacity and specifications to which the percentage applies. Percentages should be computed without regard to any shipments made in accordance with the exceptions stated in paragraph (1) (2). "Specifications" indicate the Mullen test and type of containerboard which may be used. "COR" means corrugated fibre. "F" means solid fibre.

For an example of how to use this schedule, a packer of spareribs for Class A shipments knows that fifty per cent of all spareribs that he packs in fibre shipping containers for such shipments may be packed in corrugated containers having a minimum of 30 pounds of spareribs in each container and a maximum Mullen test of 175 pound. In computing his percentage of spareribs packed in any calendar quarter, the deliveries to persons listed in paragraph (1) (2) must be excluded. He may possibly be able to use solid fibre shipping containers under the exception stated above. However, he may pack an unlimited amount of spareribs for Class A shipments in corrugated or solid fibre shipping containers having a minimum of 50 pounds of spareribs in each container and a maximum of Mullen test of 275 pound for the corrugated container or 200 pound for the solid fibre container.

FRESH AND FROZEN PORK

Product	Class A—Branch house, wholesale, and jobbers shipments			Class B—Direct shipments to retailers			
	(1) Minimum weight of contents	(2) Maximum specifications	(3) Percent of production	(4) Minimum weight of contents	(5) Maximum specifications	(6) Percent of production	(7) Exceptions
Pork loins.....	50 pounds.....	275-pound cor. or 200-pound F.	Unlimited.....				
Butts.....	50 pounds.....	do.....	do.....				
Shoulders.....	50 pounds.....	do.....	do.....				
Hams.....	50 pounds.....	do.....	do.....				
BRT hams.....	50 pounds.....	do.....	do.....				
Picnics.....	50 pounds.....	do.....	do.....	15 pounds.....	175-pound cor.....		
Fresh bellies.....	50 pounds.....	do.....	do.....	30 pounds.....	75-pound cor.....		
Spareribs.....	30 pounds.....	175-pound cor.....	50 percent.....	50 pounds.....	175-pound cor. or 200-2 pound F.	Unlimited.....	None.
Spareribs.....	50 pounds.....	275-pound cor. or 200-pound F.	Unlimited.....				
Pork feet.....	30 pounds.....	175-pound cor.....	50 percent.....	90 pounds.....	350-pound cor. or 275-pound F.		
Pork feet.....	50 pounds.....	275-pound cor. or 200-pound F.	Unlimited.....	110 pounds.....	350-pound F.....		
Pork tails.....	30 pounds.....	175-pound cor.....	50 percent.....				
Pork tails.....	50 pounds.....	275-pound cor. or 200-pound F.	Unlimited.....				
Pork hocks.....	30 pounds.....	175-pound cor.....	50 percent.....				
Pork hocks.....	50 pounds.....	275-pound cor. or 200-pound F.	Unlimited.....				
Pork knuckles.....	30 pounds.....	175-pound cor.....	50 percent.....				
Pork knuckles.....	50 pounds.....	275-pound cor. or 200-pound F.	Unlimited.....				
Neck bones.....	50 pounds.....	275-pound cor. or 200-pound F.	do.....				
Trimnings and boneless shoulders.....	110 pounds.....	350-pound F.....	do.....				
Tenderloins.....	10 pounds.....	200-pound cor.....	do.....	10 pounds.....	200-pound cor.....		

SMOKED MEATS

Smoked hams, bone-in.....	50 pounds.....	200-pound cor.....	Unlimited.....				
Precooked hams.....	50 pounds.....	200-pound cor.....	do.....				
Hams in casings.....	50 pounds.....	200-pound cor.....	do.....				
Dry salt belly bacon.....	50 pounds.....	200-pound cor.....	do.....				
Bacon squares.....	50 pounds.....	200-pound cor.....	do.....				
Smoked briskets.....	50 pounds.....	200-pound cor.....	do.....	15 pounds.....	175-pound cor.....		
Smoked jowl butts.....	50 pounds.....	200-pound cor.....	do.....	30.....	175 pound cor.....	Unlimited.....	None
Smoked picnics.....	50 pounds.....	200-pound cor.....	do.....	50.....	200-pound cor.....		
Smoked Canadian bacon (except cooked Canadian bacon.).....	50 pounds.....	200-pound cor.....	do.....	90.....	350-lb. cor or 275-lb F.		
Smoked hocks and miscellaneous smoked meats.....	50 pounds.....	200-pound cor.....	do.....				
Slab bacon.....	50 pounds.....	200-pound cor.....	do.....				
Smoked boneless butts.....	18 pounds.....	175-pound cor.....	do.....				
Sliced bacon.....	12 pounds.....	175-pound cor.....	60 percent.....	12.....	175-pound cor.....	60 percent.....	Percentages may be applied to combined total of Class A and class B shipments.
Sliced bacon.....	18 pounds.....	175-pound cor.....	Unlimited.....	18.....	175-pound cor.....	Unlimited.....	

BEEF AND SMALL STOCK CUTS

Bone-in beef cuts.....	50 pounds.....	275-pound cor. or 200-pound F.					
Bone-in veal and mutton cuts.....	50 pounds.....	275-pound cor. or 200-pound F.					
Boneless veal and mutton cuts.....	50 pounds.....	275-pound cor. or 200-pound F.					
Smo. dried beef.....	50 pounds.....	275-pound cor. or 200-pound F.					
Bulk hamburger.....	50 pounds.....	275-pound tel. cor. or 200-pound tel. F.	Unlimited.....	15 pounds.....	175-lb. cor.....		*Sliced dried beef in bulk permitted in 5-pound net containers on direct shipments to retailers. 125-pound corrugated. Sliced dried beef in 4-ounce cello, permitted in 3-pound net containers on direct shipments to retailers 125-pound corrugated.
Boneless beef cuts.....	110 pounds.....	350-pound tel. F.....		30 pounds.....	175-lb. cor.....		
Saus. matl. (bull & cow meat, trimmings, and boneless veal).....	110 pounds.....	350-pound tel. F.....		50 pounds.....	275-lb. cor. or 200-lb. F.	Unlimited.....	
Fresh tongues to freezer.....	110 pounds.....	350-pound tel. F.....		90 pounds.....	350-lb. cor. or 275-lb. F.		
Hamburger patties.....	18 pounds.....	200-pound dbl. dbl. cor.....		110 pounds.....	350-lb. F.....		
Smo. tongues.....	30 pounds.....	175-pound cor.....					
*Sliced dried beef (bulk).....	30 pounds.....	175-pound cor.....					
Sliced dried beef (4 oz. cello, pkd.).....	30 pounds.....	175-pound cor.....					

VARIETY MEATS

Product	Class A—Branch house, wholesale, and jobbers shipments			Class B—Direct shipments to retailers			
	(1) Minimum weight of contents	(2) Maximum specifications	(3) Percent of production	(4) Minimum weight of contents	(5) Maximum specifications	(6) Percent of production	(7) Exceptions
**Brains.....	10 pounds.....	175-pound cor.....	Unlimited.....	Same as branch house wholesale, and jobber shipments. Percentages to apply to entire company's operations.	Same as branch house wholesale, and jobber shipments. Percentages to apply to entire company's operations.	Same as branch house wholesale, and jobber shipments. Percentages to apply to entire company's operations.	*Balance not packed in 25-pound boxes to be packed in 110-pound net 150-pound gross weight boxes to the visible capacity of the box 350-pound fibre.
**Cutlets.....	10 pounds.....	175-pound cor.....	do.....				
**Veal and lamb sweetbreads.....	10 pounds.....	175-pound cor.....	do.....				
Veal and lamb livers.....	10 pounds.....	175-pound cor.....	do.....				
Chitterlings.....	10 pounds.....	175-pound cor.....	do.....				
*Hearts.....	25 pounds.....	175-pound cor.....	10 percent.....				
*Snouts.....	25 pounds.....	175-pound cor.....	10 percent.....				
*Hog stomachs.....	25 pounds.....	175-pound cor.....	10 percent.....				
*Melts—all kinds.....	25 pounds.....	175-pound cor.....	10 percent.....				
*Beef cheek meat.....	25 pounds.....	175-pound cor.....	10 percent.....				
*Pork tongues.....	25 pounds.....	175-pound cor.....	10 percent.....				
*Pork ears.....	25 pounds.....	175-pound cor.....	75 percent.....				
*Livers.....	25 pounds.....	175-pound cor.....	75 percent.....				
Oxtails.....	25 pounds.....	175-pound cor.....	Unlimited.....				
Split oxtail joints.....	25 pounds.....	175-pound cor.....	do.....				
Veal tails.....	25 pounds.....	175-pound cor.....	do.....				
Kidneys.....	25 pounds.....	175-pound cor.....	do.....				
Fries.....	25 pounds.....	175-pound cor.....	do.....				
Honeycomb tripe.....	25 pounds.....	175-pound cor.....	do.....				
**Beef heart sweetbreads.....	25 pounds.....	175-pound cor.....	do.....				
**Sweetbreads, prs. pkd. (brins. in cutlets.....	40 pounds.....	200-pound cor.....	do.....				**5-pound net capacity box, 125-pound test corrugated permitted for direct shipments to retailers.
inner veal and lamb con- sweetbreads.....	40 pounds.....	200-pound cor.....	do.....				
tain- chitterlings.....	40 pounds.....	200-pound cor.....	do.....				
ers veal and lamb livers.....	40 pounds.....	200-pound cor.....	do.....				
***Balance of variety meat items listed in OPA Order #398.	110 pounds.....	350-pound F.....	do.....	do.....	do.....	do.....	Pharmaceutical glands may be shipped in any type or size container.

DRY SAUSAGE

Pepperoni and cervelat-small pieces.....	15 pounds.....	175-pound cor.....	Unlimited.....	10 pounds.....	175-pound cor.....	Unlimited.....	Single pieces of thuringer and cooked salami may be packed in individual boxes, 125-pound test corrugated, on direct shipments to retailers.
All other dry and semi-dry sausage.....	50 pounds.....	275-pound cor or 200-pound F.....	do.....	30 pounds.....	175-pound cor.....		
				50 pounds.....	275-pound cor or 200-pound F.....		

FRESH SAUSAGE

Pork sausage.....	12 pounds.....	175-pound cor.....	50-percent.....	10 pounds..... 30 pounds..... 50 pounds.....	175-pound cor..... 175-pound cor..... 200-pound cor.....	Unlimited.....	Liver loaf, liver sausage, cooked loin roll, cooked Canadian bacon, cooked hams may be shipped in individual boxes, 125-pound test corrugated, on direct shipments to retailers. *To include ten 6-pound cartons, even though gross weight exceeds 65 pounds provided Classification Committee approves exception.
Do.....	50 pounds.....	200-pound cor.....	Unlimited.....				
Smoked pork sausage.....	12 pounds.....	175-pound cor.....	50-percent.....				
Do.....	50 pounds.....	200-pound cor.....	Unlimited.....				
Polish sausage.....	12 pounds.....	175-pound cor.....	50-percent.....				
Do.....	50 pounds.....	200-pound cor.....	Unlimited.....				
Chili.....	12 pounds.....	175-pound cor.....	do.....				
Liver loaf.....	1 piece.....	175-pound cor.....	do.....				
Liver sausage.....	50 pounds.....	200-pound cor.....	do.....				
Head cheese.....	18 pounds.....	175-pound cor.....	50-percent.....				
Do.....	50 pounds.....	200-pound cor.....	Unlimited.....				
Blood sausage.....	18 pounds.....	175-pound cor.....	50-percent.....				
Do.....	50 pounds.....	200-pound cor.....	Unlimited.....				
Souse.....	18 pounds.....	175-pound cor.....	50-percent.....				
Do.....	50 pounds.....	200-pound cor.....	Unlimited.....				
Loaf-type products.....	18 pounds.....	175-pound cor.....	50-percent.....				
Loaf-type products.....	50 pounds.....	200-pound cor.....	Unlimited.....				
*Frankfurters.....	50 pounds.....	200-pound cor.....	do.....				
*Bologna.....	50 pounds.....	200-pound cor.....	do.....				
*Luncheon meats.....	50 pounds.....	200-pound cor.....	do.....				
Cooked loin rolls.....	50 pounds.....	200-pound cor.....	do.....				
Cooked loin rolls.....	18 pounds.....	175-pound cor.....	25-percent.....				
Cooked Canadian bacon.....	18 pounds.....	175-pound cor.....	25-percent.....				
Cooked Canadian bacon.....	50 pounds.....	200-pound cor.....	Unlimited.....				
Cooked hams.....	50 pounds.....	200-pound cor.....	do.....				

CANNED MEATS

3-ounce cans.....	24 pieces.....	175-pound cor.....	Unlimited.....				*175-pound test cor, recommended provided exception is authorized under Rule 41, Consolidated Fgt. Classifications; otherwise, 200-pound test required.
3 1/4-ounce cans.....	48 pieces.....	175-pound cor.....					
3 1/2-ounce cans.....	48 pieces.....	175-pound cor.....					
6-8-ounce cans.....	24 pieces.....	175-pound cor.....					
10 1/2-11-ounce cans.....	36 pieces.....	175-pound cor.....					
12-ounce cans.....	24 pieces.....	175-pound cor.....					
15-16-ounce cans.....	24 pieces.....	175-pound cor.....					
22-ounce cans.....	12 pieces.....	175-pound cor.....					
*24-ounce cans.....	12 pieces.....	175-pound cor.....					
30-ounce cans.....	12 pieces.....	175-pound cor.....					
**6-pound oblong cans.....	9 pieces.....	275-pound cor or 200-pound F.....					**1 piece and 2 piece units, 6-pound oblong and 8-10 pound Pullman in 125-pound test cor, permitted on direct shipments to retailers.

CANNED MEATS

Product	Class A—Branch house, wholesale, and jobbers shipments			Class B—Direct shipments to retailers			
	(1) Minimum weight of contents	(2) Maximum specifications	(3) Percent of production	(4) Minimum weight of contents	(5) Maximum specifications	(6) Percent of production	(7) Exceptions
6-pound round cans.....	6 pieces.....	200-pound cor.....	Unlimited..... do..... do.....	Same as branch house wholesale and jobber shipments.	Same as branch house wholesale and jobber shipments.	Unlimited.....	**1 piece pear-shape hams permitted in 175-pound cor. on direct shipments to retailers. **175-pound test dividers permitted for 4- and 6-can packs. **125-pound test dividers permitted on 9 piece 6-pound oblong and 2 piece 6-pound oblong.
**8-10-pound Pullman cans.	6 pieces.....	200-pound cor.....					
Do.....	6 pieces.....	275-pound cor. or 200-pound F.					
Individual hams:			25 percent.....				
**Pear-shape cans.....	4 pieces.....	275-pound cor. or 200-pound F.	Unlimited.....				
Do.....	6 pieces.....	275-pound cor. or 200-pound F.	do.....				
Do.....	6 pieces.....	350-pound cor. or 275-pound F.					
LARD							
1-pound cartons.....	36 pounds.....	175-pound cor.....	Unlimited.....	(Same as branch house wholesale and jobber shipments.	Same as branch house wholesale and jobber shipments.	Unlimited.....	None.
1-pound cartons and larger.	48 pounds.....	200-pound cor.....	do.....				
Bulk lard.....	50 pounds.....	275-pound cor. or 200-pound F. with inner 200 pound cor. liners.	do.....				

[F. R. Doc. 45-2175; Filed, Feb. 6, 1945; 11:41 a. m.]

PART 3270—CONTAINERS

[Limitation Order L-317, Revocation of Interpretation 1]

Interpretation 1 to Order L-317 is hereby revoked. Order L-317 as amended February 6, 1945, incorporates the subject matter of this interpretation and makes the continuance of the interpretation unnecessary.

Issued this 6th day of February 1945.

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

[F. R. Doc. 45-2176; Filed, Feb. 6, 1945; 11:42 a. m.]

PART 3270—CONTAINERS

[Limitation Order L-317 Revocation of Interpretation 3]

Interpretation 3 to Order L-317 is hereby revoked. Order L-317, as amended February 6, 1945, makes this interpretation obsolete, and therefore the continuance of this interpretation is unnecessary.

Issued this 6th day of February 1945.

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

[F. R. Doc. 45-2178; Filed, Feb. 6, 1945; 11:42 a. m.]

PART 3270—CONTAINERS

[Limitation Order L-317; Revocation of Direction 2]

OFFICERS' MESSES ASHORE

Direction 2 to Limitation Order L-317 issued August 14, 1944, is hereby revoked. Order L-317 as amended February 6, 1945, incorporates the subject matter of this direction and makes the continuance of the direction unnecessary.

Issued this 6th day of February 1945.

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

[F. R. Doc. 45-2174; Filed, Feb. 6, 1945; 11:41 a. m.]

PART 3270—CONTAINERS

[Limitation Order L-317, Revocation of Interpretation 2]

Interpretation 2 to Order L-317 is hereby revoked. Order L-317 as amended February 6, 1945, incorporates the subject matter of this interpretation and makes the continuance of the interpretation unnecessary.

Issued this 6th day of February 1945.

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

[F. R. Doc. 45-2177; Filed, Feb. 6, 1945; 11:42 a. m.]

PART 3270—CONTAINERS

[Order L-317, Revocation of Direction 1]

INVENTORY AND EXCESSIVE ORDERING

Direction 1 to Limitation Order L-317 issued April 13, 1944, is hereby revoked. Order L-317 as amended February 6, 1945, incorporates the subject matter of this direction and makes the continuance of this direction unnecessary. This revocation does not affect any liabilities incurred under this direction.

Issued this 6th day of February 1945.

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

[F. R. Doc. 45-2173; Filed, Feb. 6, 1945; 11:41 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Supplementary Order M-317B, as Amended Feb. 6, 1945]

COTTON SALE YARN PRODUCTION AND DISTRIBUTION

§ 3290.117 *Supplementary Order M-317B—(a) Contents of this order.* This Order M-317B is supplementary to Order M-317 and contains Preference Rating Schedules and a Distribution Schedule referred to in that order. These schedules apply only to cotton yarn. (Cotton yarn is included in the definition of "Cotton textiles" in Order

M-317.) This order also contains provisions relating to production of cotton yarn, including provisions which have been transferred from Order L-99 to this order. Furthermore, it contains provisions relating to distribution of cotton yarn which are in addition to those contained in Order M-317.

(b) *Specific directions to producers and converters.* No producer or converter of cotton yarn shall produce, convert or deliver cotton yarn and no person shall accept delivery of cotton yarn from a producer or converter contrary to any specific direction which may be issued from time to time by the War Production Board.

(c) *Operation of spinning machinery.* (1) No person, regardless of the presentation of rated orders, shall operate spinning machinery (i. e., roving, ring, mule or converted twister spindles) contrary to the provisions in the Sale Yarn Production Schedule of this supplementary order.

(2) *Spinning machinery acquired after July 3, 1943.* No person shall operate any spinning machinery acquired (the term includes leasing or renting) by him after July 3, 1943, except for the production of yarn required to be produced by paragraph (d) of this supplementary order or as specifically authorized in writing by the War Production Board. For such authorizations, application may be made by letter to the War Production Board stating all facts which the applicant deems important and pertinent to his particular case. In all instances he shall state the type of yarn he wishes to produce and in instances where he has acquired used spinning machinery he shall state the name of the person who formerly owned or controlled the equipment and the yarn produced by such former owner. Authorizations will be granted to maintain a maximum practical production of cotton yarn.

(d) *Sale yarn production directions—*

(1) *Yarn described in sale yarn production schedule.* Each producer of yarn must in each calendar quarter produce and deliver at least the same poundage of cotton yarn in the description and counts listed for each of the numbered groups in the "May produce only" column of the Sale Yarn Production Schedule of this supplementary order as he delivered in these groups in that calendar quarter of 1943 in which he delivered the largest percentage of his yarn production. This calendar quarter is called "base period." The required poundage of each description and count of yarn must be produced for sale at the same price (or any increase subsequently granted by the OPA for the same description and count) at which the required poundage in the particular de-

scription and count was produced in the base period. No part of this yarn required to fill rated orders shall be tinted, dyed, or otherwise colored, unless the rated order calls for a tinted, dyed, or otherwise colored yarn.

(2) *Duck yarns.* Each producer must in each calendar week produce and deliver duck yarns of at least the same poundage as he delivered in the week in 1944 in which he delivered the largest poundage of duck yarns. Each producer shall be deemed in compliance with this paragraph (d) (2) as long as he delivers each week at least the same poundage of duck yarns as he delivered in the week in 1944 in which he delivered the largest poundage of duck yarns.

Producers who have facilities which can produce additional quantities of duck yarns may receive special directions from the War Production Board to deliver specific amounts to designated weavers.

(3) *Twine layers and ring twisters operations.* Each Haskell-Dawes, Brownell or ring twister and each twine layer in the possession or under the control of any producer shall be operated at least as many hours per week as any twister or any twine layer is operated at the same plant.

(e) *Restrictions on distribution and use of cotton yarn and roving—*(1) *Roving.* No spinner shall use or dispose of roving except for spinning or on rated orders, unless specifically authorized in writing by the War Production Board. An authorization to use roving for other purposes may be granted if the War Production Board finds that the roving produced by spinners, who do not have spinning spindles, is not needed to fill rated orders, or in cases where spinners show that their spinning spindles are operating at maximum capacity. To secure such authorizations, an application must be made by letter to the War Production Board, stating the quantity of roving which the applicant wishes to use or dispose of for other than spinning or the filling of rated orders; and the hours per week which each spinning machine is being operated.

(2) (i) *Seine twine, hawser cord, cabled cord, twisted or braided cord rope.* Sales. No person shall sell, purchase, deliver or accept delivery of cotton seine twine, hawser cord or other cabled cord, or twisted or braided cord rope $\frac{1}{8}$ to $\frac{3}{8}$ inch in diameter, inclusive (even to fill orders of the Army, Navy, Maritime Commission or War Shipping Administration) except to fill an order bearing a preference rating assigned on Form WPB-2842, WPB-547 (distributors application for preference rating), or a rating assigned by the Foreign Economic Administration, or a rating assigned in

connection with an authorization from the Canadian Cotton Administrator. Insofar as practicable, authorizations will cover quarterly periods.

(ii) The following transactions are exempted from the restrictions in subdivision (i):

(a) Sales by wholesalers and retailers; (b) sales made directly by a producer to a consumer for his own use, provided that not more than 25 pounds per month may be sold to any one customer; (c) sales which are authorized pursuant to written application to the War Production Board (application for such authorization shall be made by letter and will be granted within the available supply to producers of commercial fish netting who regularly sold such material prior to August 15, 1944, to commercial fish netting users for hanging and repair of netting and insofar as practicable, authorizations will cover quarterly periods); and (d) deliveries made prior to October 1, 1944, on orders accepted prior to August 15, 1944, from the Army, Navy, Maritime Commission or War Shipping Administration.

(3) *Use by integrated mills producing seine twine, hawser cord, or other cabled cord.* No person who produces seine twine, hawser cord or other cabled cord shall use it for the manufacture of netting or other purposes even in plants owned or controlled by him unless authorized by the War Production Board pursuant to application by letter. The authorization will be based on the procurements of the Armed Services for camouflage netting and the needs for commercial fish netting. Insofar as practicable, authorizations will cover quarterly periods.

(4) *Use of seine twine, hawser cord, cabled cord, twisted or braided cord rope obtained with a preference rating.* No person shall put into process, process or commercially use any seine twine, hawser cord or other cabled cord, or twisted or braided cord rope $\frac{1}{8}$ to $\frac{3}{8}$ inch in diameter, inclusive, which he obtained by the use of a preference rating, other than for the specific purpose or purposes authorized by the form assigning the rating. If the rating is assigned on Form WPB-547, the authorized purpose is resale. If the rating is assigned by the Foreign Economic Administration, or in connection with an authorization from the Canadian Cotton Administrator, the authorized purpose is export. If the rating is assigned on Form WPB-2842 for delivery to or for the account of the Army or Navy of the United States, the Maritime Commission or the War Shipping Administration, the authorized purpose is filling the specific agency contract(s) listed in the form unless otherwise authorized in the form. In

SALE YARN PRODUCTION SCHEDULE

all other cases the authorized purpose is the one specifically stated in Form WPB-2042 assigning the rating.

(5) *Fugitive-dyed yarn*. No person shall sell or deliver any "fugitive-dyed" or "fugitive-tinted" cotton yarn for any purpose whatever. "Fugitive-dyed" or "fugitive-tinted" cotton yarn means any cotton yarn which has been dyed or tinted with a dye or tint which can be completely removed by normal commercial washing and scouring.

Issued this 6th day of February 1945.

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

NOTE: Schedule amended Feb. 6, 1945.

Group No.	Form WPB 638-E (12/20/44 line numbers)	Did produce	May produce only
1	1, 2, 3, 4, 25, 29, 30	Carded single yarns, other than machine knitting, 20's & coarser.	Carded single yarns, other than machine knitting, 20's & coarser.
2	5, 6, 31	Carded single yarns, other than machine knitting, finer than 20's.	Carded single yarns, other than machine knitting, finer than 20's.
3	7, 8, 9, 10, 13, 14, 15, 16 (if 20's or coarser)	Carded ply yarns, other than machine knitting, 20's & coarser.	Carded ply yarns, other than machine knitting, 20's & coarser.
4	17, 18, 24, 25, 26, 30	Carded ply yarns, other than machine knitting, finer than 20's.	Carded ply yarns, other than machine knitting, finer than 20's.
5	11	Carded ply yarns, other than machine knitting, finer than 20's excluding 2 ply.	Carded ply yarns, other than machine knitting, finer than 20's excluding 2 ply.
6	12	Carded 2 Ply yarns, other than machine knitting, 2 1/2 to 26/2.	Carded 2 Ply yarns, other than machine knitting, 2 1/2 to 26/2.
7	27	Carded 2 Ply yarns, other than machine knitting, 30/2 & finer.	Carded 2 Ply yarns, other than machine knitting, 30/2 & finer.
8	19, 20, 21	Carded Cordage, Rope & Twine Yarn.	Carded Cordage, Rope & Twine Yarn.
9	32, 33, 34, 62	Carded single machine knitting yarns, all counts.	Carded single machine knitting yarns, all counts.
10	35, 36, 37, 62	Carded single yarns, other than machine knitting, 40's & coarser.	Carded single yarns, other than machine knitting, 40's & coarser.
11	38, 62	Carded single yarns, other than machine knitting, finer than 40's, up to but not including 71's.	Carded single yarns, other than machine knitting, finer than 40's, up to but not including 71's.
12	39, 40, 41, 46, 62	Carded single yarns, other than machine knitting, 71's & finer.	Carded single yarns, other than machine knitting, 71's & finer.
13	42, 43, 44, 46, 62	Carded ply yarns, other than machine knitting, 40's & coarser.	Carded ply yarns, other than machine knitting, 40's & coarser.
14	45, 46, 62	Carded ply yarns, other than machine knitting, finer than 40's, up to but not including 71's.	Carded ply yarns, other than machine knitting, finer than 40's, up to but not including 71's.
15	47, 48, 49, 50, 51, 52	Carded ply yarns, other than machine knitting, 71's & finer.	Carded ply yarns, other than machine knitting, 71's & finer.
16	53	Carded single machine knitting yarns, 70's & coarser.	Carded single machine knitting yarns, 70's & coarser.
17	54, 55, 56, 57, 58, 59	Carded single machine knitting yarns, finer than 70's.	Carded single machine knitting yarns, finer than 70's.
18	60	Carded ply machine knitting yarns, 70's & coarser.	Carded ply machine knitting yarns, 70's & coarser.
19	61, 66	Carded ply machine knitting yarns, finer than 70's.	Carded ply machine knitting yarns, finer than 70's.
20	74, 75, 76	Carded thread yarns, of any count or description.	Carded thread yarns, of any count or description.
21	77, 78, 80	Solomon twine, hawser cord and other cabled cord.	Solomon twine, hawser cord and other cabled cord.
22	79	Tying, wrapping and all other twines (except cabled and sewing).	Tying, wrapping and all other twines (except cabled and sewing).

AA-1 SALE YARN PREFERENCE RATING SCHEDULE

NOTE: Schedule amended Feb. 6, 1945. Preference rating AA-1 is assigned for each group to the processor in Column I, to obtain deliveries of the cotton yarn in Column II, to be used only for a purpose, or for incorporation into a product, listed in Column III.

Group	Column I	Column II	Column III
1	Processor	Cotton tire cord	Tires. Fuel cells. Fuel hose.

AA-2X SALE YARN PREFERENCE RATING SCHEDULE

NOTE: Schedule amended Feb. 6, 1945. Preference rating AA-2X is assigned for each group to the intermediate processor, processor, merchant and user in Column I, to obtain deliveries of the cotton yarn in Column II, to be used only for a purpose, or for incorporation into a product, listed in Column III.

Group	Column I	Column II	Column III
2	Processor. Merchant.	Cord, filler. Twine, sewing	Textile bags as defined in Conservation Order M-221, and for a use there permitted. Paper lined bags. Multi-wall paper bags. Spiral tube shipping containers. Barrel covers.
3	Merchant	Cord, filler. Thread. Twine (other than seine or cabled).	Hand sewing or machine sewing for bag closing.
4	Processor.	Yarn, carded. Yarn, combed.	Transmission belts, tapes & ropes. Polishing, grinding and roughing belts. Harvester webbing. Shuttle strap belt. Paper makers' blankets. Woven felts for industrial purposes. Card clothing fabric. Blasting caps and fuses.
5	Intermediate processor. Processor.	Thread, sewing	Safety equipment. This term means equipment and devices designed primarily to insure safety or to prevent or reduce accidents, injuries, occupational hazards or diseases, including but not necessarily limited to the following articles: 1. Protective occupational safety clothing made only of impregnated or coated fabrics for the purpose of making it resistant against fire, heat, acid or other chemicals or abrasives. 2. Safety belts, life lines and harness. 3. Gas masks, respirators and other respiratory protective equipment. 4. Protective hard hats and helmets.
6	Intermediate processor	Yarn, carded	Rubber hose and tubing for safety and industrial purposes (including mine and shipboard ventilating tubing and fire hose). Rubber packing and gaskets, and other mechanical rubber products, as defined and limited in Rubber Order R-1, as amended December 4, 1943, Schedule A, Code Nos. 11 and 12. Fabric packings and gaskets.
7	Intermediate processor. Processor. Merchant. User.	Twine (other than seine or cabled). Yarn, carded	Agricultural and food processing uses. Farm equipment: Horse collars and pads. Back bands. Fly nets. Horse and cow blankets. Dairy products equipment. Crop cultivation and harvesting uses. Meat packers supplies. Glass cloth and incubator crinoline for poultry raising and other farm uses. Filter cloths required in the production of sugar honey and vegetable oils.
8	Processor	Thread, sewing.	Butting and seaming bolts of fabrics.
9	Intermediate processor	Selva tape, webbing and sewing.	Electrical insulation.

NOTE: Attention is called to Direction 9 to Order M-317 restricting the sale and delivery of carded cotton weaving sale yarn in counts of 20's or coarser.

AA-3 SALE YARN PREFERENCE RATING SCHEDULE

NOTE: Schedule amended Feb. 6, 1945.

Preference rating AA-3 is assigned for each group to the intermediate processor, processor and user in Column I to obtain deliveries of the cotton yarn in Column II, to be used only for a purpose, or for incorporation into a product, listed in Column III.

Group	Column I	Column II	Column III
10	Intermediate processor... User (non-profit public institutions only).	Thread sewing.....	Men's and boys' work clothing meaning any garments designed for male workers' wear while engaged in their occupations but only of the type customarily sold as one of the following: Waistband overalls or dungarees. Bib overalls. Overall jumpers or coats. Blanket-lined overall jumpers or coats. One-piece work suits. Work pants. Work trousers. Coat jackets. Work shirts. Work aprons. Lined work coats. Doctors', dentists', internes', or orderlies' gowns, suits or coats. Druggists' coats. Slaughter house workers' coats. Butchers', fish handlers' or dairy workers' coats or apron sets. Cooks' coats. Shop and work caps.
11	Intermediate processor. Processor.	Thread, sewing.	Oilskin jackets, coats, hats, or apron overalls. Occupational protective clothing (i. e. black rubber clothing). Work gloves, meaning any type of hand covering designed for workers' wear while engaged in their occupations and of the type customarily sold as such.
12	Processor.	Knitting yarn.	Knitted cotton linings to be used only in the manufacture of rubber foot-wear, as defined and limited in Rubber Order R-1.
13	Processor.	Yarn, carded. ¹	Wicking for oil lamps and stoves.

¹ Note: Attention is called to Direction 9 to Order M-317 restricting the sale and delivery of carded cotton weaving sale yarn in counts of 20's or coarser.

DISTRIBUTION SCHEDULE—COTTON SALE YARN, COBAGE, TWINE AND ROVING

The percentage obligations in Columns III, IV and V are to be calculated for quarterly periods on production from the first day of each calendar quarter, except that for the first calendar quarter of 1945 they shall be calculated for the period from February 12, 1945, to March 31, 1945.

(a) Column I indicates the corresponding item numbers of the various cotton yarns in this schedule as each appears on Form WPB-658-E (12/20/44).

(b) Column II shows the descriptions and counts of yarns covered by this schedule.

(c) Column III shows the minimum percentage of the producer's current calendar quarterly production which must be delivered by him against rated export orders for cotton yarns. Only deliveries on purchase orders given in conformity with the procedures described in paragraph (d) (1) (Cotton textiles for export) of Order M-317 may be credited toward this obligation. Exports by or for the United States Army, Navy, Maritime Commission or War Shipping Administration may not be credited toward this obligation.

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

(e) Column V shows the percentage of the producer's current calendar quarterly production beyond which he need not accept rated orders. Priorities Regulation 1 applies

up to that percentage. If acceptance of an order which is rated higher than a previously accepted rated order would result in having more rated orders than the Column V percentage, then, unless the producer is willing to accept rated orders above the required percentage, the lowest rated order on his books for the current quarter must be displaced and filled from the percentage applicable to the next quarter.

NOTE: Schedule amended Feb. 6, 1945.

Reference No.	Column I	Column II	Column III	Column IV	Column V	Column VI
1	1, 2, 3, 4, 29, 30	CARDED COTTON SALE YARN Single other than machine knitting: 20's and coarser		100	100	No counts 9's-14's, inclusive, may be delivered for export.
2	5, 6, 31	Finer than 20's	5	70	90	
3	7, 8, 9, 10	Ply other than machine knitting: 2 Ply weaving 20's and coarser.		100	100	No counts 9's-14's, inclusive, may be delivered for export.
4	11	2 Ply weaving 21/2 to 20/2	5	75	90	
5	12	2 Ply weaving 30/2 and finer.		100	100	May not be exported except for Canadian Military use.
6	13, 14, 15, 16 (if 20's or coarser) 17, 18, 24, 29, 30	All other ply yarns (except insulating yarns): 20's and coarser		100	100	If of ply greater than 2 ply may not be exported except for Canadian Military use. No counts 9's-14's, inclusive, may be delivered for export. If percentages required under Columns IV & V items 17, 18 & 24 cannot be obtained credit against such rating requirements may be taken if production is transferred to Items 7, 8, 9, 10, 13, 14, 15, 16 (if 20's & coarser) and 25.
7	16 (if finer than 20's) 28, 31	Finer than 20's		70	90	
8	23	Mop yarns			100	
9	25	Insulating yarns (waste, part waste and tinge).		100	100	
10	27	Carded cordage, rope and twine.		100	100	
11	19, 20, 21	Single machine knitting yarn.	4	60	80	
12	22	Ply machine knitting yarns	5	50	70	
13	32, 33, 34, 62	COMBED COTTON SALE YARN Single other than machine knitting: 40's and coarser		90	100	These yarns if of counts finer than 100's may not be exported.
14	35, 36, 37, 62	40's and coarser		60	60	
15	38, 62	41's to 70's		75	90	
16	39, 40, 41, 45, 62	71's and finer				
17	42, 43, 44, 45, 62	Ply other than machine knitting: 40's and coarser		100	100	
18	45, 46, 62	41's to 70's		60	75	
19		71's and finer		50	75	These yarns if of counts finer than 100's may not be exported.

DISTRIBUTION SCHEDULE—COTTON SALE YARN, CORDAGE, TWINE AND ROVING—Continued

Reference No.	Column I	Column II	Column III	Column IV	Column V	Column VI
		COMBED COTTON SALE YARN				
		Single machine knitting yarn:				
19	47, 48, 49, 50, 51, 52...	70's and coarser.....	5	50	70	These yarns if of counts finer than 100's may not be exported.
20	53.....	71's and finer.....	5	20	50	
		Ply machine knitting yarns:				
21	54, 55, 56, 57, 58, 59...	70's and coarser.....	4	60	80	These yarns if of counts finer than 100's may not be exported.
22	60.....	71's and finer.....	4	20	50	
23	61.....	Thread Yarns.....			100	
		COTTON TWINE				
24	71, 72, 73.....	Cordage and rope, braided and twisted.....		100	100	
25	74, 75, 76.....	Selvie Twine, Hawser cord and other cabled cord.....		100	100	
26	77, 78, 80.....	Tying, wrapping and all other twines (except cabled and sewing).....		100	100	
27	79.....	Sewing twine.....		100	100	

INTERPRETATION 1

COTTON SALE YARN PRODUCTION AND DISTRIBUTION

1. Q. If a mill has received a specific WPB direction or is covered by a general direction requiring it to deliver a specified poundage of a type of yarn for which the mill has an export obligation under Column III of the Distribution Schedule, must the export set aside percentage be applied to the total number of pounds produced during the calendar quarter, or may it be applied to the total pounds produced less the yarn required to be delivered under such a direction?

A. The export set aside obligation must be calculated on the basis of the total poundage of all yarn produced during the calendar quarter included within the reference number for which the export obligation exists. No deduction may be made for yarn required to be delivered under a direction, unless the amount required to be delivered under the direction exceeds the difference between the Column III obligation and the total quarterly production of the mill under that reference number. For example, the mill's total production quarterly under a certain reference number is 100,000 pounds; a WPB direction requires delivery quarterly of 50,000 pounds; the export set aside is calculated on 100,000 lbs., not on the 50,000 lbs. balance. However, if the WPB direction requires delivery quarterly of 95,000 lbs. and the Column III percentage is 10%, obviously only 5,000 lbs. or 5%, will be left available for the export set aside.

2. Q. If a mill is producing several counts of yarn all of which are reported under item numbers on Form WPB-658E included under a single reference number on which there is an export obligation, but only some of the counts are permitted to be exported, must the export set aside percentage be applied to the total pounds of all the counts produced during the quarter under that reference number, or may it be applied to the total pounds produced less the pounds produced of the counts which are not allowed to be exported?

A. The export set aside percentage must be applied to the total production of all the counts.

3. Q. If a mill is producing a count of yarn for which export orders are not obtainable, but which is reported under an item number on Form WPB-658E included in a reference number for which the Distribution Schedule requires an export set aside, is the mill required to change to a count of yarn for which there is a market in order to fulfill its export obligation?

A. Yes. For example, a mill reports production of 4/1 tubes; no export market exists for 4/1 tubes, but 8/1 tubes covered under the same reference number of the Distribution Schedule and usually made on the same machinery are subject to substantial export demands. The mill is required to furnish 8/1 tubes to fulfill the export obligation, unless it fills its export obligation from other counts covered by the same reference number.

4. Q. If a mill is producing various counts of yarns reported under various item numbers on Form WPB-658E covered by various reference numbers in the Distribution Schedule, is the mill permitted to fulfill its export obligation under all reference numbers by delivering the total required poundage all in yarns covered by one reference number?

A. No. The export set aside obligation must be calculated on the total poundage of all types of yarn produced under each reference number shown on the Distribution Schedules and must be satisfied by delivery of yarn of a description included under that reference number. For example, a mill produces under reference number 1, 14/1 warp twist yarn. Its export set aside obligation under this reference number, based on total production of yarns covered by the reference number, is 5,000 lbs. It also produces 20/2 ply yarn under reference number 2, and its export set aside obligation under this reference number is 2,000 lbs. It may not satisfy its export obligation under both reference numbers by delivery of 7,000 lbs. of 20/2 ply yarn.

5. Q. If a mill has not delivered within a calendar quarter yarns required to be set aside for export orders from its production of that quarter, is the mill required to deliver these yarns on export orders in succeeding quarters and in addition meet the export requirements for the succeeding quarters?

A. Yes.

6. Q. May a mill credit towards its export set aside obligation deliveries on an order to which there is not attached the certification required by paragraph (d) and the notation required by paragraph (d) (1) of Conservation Order M-317?

A. No.

7. Q. May a mill credit towards its export set aside obligation deliveries of yarn exported in the form of fabric or manufactured products into which the yarn is incorporated?

A. No. Only deliveries of yarn exported in the form of yarn or to replace in inventory exports of yarn in the form of yarn may be credited towards the export set aside obligation.

8. Q. May an export order which carries an AA-5 rating be displaced by a higher rated domestic order?

A. Yes, but not if the acceptance of the domestic order would prevent the fulfillment of the mill's export set aside obligation for that calendar quarter.

9. Q. Is a mill required to accept rated export orders for yarn in excess of the percentage specified in Column III of the Distribution Schedule?

A. Yes. These rated orders must be accepted so long as the total percentage of rated order accepted does not exceed the Column V percentage. (Issued Dec. 26, 1944.)

[F. R. Doc. 45-2179; Filed, Feb. 6, 1945; 11:41 a. m.]

PART 3293—CHEMICALS

[General Preference Order M-340 as Amended Feb. 6, 1945]

MISCELLANEOUS CHEMICALS

§ 3293.491 *General Preference Order M-340—(a) Definitions.* (1) "Subject chemical" means any chemical as defined in List 1 attached to this order.

(2) "Preferred order" means any purchase order for subject chemicals which are (i) ultimately to be delivered to or incorporated in material to be delivered to, the United States Army, Navy, Maritime Commission, War Shipping Administration, Panama Canal, Office of Scientific Research and Development, Veterans' Administration, or any government agency pursuant to the Act of March 11, 1941 (Lend-Lease Act), or which are (ii) ultimately to be used for any preferred purpose specified opposite the subject chemical in List 1 attached to this order. An order for a subject chemical may be certified as "preferred order" if the chemical is required to replace withdrawals from inventory within the previous 30 days to fill "preferred orders".

(b) *Inapplicability of certain preference ratings.* (1) No person shall give any effect to any preference rating below AAA on any purchase order for subject chemicals, unless the person placing the purchase order certifies that it is a "Preferred order".

(2) "Preferred orders" shall be certified in substantially the following form, duly signed by an authorized official:

Certified as Preferred Order under WPB Order M-340

(Identify purchase order if certificate is not on it or attached to it; if certificate does not cover whole order, add "as to ----- (quantity) of ----- (material)").

(Name of purchaser)

(Signature and title of duly authorized official)

The certificate may be indorsed on or attached to the purchase order and need not be filed with the War Production Board. Any person receiving the certificate may rely upon it unless he knows or has reason to believe that it is false. The standard certification of Priorities Regulation 7 may not be used instead.

(3) A person who receives a subject chemical on a certified "preferred order" shall use the chemical only for the pur-

poses shown in paragraph (a) (2) above, unless otherwise specifically authorized in writing by the War Production Board.

(c) *Special directions.* The War Production Board may at any time issue special directions to any person regarding production, use or delivery of subject chemicals, notwithstanding the other provisions of this order.

(d) *Applicability of regulations.* Except as provided in paragraph (b) above, this order and all transactions affected hereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(e) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or fur-

nishes 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.* Communications concerning this order shall, unless otherwise directed, be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-340.

Issued this 6th day of February 1945.

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

LIST 1

Subject Chemical

Preferred purposes under paragraph (a) (2) (ii)

- | | |
|--|--|
| 1. Oxidized petrolatum, meaning high paraffinic petrolatum oxidized and processed to contain aliphatic ketones, and which is suitable for use as a base in the manufacture of rust preventative compounds or corrosion inhibitors meeting specification No. 52-C-18 such as those petrolatums known by the trade marks Par-Al-Ketone, Alox 707, and Alox 701. | None. |
| 2. Enamelwire naphtha, also known as E. W. naphtha, meaning a mixture of aromatic solvents derived from coke oven light oil, drip oil, or coal tar, distilling between 150 and 290° C., with at least 15 per cent monomeric polymerizable constituents of the cumorene-indene type. The term does not include aromatic material for the production of E. W. naphtha, or for the production of cumorene-indene resin, or for the production of other chemicals or intermediates, or for use as solvents in the crude state. | None. |
| 3. Precipitated calcium carbonate, meaning ultrafine particle calcium carbonate such as the chemical known as Kalvan, Witcarb R and Multifex. | None. |
| 4. Hi-flash naphtha, meaning water white coal tar solvent naphtha, having a distillation range of 140° C. (293° F. to 200° C.) (392° F.), derived from coke oven light oils, coal tar distillates, drip oils or holder oils. | None. |
| 5. Dipentene, meaning certain terpene solvents, consisting largely or entirely of mono cyclic terpene hydrocarbons of the empirical formula $C_{10}H_{16}$, having a distilling range and solvent power above that of turpentine. | (i) Marine paint for maintenance of ocean-going vessels;
(ii) Rubber reclaiming. |
| 6. Heat treated rosins, meaning rosin heated to a sufficiently high temperature and for a sufficient period to effect some degree of isomerization and disproportionation. | (i) Foundry cores. |
| 7. Stabilized rosins, meaning rosin stabilized by hydrogenation, dehydrogenation or disproportionation. | (i) Manufacturing and compounding of synthetic and natural rubber. |
| 8. Polymerized rosins, meaning rosin which contains 20% or more of polymerized or condensed rosin acids. | None. |
| 9. Metal resins, meaning any rosin which has been reacted with any given metal or metallic salt and contains 1% or more of the metal combined with the rosin. | (i) Foundry cores.
(ii) Heat setting inks. |
| 10. Rosin, meaning gum rosin and wood rosin as defined in the Naval Stores Act of March 3, 1923. | (i) Marine paint for maintenance of ocean-going vessels;
(ii) Orders rated under Order P-149 for can enamel manufacture;
(iii) Ultimate use by U. S. Government Printing Office or Bureau of Printing and Engraving. |
| 11. Nitrocellulose plastics, meaning plasticized cellulose nitrate in primary unfabricated forms, such as sheets, shapes, rods and tubes (including extruded, butt-joined, and spiral-wound tubes manufactured by the producer of the nitrocellulose plastic incorporated therein). | None. |

[F. R. Doc. 45-2180; Filed, Feb. 6, 1945; 11:41 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Supp. Order 86, Amdt. 1]

ADJUSTMENT OF MAXIMUM PRICES OF CERTAIN COTTON TEXTILES AND ADJUSTABLE PRICING THEREOF

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

Section 1305.114 of Supplementary Order No. 86 is amended in the following respects:

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

(a) *Who may apply.* An application for adjustment of the maximum price for a commodity subject to schedule or regulation numbers 7, 11, 33, 35, 89, 118,¹ or cotton knitted tubing for use as wristlets in the manufacture of work gloves, may be filed by any person who is subject to a War Production Board direction pertaining to that commodity. The word "direction" here means any order to produce stated quantities within specified periods, excluding purchase orders or contracts bearing preference ratings.

2. In paragraph (b) the clause following the parenthetical figure "(ii)", is amended to read "in the case of woven or knitted goods less than 5.7%, or in the case of yarns less than 4.7%."

3. Paragraph (c) is amended by substituting the phrase "Article III" for the phrase "Subpart B".

This amendment shall become effective February 5, 1945.

Issued this 5th day of February 1945.

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 issuance of this Amendment is necessary to aid in the effective prosecution of the war.

FRED M. VINSON,
Economic Stabilization Director.

[F. R. Doc. 45-2162; Filed, Feb. 5, 1945; 4:08 p. m.]

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

¹ Revised Price Schedule No. 7—Combed Cotton Yarns and the Processing Thereof, 7 F.R. 1221, 2000, 2132, 2277, 2393, 2509, 2737, 3160, 3551, 3664, 5481, 8948, 9732, 10469, 8 F.R. 972, 5755, 9285, 11870, 12611, 14004; Maximum Price Regulation No. 11—Fine Cotton Goods, 9 F.R. 2661; Maximum Price Regulation No. 33—Carded Cotton Yarns and the Processing Thereof, 7 F.R. 7557, 8948, 10070, 8 F.R. 2345, 3526, 9750, 13497; Revised Price Schedule No. 35—Carded Grey and Colored-Yarn Cotton Goods, 8 F.R. 1963, 5306, 15903, 16744, 9 F.R. 2020, 2237, 2477, 2790; Revised Price Schedule No. 89—Bed Linens, 7 F.R. 715, 1375, 2107, 2000, 2132, 2299, 2739, 3163, 3327, 3447, 3962, 4176, 4732, 7599, 8937, 8 F.R. 8070, 11245, 9 F.R. 1717; Maximum Price Regulation No. 118—Cotton Products, 8 F.R. 12186, 12934.

PART 1372—SEASONAL COMMODITIES

[MPR 210,¹ Correction]

RETAIL AND WHOLESALE PRICES FOR FALL AND WINTER SEASONAL COMMODITIES

Maximum Price Regulation 210 is corrected by substituting the word "designed" for the word "designated" in § 1372.112 (e) (2).

This correction shall be effective as of August 26, 1942.

Issued this 6th day of February 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-2185; Filed, Feb. 6, 1945;
11:48 a. m.]

PART 1411—COMPENSATORY ADJUSTMENT

[Rev. Compensatory Adjustment Reg. 1,²
Amdt. 4]

WARTIME INCREASE IN COST OF TRANSPORTING COAL

Revised Compensatory Adjustment Regulation No. 1 is amended in the following respects:

1. Section 1411.2 (c) (2) is amended to read as follows:

(2) In determining the amount of compensatory adjustment payable on applications relating to a shipment of bituminous coal other than southern bituminous coal, the railroad freight rate used in determining the transportation costs incurred by applicant after May 18, 1942, shall not exceed the Clearfield freight rate from Pennsylvania in effect on the date of shipment to the point of discharge or point of transshipment, as the case may be.

This paragraph shall apply to applications relating to bituminous coal received during July, 1943 and subsequent months.

2. Section 1411.5 (i) is added to read as follows:

(i) The term "southern bituminous coal" means bituminous coal produced in bituminous coal producing Districts Nos. 7 and 8 as defined in the Bituminous Coal Act, as amended, and as they have been modified as of midnight August 23, 1943, except coal shipped from origin points in District No. 8 on the Baltimore and Ohio Railroad and its lateral short line connections.

This paragraph shall apply to applications relating to coal received during July, 1943 and subsequent months.

3. Section 1411.5 (j) is added to read as follows:

(j) The term "northern bituminous coal" means bituminous coal produced in bituminous coal producing Districts Nos. 1, 2 and 3 as defined in the Bituminous Coal Act, as amended, and as they have been modified as of midnight August 23, 1943, and bituminous coal produced in and shipped from origin points

in bituminous coal producing District No. 8 on the Baltimore and Ohio Railroad and its lateral short line connections.

This paragraph shall apply to applications relating to coal received during the month of June, 1944 and subsequent months.

4. Section 1411.8 is added to read as follows:

§ 1411.8 *Receivers of northern bituminous coal via tidewater transshipment from New York Harbor or Philadelphia Piers.* Notwithstanding anything to the contrary contained in this regulation the following persons shall be eligible to apply for compensatory adjustment on account of wartime increases in the cost of transporting coal, and the amount of compensatory adjustment payable to such persons shall be determined as hereinafter set forth in paragraph (b) of this section in lieu of § 1411.2 of this regulation.

(a) A person who (1) during the year 1941 normally received at a business establishment northern bituminous coal transshipped from New York Harbor or Philadelphia Piers, via tide water, to an unloading port on the Atlantic Coast north of and including the Port of Boston and (2) after June 1, 1944 is a receiver of northern bituminous coal at the same or equivalent business establishment: *Provided*, That if such person during the year 1941 also normally received northern bituminous coal by all rail shipment he shall not be eligible to apply for compensatory adjustment on the northern bituminous coal he continues to receive by all rail shipment.

(b) The amount of compensatory adjustment payable on each application filed by persons whose eligibility is established by paragraph (a) above shall be the excess transportation costs incurred on the shipment of northern bituminous coal which is the basis of the application, determined according to the formula set forth below, but in no event will a sum be paid which will reduce the delivered cost of the coal which is the basis of the application below the applicants base period delivered cost of the same or most nearly similar northern bituminous coal.

(1) *Formula for determining excess transportation costs.* (i) A base period transportation cost shall be determined for each business establishment of each applicant, and shall be the total of the rail transshipment freight rate, the water transportation cost and the cost of marine and war risk insurance on cargo, if any, as defined in subdivisions (a), (b) and (c) below. The base period transportation cost as thus determined shall be applied to each application filed by such applicant regardless of the kind or size of northern bituminous coal which forms the basis of the application.

(a) The rail transshipment freight rate shall be the lowest published rate, in effect during the period December 15-31, 1941, from the freight rate district in which the coal, which is the basis of the application, originated, to the actual point of transshipment, regardless of

whether the applicant received coal from such point of origin during the year 1941.

(b) The water transportation cost shall be the weighted average of the actual vessel freight rates paid during the period December 15-31, 1941 (or the rate paid on the nearest earlier date on which a shipment of northern bituminous coal was received), without reference to the kind or size of northern bituminous coal received.

(c) The marine and war risk insurance, if any, shall be the weighted average of the actual insurance paid during the period December 15-31, 1941 (or the rate paid on the nearest earlier date on which a shipment of northern bituminous coal was received), without reference to the kind or size of northern bituminous coal received.

(ii) The current transportation costs incurred in transporting the bituminous coal which is the basis of the application shall be determined according to the actual transportation cost incurred, as defined in § 1411.5 (h) of this regulation, with the exception that, if the application relates to bituminous coal originating in a freight rate district from which the applicant received no bituminous coal during the year 1941 then the railroad freight rate to the point of transshipment or point of discharge, as the case may be, shall be limited to the Clearfield freight rate from Pennsylvania in effect at the time of shipment.

(iii) The difference between the base period transportation costs determined according to subdivision (i) above and the current transportation costs determined according to subdivision (ii) above shall be the excess transportation costs incurred.

(c) All applications filed under this § 1411.8 shall be filed in accordance with the provisions of § 1411.6 of this revised regulation on the forms described in Appendix A relating to bituminous coal, with the exception that the time for filing applications relating to northern bituminous coal received between June 1, 1944 and January 31, 1945, without penalty is hereby extended to and including April 20, 1945, and such applications will be accepted for filing up to and including June 30, 1945. Prior to filing such applications, or simultaneously therewith, each applicant must file on OPA Accounting Division Form No. 342-101B a statement to substantiate his eligibility. Only one statement to substantiate eligibility need be filed. All other provisions of the revised regulation unless superseded by the provisions of this section shall apply to such applications.

(d) This section shall apply to applications relating to northern bituminous coal received during the month of June 1944 and subsequent months.

This amendment shall become effective February 12, 1945.

Issued this 6th day of February 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-2181; Filed, Feb. 6, 1945;
11:49 a. m.]

¹ 7 F.R. 6789, 7318, 7173, 7912, 8651, 8930, 8937, 8948, 9614, 10109, 8 F.R. 973, 1813, 2025, 6359, 13050, 13742, 16170, 9 F.R. 11177, 11758, 14126.

² 8 F.R. 13980, 15705, 9 F.R. 3514, 4612.

PART 1413—SOFTWOOD LUMBER PRODUCTS

[2d Rev. MPR 13, Amdt. 4]

DOUGLAS FIR PLYWOOD

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 2 (a), the last sentence is amended to read as follows: "This regulation also covers plywood made of other softwood species, and plastic-faced plywood containing one or more laminations of softwood veneer. It does not cover any plywood which contains one or more laminations of hardwood veneer."

This amendment shall become effective February 12, 1945.

Issued this 6th day of February 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-2182; Filed, Feb. 6, 1945;
11:48 a. m.]

PART 1421—IRON AND STEEL

[MPR 235, Amdt. 1]

MANGANESE STEEL CASTINGS

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

A new § 1421.63a is added to read as follows:

§ 1421.63a *Adjustment in maximum prices.* The maximum prices for manganese steel castings and manganese steel castings products established in accordance with § 1421.64, Appendix A, paragraphs (a), (b) and (c) and § 1421.65, Appendix B are increased by four per cent (4%).

This amendment shall become effective February 12, 1945.

Issued this 6th day of February 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-2186; Filed, Feb. 6, 1945;
11:49 a. m.]

PART 1429—POULTRY AND EGGS

[RMFR 333, Amdt. 2]

EGGS AND EGG 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.*

Revised Maximum Price Regulation 333 is amended in the following respects:

1. The sixth paragraph of the explanation is amended to read as follows:

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

¹ 8 F.R. 12887; 9 F.R. 4882, 8147, 14107.

² 9 F.R. 11514, 12216.

"All eggs sold at the maximum price named for a certain grade must conform to the requirements for that grade as set out in United States Department of Agriculture Tentative U. S. Standards for the particular grade, and must meet additional standards set out in this regulation. The grades must be standardized according to the United States Department of Agriculture "Specifications of Official U. S. Standards for Individual Shell Eggs."

2. Section 1.6 (a) is amended by deleting the following last twelve words in the paragraph: "and not from the price for delivery to the retailer's individual store."

3. Section 1.7 is amended to read as follows:

SEC. 1.7. *Sales by licensed ship suppliers.* For purposes of this regulation, sales of eggs to ship suppliers licensed by War Food Administration, for use on vessels operated under the jurisdiction of War Shipping Administration, and sales by such ship suppliers of eggs for use on such vessels, are included as sales to a U. S. Government agency unless the context clearly indicates otherwise.

4. Section 1.9 (b) is amended to read as follows:

(b) *Egg cases.* Except as provided in paragraph (a) above, no additions to maximum prices are permitted for egg cases or cartons. If a complete and suitable case or other container is not furnished by the seller, or is returned by the buyer to the seller, or to another person, at the seller's request, the maximum prices for each 30 dozen eggs shall be reduced by the following allowances for cases or parts of cases.

Case or separate part	If eggs were delivered to buyer	
	East of Mississippi	West of Mississippi
Cases complete with flats, fillers and covers (each).....	Cents 12	Cents 15
Shells (each).....	5	8
Flats (per 12).....	3	3
Fillers (per 10).....	3	3
Covers (each).....	1	1

"East of the Mississippi" means the area located east of the Mississippi River, including the entire state of Wisconsin. "West of the Mississippi" means the area located west of the Mississippi River, including the entire states of Minnesota and Louisiana.

5. Section 1.11 is amended by deleting therefrom the figure 37.2 appearing as the price for Extras 1 and 2 sold during the 36th week in Zone 5, and substituting therefor the figure 47.2.

6. Section 1.12 is amended by deleting therefrom the second footnote to table A-1 (1), "Other Consumer Grades and Sizes," and substituting therefor the following:

"Light dirty" eggs of the interior quality to meet the specifications of Procurement Grades I or II or Consumer Grade A, may be sold in regions where their sale is authorized by the Regional Administrator, under the provisions of section 3.3. The maximum price is 1 cent below the maximum for

the equivalent grade and size of clean eggs but in no event higher than one cent less than the maximum price for Grade A large.

7. Section 1.12 is amended by deleting therefrom footnote (i) to Table A-1 (2), "Other Wholesale Grades and Sizes" and substituting therefor the following:

(i) The maximum price for Standards 3 and 4, ungraded eggs, eggs smaller than medium, and for all other eggs for which a price has not been specifically provided, shall be the same as the price for current receipts in Table A.

8. Section 1.13 is amended by deleting the two footnotes to Table A-2 and substituting therefor the following:

(a) Sales to household consumers by retail route sellers or by any seller other than a retail store: For current receipts and other wholesale grades the maximum price is the price for large consumer Grade C eggs sold to an independent retailer, multiplied by 1.17; for all consumer grades the maximum price is the price for the grade and size when sold to an independent retailer, multiplied by 1.17.

(b) Sales by licensed ship suppliers of procurement or consumer grades of eggs for use on ships operated under the jurisdiction of War Shipping Administration and delivered shipside the vessel: Table A price for the grade and size plus 1.5 cents per dozen; or, if purchased from a U. S. Government agency, 1.5 cents per dozen above the purchase price paid.

9. Section 1.14 is added to read as follows:

SEC. 1.14. *Maximum prices in places located 50 miles or more from railroad delivery point.* The maximum price for eggs delivered to a place located 50 miles or more from a railroad delivery point shall be the appropriate price for the zone in which the nearest railroad delivery point is located, plus transportation costs from that point to the buyer's place of delivery, not to exceed the lowest common carrier rate if one exists.

10. Section 2.2 is amended to read as follows:

SEC. 2.2. *Standards.* Except for permitted sales of certain dried egg products that meet the requirements of Quartermaster Corps Tentative Specifications, as referred to in section 2.10, the prices named in this article are for egg products that meet the standards defined in section 3.2 and that comply with the requirements of the Federal Food, Drug and Cosmetic Act.

11. The introductory sentence of paragraph (a), and Table B, of section 2.3 are amended to read as follows:

(a) Effective March 1, 1945, maximum delivered prices in the basing point cities of New York, Seattle, Portland (Oregon), San Francisco, Los Angeles, San Diego, Phoenix, and Tucson, for the months named, are as follows:

TABLE B (WESTERN AREA)
Cents per pound]

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
Frozen: Whole or reconstituted.....	24.6	24.5	31.2	31.2	31.2	31.2	32.3	32.6	33.0	33.4	33.8	34.2
Whites.....	26.6	26.5	23.2	23.2	23.2	23.2	24.2	24.6	25.0	25.4	25.8	26.2
45% yolks.....	48.1	48.0	44.7	44.7	44.7	44.7	45.7	46.1	46.5	46.9	47.3	47.7
Sugared or salted yolks.....	42.8	42.7	39.4	39.4	39.4	39.4	40.4	40.8	41.2	41.6	42.0	42.4

For the basing point city of Miami, Florida, the maximum prices are one-half cent per pound more than those stated in Table B above.

12. The introductory sentence of para-

TABLE C (EASTERN AREA)
[Cents per pound]

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
Frozen: Whole or reconstituted.....	33.2	33.1	29.8	29.8	29.8	29.8	30.8	31.2	31.6	32.0	32.4	32.8
Whites.....	25.2	25.1	21.8	21.8	21.8	21.8	22.8	23.2	23.6	24.0	24.4	24.8
45% yolks.....	46.7	46.6	43.3	43.3	43.3	43.3	44.3	44.7	45.1	45.5	45.9	46.3
Sugared or salted yolks.....	41.4	41.3	38.0	38.0	38.0	38.0	39.0	39.4	39.8	40.2	40.6	41.0

13. Section 2.5 (a), (b) and (c) are amended to read as follows:

(a) For each whole 1 percent or fraction thereof in excess of 45 percent in solids of frozen or liquid yolks not containing sugar or salt, the seller may add at a rate of 85/100 cent (\$0.0085) per pound to the prices in sections 2.3 and 2.4 above.

(b) For each whole 1 percent or fraction thereof less than 45 percent in solids of frozen or liquid yolks not containing sugar or salt, the seller shall deduct at a rate of 85/100 cent (\$0.0085) per pound from the prices in sections 2.3 and 2.4 above.

(c) For each whole 1 percent or fraction thereof in excess of 43 percent in solids of frozen or liquid yolks containing sugar or salt, the seller may add at a

graph (b), and Table C, of section 2.3 are amended to read as follows:

(b) Effective March 1, 1945, maximum prices in the basing point city of Kansas City, Missouri, for the months named, are as follows:

rate of $\frac{3}{4}$ cent (\$0.0075) per pound to the prices in sections 2.3 and 2.4 above.

14. Section 2.6 is amended by adding paragraph (d) to read as follows:

(d) *Containers.* The maximum prices for frozen and liquid egg products sold in containers of the capacity of more than 20 pounds include the cost of a suitable and complete container. If such egg products are sold in containers of the capacity of 20 pounds or less, one-half cent per pound may be added to the maximum price.

15. The introductory sentence of paragraph (a), and Table D, of section 2.7 are amended to read as follows:

(a) Effective March 1, 1945, maximum prices per pound for sales and deliveries in the cities of New York and Seattle, for the months named, are as follows:

TABLE D
[Per pound]

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
Dried yolk.....	\$1.08	\$1.04	\$1.00	\$1.00	\$1.00	\$1.00	\$1.02	\$1.03	\$1.04	\$1.05	\$1.06	\$1.07
Flake dried albumen.....	2.07	1.94	1.81	1.81	1.81	1.81	1.89	1.92	1.95	1.98	2.01	2.04
Powdered albumen.....	2.12	1.99	1.86	1.86	1.86	1.86	1.94	1.97	2.00	2.03	2.06	2.09
Whole dried egg.....	1.255	1.155	1.12	1.12	1.12	1.12	1.15	1.18	1.21	1.22	1.23	1.245

16. Section 2.7 is amended by adding paragraph (c) to read as follows:

(c) The maximum price for a sale made f. o. b. the seller's shipping point shall be the maximum price for that place in which the seller's shipping point is located, as determined by the provisions of this section 2.7.

17. Section 2.8 is amended by adding a paragraph to read as follows:

(a) *Sales by licensed ship suppliers.* Licensed ship suppliers may add to the purchase price paid for dried egg products the amounts named in the table in the preceding paragraph, under the following conditions: That the dried egg products are sold for use on a ship operated under the jurisdiction of the War Shipping Administration and are delivered shipside the vessel.

18. Section 2.10 is amended to read as follows:

SEC. 2.10 *Dried egg products; experimental specifications of the Army Quartermaster Corps.* Dried egg products which meet each requirement of "Quartermaster Corps Tentative Specification" identified as "C. Q. D. No. 117, 28 January 1944, superseding C. Q. D. No. 117, 4 March 1943" as now promulgated, or as amended from time to time, when sold under either of the conditions listed following, are exempt from price control: (a) when sold to a procurement agency of the United States Army Quartermaster Corps; or (b) when sold to the War Food Administration for use by the American Red Cross.

19. Section 2.11 is amended by adding at the end of the section the following sentence: "If the blend or emulsion is frozen or liquid, the provisions of paragraph (d) of section 2.6 regarding container costs shall apply; if the blend or

emulsion is dried, the provisions of section 2.12 on container costs shall apply."

20. Section 2.12 is amended to read as follows:

SEC. 2.12 *Maximum prices for dried egg products packed in containers other than barrels.* The maximum prices for dried egg products include the cost of a new barrel. To find the maximum price for such products packed in other containers (called herein "new containers") make the following calculation:

(1) Find the delivered cost of the barrel per pound of contents. (Example: for a 200-pound barrel, take the cost of the empty container delivered at the drying-plant and divide by 200.) Carry the calculation to the second decimal of one cent, dropping the third decimal if it is less than 5 and increasing to the next higher figure if it is 5 or more.

(2) Divide the delivered cost of the new container by the number of pounds it holds, in the same way as the barrel cost was figured in (1) above.

(3) This gives the cost, per pound of contents, of the barrel and the new container. If the cost per pound of the new container is greater than that of the barrel, add the difference to the maximum price for dried egg products packed in the new container.

(4) If the cost per pound of the new container is less than that of the barrel, subtract the difference from the maximum price for dried egg products packed in the barrel.

(5) The result of this calculation is the maximum price per pound of dried egg products packed in the new container. This price is, of course, subject to other applicable provisions of this regulation with regard to additions to or deductions from maximum prices.

21. Section 3.2(p) is amended by deleting therefrom the words: "at a temperature of zero degrees Fahrenheit or below."

22. Section 3.2 is amended by adding paragraph (y) to read as follows:

(y) "Light dirty" eggs means that the individual egg has not more than one-eighth ($\frac{1}{8}$) of the shell surface slightly stained, slightly soiled, or slightly dirty but without loose adhering dirt.

23. Section 3.3 (f) is added to read as follows:

(f) Each Regional Administrator is further authorized to issue an order permitting the sale and delivery of "light dirty" eggs to United States Government agencies, if in the past the sale of light dirty eggs has been customary within the region. The Order of the Regional Administrator shall contain the following provisions:

(1) The area within which such eggs may be sold and delivered shall be defined.

(2) The light dirty eggs, to be sold at the maximum price provided in the order, must, as to interior quality, meet specifications for one of the following grades: Procurement Grades I or II, or Consumer Grade A or better.

(3) The eggs must be inspected and certified as being of the required interior quality to meet the specifications for the

grade by an authorized inspector of either the United States Department of Agriculture or the United States Army Veterinarian Corps.

(4) The maximum price shall be one cent less per dozen than the maximum price for the equivalent grade and size of clean eggs, but in no event higher than one cent less than the maximum price for Consumer Grade A large.

(5) The eggs may be sold in any suitable container, either sealed or unsealed.

24. Section 3.9 is amended by adding at the end a sentence to read as follows: "In the case of frozen or liquid yolk products, the record shall state, in addition to the foregoing facts, the percentage in solids."

25. Section 3.17 is amended by adding paragraph (b) to read as follows:

(b) Regardless of the provisions of this regulation, no retail sale of eggs may be made at a price higher than that established by any order fixing community price ceilings applicable to such sale.

26. Section 3.18 is amended in the following respects:

a. Change the zone designation of Hill County, Texas, from 59 to 39.

b. Delete "Harrison" in Iowa, after "Hamilton," and preceding "Hardin," and substitute therefor "Hancock."

c. Delete "Marshall" in Iowa, after "Madison" and preceding "Marion," and substitute therefor "Mahaska."

d. Change the zone designation of Boulder County, Colorado, from 13 to 10.

This amendment shall become effective February 12, 1945, except as to sections 2.3 and 2.7 which provisions shall become effective March 1, 1945.

Issued this 6th day of February 1945.

CHESTER BOWLES,
Administrator.

Approved: January 29, 1945.

GROVER B. HILL,
First Assistant War Food
Administrator.

[F. R. Doc. 45-2187; Filed, Feb. 6, 1945;
11:48 a. m.]

PART 1499—COMMODITIES AND SERVICES

[RMPR 165, Supp. Service Reg. 47]

RETAIL SHOE REPAIR SERVICES

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

§ 1499.680 *Retail shoe repair services*—(a) *Delegation of authority.* Any Regional Administrator may establish maximum prices for retail shoe repair services for any area within his jurisdiction by issuing an order (hereinafter called an "area order") under this regulation after clearance of the area order with the Service Trades Branch in Washington, D. C. Any Regional Administrator may revise or revoke the area order

after clearance of the revision or revocation with the Service Trades Branch in Washington, D. C.

The provisions of this supplementary service regulation shall apply to each seller covered by an area order.

(b) *To what shoe repair services such order shall apply.* The area order shall apply only to the retail shoe repair services specified therein for a designated area. Unless otherwise specified in the area order, such order shall include (but shall not be limited to) the services set forth in Appendix A, and the definitions set forth in paragraph (h) hereof.

Retail shoe repair services not specified in the area order and non-retail shoe repair services shall remain subject to RMPR 165 (Services) or MPR 200 (Rubber Heels in the Shoe Repair Trade), whichever is applicable. For example, corrective orthopedic services and attachments by hand sewing remain under the pricing provisions of RMPR 165, unless otherwise specified in an area order.

(c) *Maximum prices specified in an area order.* Notwithstanding the pricing provisions of RMPR 165, and regardless of any previous other regulation, order (including an order authorizing a price adjustment), or approval, no seller subject to an area order may charge or offer to charge prices higher than the maximum prices set forth in the area order for any of the services listed therein.

(d) *Lower prices.* Any seller subject to an area order may at any time charge or offer to charge prices lower than the maximum prices specified therein.

(e) *Sales slip or receipt.* Each seller subject to an area order who uses premium leather (Prime, Fine, Military Selection, or Government Selection leather) in supplying a half-soling service, and who makes the extra charges for use of such premium leather which are permitted by the area order, shall either:

(1) Affix to the shank of the shoe a sticker, label, marker, or any other clear price identification, stating: "OPA permitted charge of _____ for premium leather," after inserting the proper figure in the blank space; or

(2) Furnish the customer with a sales slip or receipt showing: (i) the seller's name and address; (ii) the date the services are supplied; (iii) a brief description of each service supplied; (iv) the grade of leather used, if half-soling service is supplied; and (v) the price charged for each service supplied.

If other than premium leather is used in supplying a half-soling service, or if the services supplied do not include half-soling, a sales slip or receipt containing the information set forth in (2) above, must be furnished only if the customer requests a sales slip or receipt.

(f) *Posting requirements.* (1) Each seller subject to an area order issued under this regulation shall, within 30 days after the issuance of such area order, unless otherwise specified in the area order, post on his premises in such a place and manner that is plainly visible to the purchasing public, a poster to be supplied by the Office of Price Administration setting forth the maximum prices established by the area order,

(2) If the poster is lost, destroyed, or damaged the seller must replace it within 10 days with a new one, which will be furnished by the War Price and Rationing Board.

(3) No alterations may be made in the maximum prices listed on the poster for any service, or in the listing of any service.

(4) A seller who receives a price increase from OPA in the manner provided in paragraph (g) below shall, within 10 days of the date such increase becomes effective, post on his premises in such a place and manner that it is plainly visible to the purchasing public, a poster supplied by OPA listing his maximum prices as established by OPA action.

(5) If a seller first offers shoe repair services after the effective date of an area order applicable to him, he must obtain a poster from his War Price and Rationing Board and display it in the manner prescribed above within 10 days of the date that he first offers shoe repair services.

(g) *Higher filed maximum prices.* Any Regional Administrator or any District Director who has been authorized to act by the Regional Administrator having jurisdiction over his district, is authorized to issue an order increasing the maximum prices specified in an area order in the case of any seller who can show:

That his total gross income (sales) from services covered in an area order is substantially less than under RMPR 165, and can also satisfy the conditions set forth below; and

That he filed an adequate statement of his maximum prices for the services listed in the area order with his appropriate War Price and Rationing Board on or before September 10, 1942; or

If the seller entered business after March 1942 and established his maximum prices by taking those of his closest competitor, that the competitor had filed a statement as set forth above; and that the seller had filed a statement of his maximum prices under the applicable filing provision.

Any seller wishing to request such an increase in the maximum prices specified in an area order must do so by filing a request in writing within 60 days of the effective date of the area order applicable to him. The request must be in duplicate and may be made by letter. The request must show:

(1) The sales volume for each service listed in the area order for the three-month period preceding the effective date of the area order; and

(2) The maximum combination prices for the seller's half-sole and heel service (leather or rubber) as established by MPR 165.

Such price increase granted under this section shall provide the seller with approximately the same gross income (sales) as the seller had during the three-month period prior to the issuance of the area order.

The request shall be filed with the OPA district office for the district where the seller's place of business is located.

(h) *Definitions.* Unless otherwise specified in an area order, the following

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

terms shall have the meanings set forth below:

(1) "Complete removal of old stitches": all old stitches are removed from welt by machinery or by hand, and new stitches are inserted in original holes.

(2) "Fine grade leather": sole leather with fine fibers, free of brands and open scratches.

(3) "Government selection": cut half-soles (taps) which come from a bundle which has been appropriately identified as being of Government Selection.

(4) "Half-sole service": the attachment of all half-soles, regardless of the method used. The term includes all operations and materials customarily supplied in the base period by any seller subject to an area order except those operations and materials for which additional charges are permitted in the area order. The following shall not be considered parts of the half-sole service: repairing a Goodyear welt, attaching a pulled-out upper to a Goodyear welt by hand-sewing, replacing an inner sole in whole or in part, or repairing or replacing a broken shank piece.

(5) "Inch": a measure which indicates the total thickness of one dozen tightly bound pairs of cut half-soles (taps).

(6) "Inner sole": the insole of a shoe, to which the welt or upper is attached. The term does not include a sock lining or a loose inner sole.

(7) "Invisible shank": a shank cemented with celluloid base cement by use of a cement press machine, resulting in an "invisible" joint (one that has been carefully joined, buffed, and polished, so that the result appears to be a whole sole).

(8) "Iron": a measure which indicates the thickness of sole material. An iron measures $\frac{1}{4}$ of an inch.

(9) "Leather": all sole (and heel) leather, regardless of the method of tanning, treatment, or of the finish.

(10) "Leveling": making the toplift of a covered wooden heel substantially level with the sole. The operation includes pulling back and replacing the cover of the wooden heel.

(11) "Lift": the full top-piece of leather of a heel.

(12) "Military selection": cut half-soles (taps) that come from a bundle which has been appropriately identified as being of Military Selection.

(13) "Prime grade leather": sole leather with prime fibers, of clear grain, and which is free of brands and open scratches.

(14) "Retail shoe repair services": shoe repair services supplied to a person other than a commercial, industrial, or governmental user.

(15) "Shank piece": material used to stiffen the sole of a shoe between the heel and ball.

(16) "Shoe repair services": the repair of footwear designed for general street or outdoor use, heavy work shoes, and any other types of footwear specified in an area order. The term does not cover services subject to MPR 200 (Rubber Heels in the Shoe Repair Trade). The term does not include the repair of specially designed occupational footwear, like cowboy boots, loggers' shoes,

safety shoes, etc., unless specified in the area order.

(17) "Shoes relasted (with fitted wooden lasts)": shoes are reshaped by use of a wooden form (last) which is the same as the size of the shoe in both width and length. The shoes are properly dampened, placed on the last, and allowed to remain there sufficiently long to conform to the shape and size of the wooden last.

(18) "Wedge": a tapering leather insert used to level and build up a worn portion of a leather heel.

(19) "Welt": a narrow strip of leather stitched to the upper, the insole, and the outsole.

(20) "Composition, rubber, or fiber soles": soles bearing the following brand names and made by the following manufacturers.

Soles bearing no brand name, or brand names not listed below, shall be considered competitive grade. However, the brand names listed in this section are subject to such reclassification as may be provided for in MPR 200.

COMPETITIVE GRADE

Brand	Manufacturer
Adlife	Hagerstown Rubber Co.
Ambassador	Monarch Rubber Co.
Arrow	B. F. Goodrich Co.—Hood Rubber Co.
Broadway	Panther Panco Rubber Co.
Bronco	Holtite Manufacturing Co.
Carlton	Hagerstown Rubber Co.
Dagmar	Hagerstown Rubber Co.
Dictator	Holtite Manufacturing Co.
Empire	Holtite Manufacturing Co.
E-Z	Hagerstown Rubber Co.
Fleetfoot	New Jersey Rubber Co.
Gold Bond	Holtite Manufacturing Co.
Greyhound	B. F. Goodrich Co.—Hood Rubber Co.
Holtite Corrugated	Holtite Manufacturing Co.
Jax Corrugated	Holtite Manufacturing Co.
J. M. A.	Panther Panco Rubber Co.
Kipson	Holtite Manufacturing Co.
L. and R.	The I. T. S. Co.
Monogram	Panther Panco Rubber Co.
Norwood	Essex Rubber Co.
Old Reliable	Holtite Manufacturing Co.
Oriole	Hagerstown Rubber Co.
Pancrom	Panther Panco Rubber Co.
Penmar	Hagerstown Rubber Co.
Portage	Seiberling Rubber Co.
Resolute	Goodyear Tire and Rubber Co.
Ritz	The I. T. S. Co.
Saxco	Panther Panco Rubber Co.
Sazco	Holtite Manufacturing Co.
Signal	Panther Panco Rubber Co.
Skylark	Essex Rubber Co.
Southern	Holtite Manufacturing Co.
Spartan	New Jersey Rubber Co.
Standard	Holtite Manufacturing Co.
Sure Step	Panther Panco Rubber Co.
Tite Edge Corrugated	Essex Rubber Co.

Brand	Manufacturer
Tolco	Panther Panco Rubber Co. and Holtite Manufacturing Co.
U. S. Springstep	United States Rubber Co.
Weartex	Monarch Rubber Co.
Windsor	Hagerstown Rubber Co.

STANDARD GRADE

All Weather	Goodyear Tire and Rubber Co.
Commander	Holtite Manufacturing Co.
Fleetfoot-90	New Jersey Rubber Co.
Gold Crown	Holtite Manufacturing Co.
Green Label (Holtite and Jax)	Holtite Manufacturing Co.
Grippe	Holtite Manufacturing Co.
Ly-Flex	Essex Rubber Co.
Jersey Sport	New Jersey Rubber Co.
Monarch Certified	Monarch Rubber Co.
New Jersey Rubber Co.	New Jersey Rubber Co.
O'Sullivan	O'Sullivan Rubber Co.
Original Label (Holtite and Jax)	Holtite Manufacturing Co.
Panco	Panther Panco Rubber Co.
Panco Corrugated	Panther Panco Rubber Co.
Panco Red Label	Panther Panco Rubber Co.
Perlong	Holtite Manufacturing Co.
Safe Sole	New Jersey Rubber Co.
Seiberling	Seiberling Rubber Co.
Suprex	B. F. Goodrich Co.—Hood Rubber Co.
Tite Edge Twin Plug	Essex Rubber Co.
Tuffy	The I. T. S. Co.
Uskide	United States Rubber Co.
Wingfoot	Goodyear Tire and Rubber Co.

SUPER GRADE

Aristocrat—Cord Grip	O'Sullivan Rubber Co.
Aristocrat—Safety Grip	O'Sullivan Rubber Co.
Bilrite Gripping	Panther Panco Rubber Co.
Cat's Paw Twin Gripper	Holtite Manufacturing Co.
Columbia—Heavy Duty	New Jersey Rubber Co.
Deluxe Suprex Plug Insert	B. F. Goodrich Co.—Hood Rubber Co.
Lifelong	B. F. Goodrich Co.—Hood Rubber Co.
No Jar Supergrip	United States Rubber Co.
Seiberling Bonded	Seiberling Rubber Co.
Tauko Heavy Duty	New Jersey Rubber Co.
Tuffy (Cordisc)	The I. T. S. Co.
Tuftex Heavy Duty	New Jersey Rubber Co.
Twin Duty	Goodyear Tire and Rubber Co.
U. S. Royal Cord	United States Rubber Co.

FLAT CORD GRADE

Adlife Corded	Hagerstown Rubber Co.
Airwate	Holtite Manufacturing Co.
All Weather Flat Cord	Goodyear Tire and Rubber Co.
Aristocrat Corded	O'Sullivan Rubber Co.
Arrow Flat Cord	B. F. Goodrich Co.—Hood Rubber Co.
Cat's Paw Flat Cord	Holtite Manufacturing Co.
Commander Flat Cord	Holtite Manufacturing Co.
Deluxe-Super Flat Cord	B. F. Goodrich Co.—Hood Rubber Co.

Brand Manufacturer
 Dagmar Corded... Hagerstown Rubber Co.
 Fleetfoot Heavy New Jersey Rubber Co.
 Duty Cord.
 Green Label Flat Holtite Manufactur-
 Cord (Holtite ing Co.
 and Jax).
 Greyhound Flat Hood Rubber Co.
 Cord.
 Lifelong Flat Cord.. Hood Rubber Co.-B. F.
 Goodrich Co.
 Monarch Certified Monarch Rubber Co.
 Cord.
 Panco Flat Cord... Panther Panco Rubber
 Co.
 Seiberling All Seiberling Rubber Co.
 Cord.
 Suprex Flat Cord.. B. F. Goodrich Co.—
 Hood Rubber Co.

Tuftex Heavy Duty New Jersey Rubber Co.
 Cord.
 U. S. Royal Flat United States Rubber
 Cord.
 Uskide Flat Cord.. United States Rubber
 Co.
 CORD-ON-END AND CORD INSERT GRADES
 Biltrite - Cord - Panther Panco Rubber
 On - End..... Co.
 Cat's Paw Super Holtite Manufacturing
 Cord Insert..... Co.
 Hy Flex Tuft Cord.. Essex Rubber Co.
 Pancord - Cord - Panther Panco Rubber
 On - End..... Co.
 Supertwist Cord Goodyear Tire and Rub-
 Insert..... ber Co.
 Tufty Cord..... The I. T. S. Co.

APPENDIX A—RETAIL SHOE REPAIR SERVICES

	Men's	Women's	Children's (Thru size 13)
Leather Half-sole service.....	\$.....	\$.....	
Additional charges in the following amounts may be added for:			
Premium leather (Prime or Fine grade leather, or Military or Govern- ment Selection).....			
Heavy leather (9-10½ iron or 5-5½ inch thick).....		XX	XX
Extra heavy leather (11 iron or 6 inch thick or heavier).....		XX	XX
Women's heavy leather (4½" or heavier).....	XX		XX
Invisible shank.....			XX
Old stitches completely removed (on welt soles).....			XX
Shoes relasted (with fitted wooden lasts).....	XX		XX
Men's shoes over size 11; women's shoes over size 9.....			XX
Composition, rubber, or fiber half-sole service:			
Competitive grade, 10½ iron.....			
Standard grade, 10½ iron.....			
Super grade, 10½ iron.....			
Flat cord grade, 10½ iron.....			
Cord-on-end and cord insert grades, 10½ iron.....			
Note: Deductions in the following amounts must be made for 9 iron.			
Additional charges in the following amounts may be added for:			
Heavy (12 iron) in above grades.....		XX	XX
Extra heavy (14 iron) in above grades.....			
Brown in above grades.....			
Full soles in above grades.....			
Old stitches completely removed.....			XX
Heel services:			
One full leather top lift, with or without wedges.....		XX	
One full leather top lift, with wedges thicker than two lifts.....		XX	
Small leather top lift, "Spike type" (without leveling).....	XX		XX
Small leather top lift, "Spike type" (with leveling or wedges).....	XX		XX
Medium leather top lift, "Cuban type" (one full lift, with or without wedges).....	XX		XX
Large leather top lift, "Sport type" (one full lift, with or without wedges).....	XX		XX
Leather sole toe tip service.....			
Large boys' shoe repair services:			
Shoes larger than size 2.....	Priced the same as men's shoe repair services.		
Girls' shoe repair services:			
Shoes larger than size 2.....	Priced the same as women's shoe repair services.		
Children's shoe repair services:			
Boys' and Girls' shoes, sizes 13½ through 2.....	Priced the same as women's shoe repair services.		

This supplementary service regulation shall become effective February 12, 1945.

Issued this 6th day of February 1945.

CHESTER BOWLES,
 Administrator.

[F. R. Doc. 45-2184; Filed, Feb. 6, 1945;
 11:49 a. m.]

Chapter XIII—Petroleum Administration for War

[Recommendation 35, Revocation]

PART 1505—TRANSPORTATION

COST EQUALIZATION

Sections 1505.48 to 1505.50, inclusive (Recommendation No. 35 of the Office of Petroleum Coordinator for National Defense), are hereby revoked, effective immediately.

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3687)

Issued this 3d day of February 1945.

RALPH K. DAVIES,
 Deputy Petroleum Administrator
 for War.

[F. R. Doc. 45-2151; Filed, Feb. 5, 1945;
 2:18 p. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office

[Circular 1593]

PART 250—PUBLIC SALES

LAND SUBJECT TO OFFERING AS ISOLATED TRACT

Section 250.16 is amended to read as follows:

§ 250.16 *Land subject to offering as an isolated tract.* As a general rule, no tract will be deemed isolated unless it is completely surrounded by lands held in non-Federal ownership; or is so effectively separated from other federally

owned lands by some permanent withdrawal or reservation as to make its use with such lands impracticable.

FRED W. JOHNSON,
 Commissioner.

Approved: January 24, 1945.

OSCAR L. CHAPMAN,
 Assistant Secretary.

[F. R. Doc. 45-2164; Filed, Feb. 6, 1945;
 10:02 a. m.]

Notices

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 122, Amdt.]

YOKOHAMA NURSERY CO., LTD.

In re: 50% of the capital stock of Yokohama Nursery Company, Ltd.

Vesting Order Number 122, dated August 25, 1942, is hereby amended as follows and not otherwise:

By deleting therefrom the following:

125 shares of \$100 par value capital stock of Yokohama Nursery Company, Ltd., a New York corporation, which is a business enterprise within the United States, which shares are owned by S. Suzuki, whose last known address was represented to the undersigned as being in Japan,

is property of, and represents an interest in said business enterprise which is, a national of a designated enemy country (Japan), and determining that to the extent that either or both of 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, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States,

and substituting therefor the following:

125 shares of \$100 par value capital stock of Yokohama Nursery Company, Ltd., a New York corporation, which is a business enterprise within the United States, and which shares are registered in the name of S. Suzuki and beneficially owned by Yokohama Nursery Company, Ltd., a Japanese corporation, whose last known address is Yokohama, Japan,

is property of a national of a designated enemy country (Japan) and represents control of said business enterprise, which is a national of a designated enemy country (Japan), and determining that to the extent that either or both of 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, and having made all determinations and taken all action, after appropriate consultation and certification required by said Executive order or act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

All other provisions of said Vesting Order Number 122, and all action taken on behalf of the Alien Property Custodian in reliance thereon, pursuant thereto and under the authority thereof, are hereby ratified and confirmed.

Executed at Washington, D. C. on January 30, 1945.

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

[F. R. Doc. 45-2167; Filed, Feb. 6, 1945;
10:53 a. m.]

[Vesting Order 4249]

KARL LIEBERKNECHT, INC.

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. Having found by Vesting Order Number 2079, dated September 1, 1943, that out of the total issued and outstanding capital stock of Kallo, Inc., a corporation organized and doing business under the laws of the State of New York and a business enterprise within the United States, consisting of 2437 shares of common stock, having a par value of \$100 each, 2435 shares (99.92%) were beneficially owned by Karl Richard Lieberknecht, Oberlungwitz, Germany, and that Kallo, Inc., is a national of a designated enemy country (Germany);

2. Having found that Karl Richard Lieberknecht, a resident of Oberlungwitz, Germany, is a national of a designated enemy country (Germany);

3. Finding that of the issued and outstanding capital stock of Karl Lieberknecht, Inc., a corporation organized under the laws of the State of Pennsylvania, and a business enterprise within the United States, consisting of 2500 shares of common stock of no par value and 2500 shares of preferred stock having a par value of \$100 per share, 1274 shares (50.96%) of the common stock and 1000 shares (40%) of the preferred stock are registered in the names of and are owned by the persons listed below in the amount appearing opposite each name and are evidence of control of Karl Lieberknecht, Inc.:

Name	Shares of stock	
	Preferred	Common
Kallo, Inc.	1,000	1,269
Karl Richard Lieberknecht		5
	1,000	1,274

and determining:

4. That Karl Lieberknecht, Inc., is controlled by Karl Richard Lieberknecht, and is a national of a designated enemy country (Germany);

5. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the five shares of no par value common stock of Karl Lieberknecht, Inc., registered in the name of Karl Richard Lieberknecht, to be held, used, adminis-

tered, 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", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on October 25, 1944.

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

[F. R. Doc. 45-2168; Filed, Feb. 6, 1945;
10:53 a. m.]

[Vesting Order 4370]

KARL RICHARD LIEBERKNECHT

In re: Automobile owned by Karl Richard Lieberknecht, also known as Richard Lieberknecht.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Karl Richard Lieberknecht, also known as Richard Lieberknecht, is Oberlungwitz, Germany, and that he is a resident of Germany and a national of a designated enemy country (Germany);

2. That Karl Richard Lieberknecht, also known as Richard Lieberknecht, is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows: 1934 Cadillac Coupe Automobile bearing Serial Number 4000441, Engine Number 4000441 and License plate Pa. 8E795-1939, stored in a private garage located at 1605 Palm Street, Reading, Pennsylvania,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

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

Executed at Washington, D. C. on November 28, 1944.

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

[F. R. Doc. 45-2169; Filed, Feb. 6, 1945;
10:53 a. m.]

[Supp. Vesting Order 4545]

EDUARD THOMASEN, ET AL.

In re: Real property owned by Eduard Thomassen, and others.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation:

1. Having found in Vesting Order Number 2252, dated September 22, 1943, that Eduard Thomassen, Ranka Schmidt, Wilhelmine Prüss and Frieda Dethlefsen are nationals of a designated enemy country (Germany);

2. Finding that Eduard Thomassen, Ranka Schmidt, Wilhelmine Prüss and Frieda Dethlefsen are the owners of the property described in subparagraph 3 hereof;

3. Finding that the property described as follows: The undivided one-half interest in and to the real property situated in Allegany County, Maryland, particularly described in Exhibit A, attached hereto and by reference made a part hereof, identified as the interest which was devised under the provisions of the Last Will and Testament of Charles N. Thomassen, deceased, to Eduard Thomassen, Ranka Schmidt, Wilhelmine Prüss and Frieda Dethlefsen, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

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 (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby ratifies all acts of any of his employees, agents or representatives by which any of such property was taken into the possession of the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

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

Executed at Washington, D. C. on January 23, 1945.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

All that lot, piece or parcel of ground situated, lying and being on the Southerly side of the National Turnpike Road leading West-erly and about three miles from the City of Cumberland, Allegany County, Maryland, being Lot Number 4 of a series of lots as laid out by The Real Estate and Building Company and which is described as follows:

Beginning for the same at a stake on the Southerly side of the National Road and on the third line of the deed from Barney Dilley and wife to James J. McHenry, dated Sept. 4, 1890, and recorded among the Land Records of said Allegany County in Liber T. L. No. 68, folio 717, said beginning point being also distant South 32 degrees 5 minutes West, 156 feet from the intersection of the 28 foot line of the tract of land called "The Resurvey on Sampsons Riddle" with the Southerly side of the National Pike, and running thence reversing part of the third line of said above named deed, and also with the Southerly side of National Turnpike Road, South 32 degrees 5 minutes West 50 feet, then at right angles

to said National Road, South 57 degrees 55 minutes East 200 feet to a 30 foot road or lane, then parallel with said National Road, North 82 degrees 5 minutes East 50 feet to the end of a line drawn South 57 degrees 55 minutes East 200 feet from the place of beginning, and reversing said intersecting line, North 57 degree 55 minutes West 200 feet to the beginning.

Together with the buildings and improvements thereon, and the rights, roads, ways, waters, privileges and appurtenances thereto belonging or in anywise appertaining.

[F. R. Doc. 45-2170; Filed, Feb. 6, 1945; 10:53 a. m.]

[Supp. Vesting Order 4581]

YOKOHAMA NURSERY COMPANY, 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 Alien Property Custodian, after investigation:

1. Having found and determined in Vesting Order Number 122, dated August 25, 1942, as amended, that Yokohama Nursery Company, Ltd., is a business enterprise within the United States and a national of a designated enemy country (Japan);

2. Finding that the outstanding capital stock of Yokohama Nursery Company, Ltd., consisting of 250 shares having a par value of \$100 a share, 125 shares registered in the name of Charles W. Scott, deceased, are beneficially owned by Yokohama Nursery Company, Ltd., of Yokohama, Japan, which shares, together with 125 shares of the outstanding capital stock that were beneficially owned by Yokohama Nursery Company, Ltd., prior to vesting said 125 shares of stock, are evidence of ownership and control of said business enterprise;

3. Finding that Yokohama Nursery Company, Ltd., of Japan, has a claim against Yokohama Nursery Company, Ltd., which is represented on the books and records of Yokohama Nursery Company, Ltd., as an account payable in the amount of \$77,439.92 as of November 30, 1941, subject to any accruals or deductions subsequent thereto, and which represents an interest in Yokohama Nursery Company, Ltd.;

4. Finding that Yokohama Nursery Company, Ltd., a Japanese corporation whose principal place of business is Yokohama, Japan, is a national of a designated enemy country (Japan); and determining:

5. 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 125 shares of capital stock of Yokohama Nursery Company, Ltd., more fully described in subparagraph 2 above, and the interest of Yokohama Nursery Company, Ltd., of Japan, in Yokohama Nursery Company, Ltd., more fully described in subparagraph 3 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 prop-

erty 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," "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on January 30, 1945.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-2171; Filed Feb. 6, 1945; 10:53 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 524]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN ROANOKE RAPIDS AND POINTS IN NORTH CAROLINA

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

¹ Filed as part of the original document.

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 February 10, 1945, 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 6th day of February 1945.

J. M. JOHNSON,

Director,

Office of Defense Transportation.

APPENDIX 1

L. Y. Humphrey, Roanoke Rapids, North Carolina.

W. J. Black, Roanoke Rapids, North Carolina.

[F. R. Doc. 45-2154; Filed, Feb. 5, 1945; 3:40 p. m.]

[Supp. Order ODT 3, Rev. 525]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN ALABAMA

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 necessary traffic, the attainment of prompt and continuous movement 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 neces-

sary 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 other-

¹ Filed as part of the original document.

wise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective February 10, 1945, 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 6th day of February 1945.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

APPENDIX 1

Ellis C. Lowery and Roy W. Lowery, co-partners, doing business as Alabama Transfer & Warehouse Co., Montgomery, Ala.

Thomas C. Reed and Victor M. Hovis, co-partners, doing business as Reed & Hovis Cartage Co., Montgomery, Ala.

R. B. Burnham, doing business as R. B. Burnham's Van Service, Montgomery, Ala.

Moeller Transfer & Storage Co., Montgomery, Ala.

[F. R. Doc. 45-2155; Filed, Feb. 5, 1945; 3:40 p. m.]

[Supp. Order ODT 3, Rev. 526]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN GEORGIA

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 February 10, 1945, 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 6th day of February 1945.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

APPENDIX 1

J. E. Gary, doing business as Gary Transfer Co., Commerce, Ga.

R. C. Hardman, Commerce, Ga.

Norman D. Langston, doing business as Langston Transfer Co., Commerce Ga.

C. C. Waters, doing business as C. C. Waters Transfer Co., Commerce, Ga.

[F. R. Doc. 45-2156; Filed, Feb. 5, 1945; 3:39 p. m.]

[Supp. Order ODT 3, Rev. 528]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN CHARLOTTE, N. C., AND HARTSVILLE, S. C.

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

¹ Filed as part of the original document.

¹ Filed as part of the original document.

tices 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 February 10, 1945, 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 6th day of February 1945.

J. M. JOHNSON,

Director,

Office of Defense Transportation.

APPENDIX 1

Pee Dee Express, Inc., Charlotte, N. C.

Central Motor Lines, Inc., Kannapolis, N. C.

[F. R. Doc. 45-2157; Filed, Feb. 5, 1945; 3:39 p. m.]

[Supp. Order ODT 3, Rev. 529]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN ALABAMA

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.

¹ Filed as part of the original document.

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 inspections 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 February 10, 1945, 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 6th day of February 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Early Eddins, Dothan, Ala.
A. C. Creel, Dothan, Ala.*

[F. R. Doc. 45-2158; Filed, Feb. 5, 1945;
3:39 p. m.]

[Supp. Order ODT 3, Rev. 530]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN ROANOKE, VA., AND BRISTOL, VA.-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 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 February 10, 1945, 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 6th day of February 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Rutherford Freight Lines, Inc., Bristol, Va.
The Mason & Dixon Lines, Inc., Kingsport, Tenn.
Mundy Motor Lines, Roanoke, Va.

Associated Transport, Inc., New York City, N. Y.

Andrew B. Crichton, R. M. Chrichton, C. N. Chrichton, M. E. Chrichton, R. B. Chrichton, and A. B. Chrichton, Jr., copartners, doing business as Super Service Motor Freight Co., Nashville, Tenn.

[F. R. Doc. 45-2159; Filed, Feb. 5, 1945;
3:38 p. m.]

[Supp. Order ODT 3, Rev. 533]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN ALABAMA

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

¹ Filed as part of the original document.

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 February 10, 1945, 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 6th day of February 1945.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

APPENDIX 1

Harris Transfer & Warehouse Co., Birmingham, Ala.

Wittichen Transfer & Warehouse Co., Inc., Birmingham, Ala.

J. C. White, doing business as White's Moving & Storage Co., Birmingham, Ala.

Samuel Joseph Harrell, doing business as Continental Van Lines, Birmingham, Ala.
Birmingham Moving & Storage Co., Inc., Ensley, Ala.

Bradley White, doing business as Bradley White Moving & Storage Co., Birmingham, Ala.

Robert G. Allison, doing business as Allison Coal, Transfer Warehouse Co., Birmingham, Ala.

Jack's Coal & Transfer Co., Inc., Birmingham, Ala.

Strickland & Lowe Coal & Transfer Co., Inc., Birmingham, Ala.

[F. R. Doc. 45-2161; Filed, Feb. 5, 1945; 3:38 p. m.]

[Supp. Order ODT 3, Rev. 537]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN VALDOSTA AND POINTS IN GEORGIA

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 February 10, 1945, 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 6th day of February 1945.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

APPENDIX 1

Theo. Knight and W. M. Brogdon, copartners, doing business as K & B Truck Lines, Valdosta, Ga.

J. H. Wimberly, doing business as Wimberly Transfer Co., Valdosta, Ga.

[F. R. Doc. 45-2160; Filed, Feb. 5, 1945; 8:40 p. m.]

¹ Filed as part of the original document.

[Supp. Order ODT 3, Rev. 361, Amdt. 1]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN TULSA
AND OKMULGEE, OKLA.

NOTE: An amendment to Appendix 2 of Supplementary Order ODT 3, Revised 361, was filed with the Division of the Federal Register as Document No. 45-2153, on Monday, February 5, 1945, at 3:38 p. m.

OFFICE OF PRICE ADMINISTRATION.

[MPR 260, Order 598]

H. E. FLINCHBAUGH

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260: *It is ordered, That:*

(a) H. E. Flinchbaugh, 223 North called "manufacturer" and wholesalers Main St., Red Lion, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Flinchbaugh's....	Handmade Corona.	50	Per M \$60	Cents 2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily

granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective February 5, 1945.

Issued this 3d day of February 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-2070; Filed, Feb. 3, 1945; 3:37 p. m.]

[MPR 260, Order 589]

AEDA CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260: *It is ordered, That:*

(a) Aeda Cigar Co., 1308 11th Ave., Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Aeda.....	Epicares.....	50	\$134.00	2 for 35
Do.....	Panetelas.....	50	146.00	19
Do.....	Palmas.....	50	78.75	2 for 21
Do.....	Brevas.....	50	154.00	20
Do.....	Cadets.....	50	56.00	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a

change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective February 5, 1945.

Issued this 3d day of February 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-2071; Filed, Feb. 3, 1945; 3:37 p. m.]

[MPR 260, Order 590]

ESSEX CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260: *It is ordered, That:*

(a) Essex Cigar Co., 5247 Grandy Ave., Detroit 11, Mich. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maxi-

maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Esco.....	Victoria.....	50	Per M \$40	Cents 5

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective February 5, 1945.

Issued this 3d day of February 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-2072; Filed, Feb. 8, 1945; 8:38 p. m.]

[Order 28 Under GMPR 3 (e)]

SCHACHT RUBBER MANUFACTURING CO.

AUTHORIZATION 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 § 1499.3 (e) of the General Maximum Price Regulation, it is ordered:

(a) *Applicability of this order.* This order applies to all sales in bulk, in the home replacement trade, of black rubber heels manufactured by Schacht Rubber Manufacturing Company of Huntington, Indiana, stapled in pairs, bearing the brand name of "Daisy," of the type and grade listed in paragraph (b) of this order and that at least equal the following specifications:

Competitive grade, minimum abrasion 20, tensile strength 700, for all types except whole heels, which must have an abrasion index of 15 and tensile strength of 600. The methods of Federal specifications EA-ZZ-H-141 and ZZ-R-601a shall be applicable to these specifications.

When used in this order, "rubber heel" means any heel listed in paragraph (b) of this order that is made in whole or in part of any form or type of natural, synthetic or balata-rubber.

(b) *Maximum prices.* The maximum prices for sales in the home replacement trade, of the heels described in paragraph (a), shall be as follows:

Type	Manufacturer's prices, per dozen pair	Wholesalers' prices, per dozen pair	Retailers' prices per pair
Competitive grade:			
Men's half heel.....	\$1.04	\$1.39	\$0.15
Men's whole heel.....	1.32	1.74	.20
Junior heels.....	.78	1.04	.10
Women's Cuban heels.....	.78	1.04	.10

The above manufacturer's prices are subject to a 2% cash discount and the manufacturer shall not reduce any transportation allowance he had in effect to a purchaser of the same class during March, 1942.

The above wholesalers' prices are subject to any cash discounts and transportation allowance the wholesaler had in effect to a purchaser of the same class during March, 1942.

(c) *Notification.* With or prior to the first delivery of heels covered by this order to a wholesaler or retailer, the seller shall give the purchaser a written notification of the maximum retail price applicable thereto. If the purchaser is a wholesaler, the notification shall include the maximum wholesalers' price of the heels and a statement that the purchaser is required by this order to notify any retailer to whom he sells of the maximum retail price.

(d) All provisions of the General Maximum Price Regulation not inconsistent with this order shall apply to sales covered by this order.

(e) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective February 6, 1945.

Issued this 5th day of February, 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-2141; Filed, Feb. 5, 1945; 11:43 a. m.]

[MPR 64, Order 167]

GIBSON REFRIGERATOR CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of Federal Register and pursuant to section 11 of Maximum Price Regulation No. 64, It is ordered:

(a) This order establishes maximum prices for resales of the Model No. ER-394-RV electric cooking range manufactured by Gibson Refrigerator Company, Greenville, Michigan as follows:

(1) For sales in each zone by wholesale distributors to retailers, the maximum prices including federal excise tax, are those set forth below:

	Zone 1	Zone 2	Zone 3	Zone 4
For sale in quantities of 1 to 4 units.....	\$108.97	\$110.52	\$112.07	\$114.27
For sales in quantities of five or more units.....	104.92	106.42	107.92	110.02

These maximum prices are f. o. b. distributor's city and are subject to each seller's customary terms, allowances and other price differentials in effect on sales of similar articles.

(2) For sales in each zone by retailers to ultimate consumers the maximum prices including federal excise tax are those set forth below:

Zone 1	Zone 2	Zone 2	Zone 4
\$169.50.....	\$172.00	\$174.50	\$178.00

These prices are subject to each seller's customary terms, discounts, allowances, and other price differentials in effect on sales of similar articles.

(b) At the time of or prior to the first invoice to each purchaser for resale after the effective date of this order, Gibson Refrigerator Company and each wholesale distributor shall notify the purchaser of the maximum prices and conditions set by this order for resales by the purchaser. This notice may be given in any convenient form. In addition, Gibson Refrigerator Company shall, before delivering any model ER-394-RV electric cooking range after the effective date of this order, attach securely to each range a tag or label which plainly states the maximum retail price established by this order for sales to ultimate consumers in each zone. This tag or label shall be attached to the front of the range.

(c) For the purposes of this order, Zones 1, 2, 3 and 4 comprise the following states:

Zone 1: Michigan, Illinois, Indiana, and Ohio.

Zone 2: Nebraska, Kansas, Minnesota, Iowa, Missouri, Wisconsin, Kentucky, Ver-

mont, New Hampshire, New York, Massachusetts, Connecticut, Rhode Island, New Jersey, Pennsylvania, Maryland, District of Columbia, Delaware, West Virginia, Virginia, North Carolina, South Carolina, Tennessee, Mississippi, Alabama, Georgia, Arkansas.

Zone 3: Maine, Florida, North Dakota, South Dakota, Montana, Wyoming, Colorado, New Mexico, Oklahoma, Texas, Louisiana.

Zone 4: Washington, Oregon, California, Idaho, Nevada, Utah, Arizona.

(d) This order may be revoked and amended by the Price Administrator at any time.

(e) This order shall become effective on the 6th day of February 1945.

Issued this 5th day of February 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-2142; Filed, Feb. 5, 1945;
11:42 a. m.]

[MPR 64, Order 168]

LANDERS, FRARY & CLARK

APPROVAL OF MAXIMUM RESALE PRICE

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of Federal Register and pursuant to section 11 of Maximum Price Regulation No. 64, *It is ordered:*

(a) This order establishes maximum prices for resales of the Model No. ER-394-RU electric cooking range manufactured by Landers, Frary & Clark, New Britain, Connecticut, as follows:

(1) For sales in each zone by wholesale distributors to retailers, the maximum prices including federal excise tax, are those set forth below:

	Zone 1	Zone 2	Zone 3	Zone 4
For sales in quantities of 1 to 4 units.....	\$114.25	\$115.80	\$117.35	\$119.55
For sales in quantities of five or more units.....	110.20	111.70	113.20	115.30

These maximum prices are f. o. b. distributor's city and are subject to each seller's customary terms, discounts, allowances and other price differentials in effect on sales of similar articles.

(2) For sales in each zone by retailers to ultimate consumers the maximum prices including federal excise tax are those set forth below:

	Zone 1	Zone 2	Zone 3	Zone 4
\$174.95.....		\$177.50	\$179.95	\$183.50

These prices are subject to each seller's customary terms, discounts, and allowances and other price differentials in effect on sales of similar articles.

(b) At the time of or prior to the first invoice to each purchaser for resale after the effective date of this order, Landers, Frary & Clark, and each wholesale distributor shall notify the purchaser of the maximum prices and conditions set by this order for resales by the purchaser.

This notice may be given in any convenient form. In addition, Landers, Frary & Clark shall, before delivering any model ER-394-RU electric cooking range after the effective date of this order, attach securely to each range a tag or label which plainly states the maximum retail price established by this order for sales to ultimate consumers in each zone. This tag or label shall be attached to the front of the range.

(c) For the purposes of this order, Zones 1, 2, 3, and 4 comprise the following states:

Zone 1: Michigan, Illinois, Indiana and Ohio.

Zone 2: Nebraska, Kansas, Minnesota, Iowa, Missouri, Wisconsin, Kentucky, Vermont, New Hampshire, New York, Massachusetts, Connecticut, Rhode Island, New Jersey, Pennsylvania, Maryland, District of Columbia, Delaware, West Virginia, Virginia, North Carolina, South Carolina, Tennessee, Mississippi, Alabama, Georgia, Arkansas.

Zone 3: Maine, Florida, North Dakota, South Dakota, Montana, Wyoming, Colorado, New Mexico, Oklahoma, Texas, Louisiana.

Zone 4: Washington, Oregon, California, Idaho, Nevada, Utah, Arizona.

(d) This order may be revoked and amended by the Price Administrator at any time.

(e) This order shall become effective on the 6th day of February 1945.

Issued this 5th day of February 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-2143; Filed, Feb. 5, 1945;
11:43 a. m.]

[MPR 120, Order 1277]

ROUTT COUNTY COAL CO.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

(a) The Routt County No. 1 Mine of Routt County Coal Company, Denver, Colorado, is hereby assigned Mine Index No. 1006 and its coals are classified in Subdistrict No. 4 Maximum Price Group, for all shipments.

(b) Coals produced by Routt County Coal Company from the Pinnacle Seam at its Routt County No. 1 Mine, a strip mine, Mine Index No. 1006, located in Routt County, Colorado, in Subdistrict No. 4 of District No. 17, may be purchased and sold for the indicated uses and movements at per net ton prices in cents per net ton not exceeding the following:

	Size Group No.																		
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17,18	19	
Rail shipment.....	530	525	520	505	480	455	430	405	405	335	330	330	255	225	225	195	275	340	
Truck shipment.....	530	530	530	530	485	485	485	415	415	415	340	340	260	260	260	205	385		

LOCOMOTIVE FUEL USE ONLY

	Size Group No.			
	10	13	17, 18	19
Maximum price.....	335	255	390	355

[MPR 120, Order 1278]

GREENBRIER SEWELL MINING CO.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

(a) The Chestnut Knob No. 1 Mine of Greenbrier Sewell Mining Company, Carnegie, Pennsylvania, is hereby assigned Mine Index No. 1053.

(b) Coals produced by Greenbrier Sewell Mining Company from the Sewell Seam at its Chestnut Knob No. 1 Mine, a strip mine, Mine Index No. 1053, located in Fayette County, West Virginia, in Subdistrict No. 2 of District No. 7, are hereby classified as follows, and may be purchased and sold for the indicated uses and movements at per net ton prices in cents per net ton not exceeding the following:

Issued this 5th day of February, 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-2144; Filed, Feb. 5, 1945;
11:43 a. m.]

Issued this 5th day of February, 1945.
CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-2147; Filed, Feb. 5, 1945;
11:44 a. m.]

[MPR 260, Order 592]

WALENE CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, it is ordered, That:

(a) Walene Cigar Company, Pennsylvania Avenue, Yoe, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price, set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Walene Imperial	Queens	50	\$78.75 per M.	2 for 24.

cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective February 6, 1945.

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same price class of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same price class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be reduced. If a brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of cigars priced by this order and shall not be reduced.

Size group No.

1	2	3	4	5	6	7	8	9	10
A	A	A	A	A	A	A	A	B	B
435	445	415	435	445	415	435	445	315	310
465	385	415	350	350	350	350	350	315	310

Price classifications.
Rail shipments.
Truck shipments.

RAILROAD LOCOMOTIVE FUEL

Any single-screened lump, or double-screened coals. 365
Run of mine. 350
Screenings larger than 1 1/4" x 0 but not exceeding 2 1/4" x 0. 335
Screenings 1 1/4" x 0 and smaller. 310

(c) The prices established herein are f. o. b. the mine or preparation plant for truck shipments, and f. o. b. the rail shipping point for rail shipments and for railroad locomotive fuel.

(d) All prayers of applicant not granted herein are hereby denied.

(e) This order may be revoked or amended at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to terms used herein.

This order shall become effective February 6, 1945.

Issued this 5th day of February 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-2145; Filed, Feb. 5, 1945;
11:43 a. m.]

[MPR 260, Order 591]

THREE B CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, it is ordered, That:

(a) Three B Cigar Factory, 1607 Columbus Drive, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Three B	Coronas Petit Coronas Media Brevia	50 50 50	\$54.00 per M. \$60.00 per M. \$67.50 per M.	St. 2 for 154. 134.

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same price class of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same price class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be reduced. If a brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of cigars priced by this order and shall not be reduced.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective February 6, 1945.

Issued this 5th day of February, 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-2148; Filed, Feb. 5, 1945;
11:44 a. m.]

[Supp. Order 94, Order 24]

UNITED STATES TREASURY DEPARTMENT,
PROCUREMENT DIVISION

SPECIAL MAXIMUM PRICES FOR PAJAMA SUITS

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and in accordance with section 11 of Supplementary Order 94, it is ordered:

(a) *What this order does.* This order establishes maximum prices at which new pajama suits hereinafter described may be sold by United States Treasury Department, Procurement Division, and by any subsequent reseller.

(b) *Maximum prices.* Maximum prices of new pajama suits described herein shall be:

Article and description

Pajama suit consists of coat and trousers, described as follows: Winter, flannelette, stock number of coat is 71640-15 and of trousers 71660-15. (Including but not limited to Items No. 4 (a) and 4 (b) File No. 03198 Treasury Department, Office of Surplus Property, Atlanta, Ga.).

Treasury's price to wholesaler.....	\$18.00 per doz.
Treasury's price to retailer.....	20.25 per doz.
Wholesaler's price to retailer.....	22.50 per doz.
Price of retailers who buy direct from Treasury.....	2.80 per suit
Price of all other retailers.....	3.00 per suit

(c) *Discounts and allowances.* Every seller shall continue to maintain his customary allowances, discounts, and freight practices.

(d) *Notification.* Any person who sells the pajama suit described in paragraph (b) to a retailer shall furnish the retailer with an invoice of sale setting forth the retailer's maximum reselling price, and stating that the retailer is required by this order to attach to each pajama suit before sale a tag or label stating the appropriate retail ceiling price.

(e) *Tagging.* Every retailer of a pajama suit covered by this order must before selling or delivering to a consumer any pajama suit covered by this order attach thereto a tag or label setting forth the maximum price established by this order for sales of the pajama suit to consumers. A tag in the following form

No. 27—6

with spaces filled in properly will be satisfactory:

OPA ceiling price..... \$-----

(f) *Definitions.* (1) "Retailer" means any person whose sales to purchasers for use constitute a substantial part of his total sales.

(2) "Wholesaler" means any person other than a manufacturer who distributes or sells pajama suits to purchasers other than consumers.

(g) *Relation to other regulations and orders.* This order with respect to the pajama suits it covers supersedes the General Maximum Price Regulation and orders issued thereunder, and orders issued under Supplementary Order 94.

(h) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective February 7, 1945.

Issued this 6th day of February 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-2189; Filed, Feb. 6, 1945;
11:50 a. m.]

[Supp. Order 94, Order 26]

UNITED STATES TREASURY DEPARTMENT,
PROCUREMENT DIVISION

SPECIAL MAXIMUM PRICES FOR SALES OF
BUTCHER FROCKS

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and in accordance with section 11 of Supplementary Order 94, it is ordered:

(a) *What this order does.* This order establishes maximum prices at which are new butcher frocks hereinafter described may be sold by United States Treasury Department, Procurement Division, and by certain subsequent resellers.

(b) *Maximum prices.* Maximum prices per butcher frock described herein shall be:

Description of butcher frock: New white 8 oz. cotton duck butcher frock, white collar, 2 patch pockets $6\frac{1}{2}$ "x7 $\frac{1}{2}$ " on left side and one on right side, approximately 53" long and fasten with one strap.

(1) Treasury's price (f. o. b. point of shipment) to American Meat Institute, Chicago, Illinois, Independent Meat Packers' Association, Washington, D. C., meat packers, linen supply houses and jobbers: \$2.56.

(2) American Meat Institute and Independent Meat Packers' Association's price to members and employees: \$2.57 net, f. o. b. point of shipment.

(3) Meat packer's price to members and employees: \$2.57, plus incoming freight actually paid.

(4) Jobbers' price to all persons: \$3.20 f. o. b. point of shipment, subject to the seller's customary discounts.

(c) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective February 6, 1945.

Issued this 6th day of February 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-2190; Filed, Feb. 6, 1945;
11:49 a. m.]

Regional and District Office Orders.

[Region I Order G-1 Under Supp. Order 94]

FIELD TELEPHONE SETS IN BOSTON REGION

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 Regional Administrator of Region I by the Emergency Price Control Act, as amended, Executive Orders No. 9250 and 9328, and sections 11 and 13 of Supplementary Order No. 94, as amended, it is hereby ordered:

(a) *What this order does.* This order establishes maximum prices for sales at retail of the field telephone sets hereinafter described, when sold in the states of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut.

(b) *Maximum prices.* The maximum prices for sales at retail, f. o. b. seller's place of business, of the telephone sets described herein shall be \$33.00.

(c) *Definitions.* (1) "Field telephone set" for the purposes of this order means two portable wooden telephone boxes, equipped with leather straps, in each of which has been placed a magneto, signal bell, battery holder, telephone hand set, telegraph key, a condenser switch, condenser and coils and 100 feet of wire, Model 1917 Signal Corps, United States Army, which at the time of sale meets the following requirements:

(i) No part is missing which is necessary to make the set fully useful.

(ii) The set must be in good condition, needs no further repair, has no damaged parts.

(2) "Sale at retail" means a sale to a person who purchases the set or sets for use.

(d) *Notification.* Sellers must post a notice listing the maximum price established by this order at the place where the sets are offered for sale.

(e) *Revocation and amendment.* This order may be revoked or amended at any time by the Office of Price Administration on its own motion.

This order shall become effective on January 25, 1945.

(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 22d day of January 1945.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 45-2089; Filed, Feb. 3, 1945;
3:49 p. m.]

[Region I Order G-2 Under MPR 188]

HAND DECORATED CANDLES IN BOSTON
REGION

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 Regional Administrator of Region I by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, Executive Orders No. 9250 and 9328, and § 1499.153 (a) of Maximum Price Regulation No. 188:

(a) This order establishes maximum prices for sales and deliveries of hand decorated candles, 10 inches, 15 inches

and 18 inches in height, manufactured by Robertson's, 109 Water Street, New Haven, Connecticut.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by Robertson's of the candles manufactured by it and described below, the maximum prices shall be as follows:

Article	Maximum prices to jobbers	Maximum prices to retailers	Maximum prices when you sell to ultimate consumers
Hand-decorated candles. Paraffin and stearic acid, hand painted in design formation, 3 different sizes, 10-inch, 15-inch, 18-inch length, 7/8-inch tapered type.	10-inch, \$2.76 per dozen.....	10-inch, \$4.14 per dozen.....	10-inch, \$8.28 per dozen.
	15-inch, \$3.36 per dozen.....	15-inch, \$5.04 per dozen.....	15-inch, \$10.08 per dozen.
	18-inch, \$3.72 per dozen.....	18-inch, \$5.58 per dozen.....	18-inch, \$11.16 per dozen.

These prices are f. o. b. factory, and, except in the case of sales to ultimate consumers, are subject to a cash discount of two per cent for payment within 10 days, and are for the articles described in the manufacturer's application dated December 4, 1944.

For all sales and deliveries to any other class of purchaser or on other terms and conditions of sale, Robertson's must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method for the establishment of maximum prices for those sales, and may not sell or deliver until it has received authorization.

(2) (i) For all sales and deliveries on and after the effective date of this Order to retailers, wherever located, by jobbers located in the New England States, the maximum prices are those set forth below, f. o. b. seller's place of shipment:

MAXIMUM PRICES FOR RESEALS BY JOBBERS LOCATED IN THE NEW ENGLAND STATES (REGION I) TO RETAILERS

	Per dozen
10 inch.....	\$4.14
15 inch.....	5.04
18 inch.....	5.58

These prices are subject to a cash discount of two per cent for payment within 10 days, and are for the articles described in the manufacturer's application dated December 4, 1944.

(ii) For all sales and deliveries by jobbers located in the New England States (Region I) to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

At the time of the first invoice, the manufacturer shall notify in writing each jobber located in the New England States (Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island) who buys from it of the maximum prices established by this order for resales by such jobbers. This written notice may be given in any convenient form.

This order may be revoked or amended at any time.

A copy of this order has been filed with the Secretary of the Office of Price Administration, Washington, D. C., and a copy is on file in this Office, both of which are open for inspection by the public.

This order shall become effective on January 10, 1945.

(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; 9 F.R. 408)

Issued this 10th day of January 1945.

FRANK D. O'NEIL,
Acting Regional Administrator.

[F. R. Doc. 45-2090; Filed, Feb. 3, 1945; 3:47 p. m.]

[Region I Order G-45 Under RMPR 122, Amdt. 3]

SPECIFIED SOLID FUELS IN WHITE RIVER JUNCTION, VT., AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942 as amended, Region I Order No. G-45 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. Paragraph (g) is amended by adding the following to the table set forth therein:

Kind and size	Amount of addition			
	Per net ton	Per 1/2 ton	Per 1/4 ton	Per 100 pounds
Jermyn-Green: Broken, egg, stove, chestnut, pea, buckwheat, and rice.....	\$0.35	\$0.20	\$0.10	None

2. Subparagraph (16) is added to paragraph (f) to read as follows:

(16) "Jermyn-Green" means that Pennsylvania Anthracite which is produced by the Jermyn-Green Coal Company, Inc. form No. 14, No. 6 and Butler Collieries and prepared at No. 14 Breaker, and which meets the quality and preparation standards established under Order No. 27 under Maximum Price Regulation No. 112.

This Amendment No. 3 shall become effective as of December 14, 1944.

Issued this 22d day of January 1945.

FREDERICK A. McDERMOTT,
Acting Regional Administrator.

[F. R. Doc. 45-2083; Filed, Feb. 3, 1945; 3:47 p. m.]

[Region I Order G-47 Under RMPR 122, Amdt. 3]

SPECIFIED SOLID FUELS IN NEW HAVEN, CONN., AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, and the Emergency Price Control Act of 1942, as amended, Region I Order No. G-47 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects.

1. Those portions of Price Schedule I in paragraph (b) (1) which list "Jeddo Highland" and "Silver Brook", and establish specific prices for listed sizes of those coals, are deleted.

2. Those portions of Price Schedule II in paragraph (c) (1) which list "Jeddo Highland" and "Silver Brook", and establish specific prices for listed sizes of those coals, are deleted.

3. Those portions of Price Schedule III in paragraph (e) (1) which list "Jeddo Highland" and "Silver Brook", and establish specific prices for listed sizes of those coals, are deleted.

4. Paragraph (f) is amended to read as follows:

(f) *Certain named Pennsylvania anthracite coals.* The specific maximum prices set forth above for Pennsylvania Anthracite may be increased by the following amounts when the following sizes of named Pennsylvania Anthracite coals are sold; provided that the following increases may be charged only if the conditions set forth in paragraph (b) of Region I Revised Supplementary Order No. 2 under Revised Maximum Price Regulation No. 122 are observed:

Kind and size	Amount of addition			
	Per net ton	Per 1/2 ton	Per 1/4 ton	Per 100 pounds
Jeddo Highland: Egg, stove, chestnut, pea, and buckwheat.....	\$0.50	\$0.25	\$0.15	None
Broken.....	.25	.15	.05	None
Rice.....	.15	.10	None	None
Silver Brook: Egg, stove, chestnut, pea, and buckwheat.....	.65	.35	.15	None
Broken.....	.45	.25	.10	None
Rice.....	.35	.20	.10	None
Locust: Broken, egg, stove, chestnut, pea, and buckwheat.....	.30	.15	.05	None
Rice.....	.10	.05	None	None

5. Subparagraphs (13) and (14) are added to paragraph (g), to read as follows:

(13) "Named Pennsylvania Anthracite" means Jeddo Highland, Silver Brook and Locust.

(14) "Locust" means that Pennsylvania Anthracite which is produced by

Locust Coal Company and prepared at its Weston Breaker, Shenandoah, Pennsylvania, (Except Anthracite prepared for Mahonoy Coal Mining Company) and which meets the quality and preparation standards established by Order No. 22 under Maximum Price Regulation No. 112.

This Amendment No. 3 shall become effective as of October 20, 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.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 45-2084; Filed, Feb. 3, 1945;
3:46 p. m.]

[Region I Order G-51 Under RMPR 122,
Amdt. 1]

SPECIFIED SOLID FUELS IN WATERBURY, CONN., AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, Region I Order No. G-51 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. Those portions of Price Schedule I in paragraph (b) (1) which lists "Jeddo Highland or Greenwood", and establish specific prices for listed sizes of those coals, are deleted.

2. Those portions of Price Schedule II in paragraph (c) (1) which lists "Jeddo Highland or Greenwood", and establish specific prices for listed sizes of those coals are deleted.

3. Paragraph (e) is revoked and a new paragraph (e) is inserted to read as follows:

(e) *Certain named Pennsylvania anthracite coals.* The specific maximum prices set forth above for Pennsylvania Anthracite may be increased by the following amounts when the following sizes of named Pennsylvania Anthracite coals are sold: *Provided*, That the following increases may be charged only if the conditions set forth in paragraph (b) of Region I Supplementary Order No. 2 under Revised Maximum Price Regulation No. 122 are observed:

Kind and size	Amount of addition			
	Per net ton	Per ½ ton	Per ¼ ton	Per 100 pounds
Orange Disc: Broken, egg, stove, chestnut, pea, buckwheat, and rice.....	\$0.10	\$0.05	None	None
Jermyn Green: Broken, egg, stove, chestnut, pea, buckwheat, and rice.....	.35	.20	\$0.10	None
Jeddo Highland: Broken, egg, stove, chestnut, pea, and buckwheat.....	.25	.15	.05	None
Rice.....	.15	.10	None	None
Greenwood: Egg, stove, chestnut, and pea.....	.25	.15	.05	None

4. Paragraph (f) is amended by inserting therein the following subparagraphs:

(5a) "Orange Disc" means that Pennsylvania Anthracite which is produced and prepared by Payne Coal Company, Wilkes-Barre, Pennsylvania, at their Exeter Colliery and sold under the trade name "Orange Disc Anthracite" and which meets the quality and preparation standards established by Order No. 10 under Maximum Price Regulation No. 112.

(5b) "Jermyn-Green" or "Black Star" means that Pennsylvania Anthracite coal which is produced by the Jermyn-Green Coal Company, Inc. from No. 14, No. 6 and Butler Collieries and prepared at No. 14 Breaker, and which meets the quality and preparation standards established under Order No. 27 under Maximum Price Regulation No. 112.

This Amendment No. 1 shall become effective as of January 13, 1945.

Issued this 25th day of January 1945.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 45-2085; Filed, Feb. 3, 1945;
3:43 p. m.]

[Region I Order G-58 under RMPR 122,
Amdt. 2]

SPECIFIED SOLID FUELS IN ST. JOHNSBURY, VT., AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942 as amended, Region I Order No. G-58 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. Paragraph (f) is amended by adding the following to the table set forth therein:

Kind and size	Amount of addition			
	Per net ton	Per ½ ton	Per ¼ ton	Per 100 pounds
Jermyn-Green: Broken, egg, stove, chestnut, pea, buckwheat, and rice.....	\$0.35	\$0.20	\$0.10	None

2. Subparagraph (14) is added to paragraph (g) to read as follows:

(14) "Jermyn-Green or "Black Star" means that Pennsylvania Anthracite which is produced by the Jermyn-Green Coal Company, Inc., from No. 14, No. 6 and Butler Collieries and prepared at No. 14 Breaker, and which meets the quality and preparation standards established under Order No. 27 under Maximum Price Regulation No. 112.

This Amendment No. 2 shall become effective as of January 10, 1945.

Issued this 22d day of January 1945.

FREDERICK A. McDERMOTT,
Acting Regional Administrator.

[F. R. Doc. 45-2086; Filed, Feb. 3, 1945;
3:46 p. m.]

[Region I Order G-70 Under RMPR 122,
Amdt. 24]

SOLID FUELS 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 § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942 as amended, subparagraph (11) of paragraph (o) of Region I Order G-70 under Revised Maximum Price Regulation No. 122 (Appendix 11) is hereby amended in the following respect:

1. The last paragraph of subparagraph (a) is amended to read as follows:

The term "Bituminous Coal" shall, whenever used in this Appendix 11, include all kinds and sizes of bituminous coal produced in Bituminous Coal Producing Districts 1 and 2 except (1) "prepared bituminous" which is priced under Region I Revised Order No. G-10 under Revised Maximum Price Regulation No. 122, and (2) Cannel Coal and splint-lump fireplace coals.

This Amendment No. 24 shall become effective January 30, 1945.

Issued this 23d day of January 1945.

FREDERICK A. McDERMOTT,
Acting Regional Administrator.

[F. R. Doc. 45-2087; Filed, Feb. 3, 1945;
3:47 p. m.]

[Region I Order G-70 Under RMPR 122,
Amdt. 25]

SOLID FUELS IN NORTH COUNTRY, N. H., AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, subparagraph (14) containing Appendix 14 is hereby added to paragraph (o) of Region I Order No. G-70 under Revised Maximum Price Regulation No. 122 to read as follows:

(o) *Appendices establishing specific maximum prices. * * **

(14) *Appendix 14; specified solid fuels, North Country, New Hampshire.* (a) *Maximum prices established by this Appendix 14.* This Appendix 14 establishes specific maximum prices for sales of Pennsylvania Anthracite and New England Coke in the North Country, New Hampshire Area by dealers, and for specified service rendered by dealers in connection with the sale or handling of said solid fuels. Price Schedule I contains prices for sales on a delivered basis and Price Schedule II contains prices for

yard sales to consumers and dealers. The North Country, New Hampshire Area includes the following cities, towns and townships in the State of New Hampshire: Bath, Bethlehem, Carroll, Colebrook, Columbia, Dalton, Dixville, Errol, Franconia, Haverhill, Jefferson, Kilkenny, Landaff, Lancaster, Lisbon, Littleton, Lyman, Millsfield, Monroe, Northumberland, Piermont, Stark, Stewartstown, Stratford, Whitefield.

(b) *Price Schedule I: Sales on a delivered basis.* (1) Base maximum prices for sales on a "direct delivery" basis to consumers at any point in the North Country, New Hampshire Area.

Kind and size	Per net ton	Per ½ ton	Per ¼ ton	Per 100 pounds
Pennsylvania Anthracite: Broken, egg, stove, and chestnut.....	\$16.75	\$8.65	\$4.50	\$0.95
Pea.....	15.55	8.05	4.20	.85
Buckwheat.....	12.20	6.35	3.35	.70
Rice.....	10.65	5.60	2.95	.60
New England Coke: Egg, stove, and chestnut.....	15.35	7.95	4.15	.85

(2) *Prices for specified localities.* The following amounts may be added to the above prices when deliveries are made in:

Location	Amount per ton
Bath, by dealers located outside of town.....	\$0.35
Carroll, Colebrook beyond fire precinct limits, Columbia, Dixville, Jefferson, Kilkenny, Stewartstown.....	.50
Millsfield, Pike (village of Haverhill).....	.75
Dalton, Errol, Stark, Stratford.....	1.00
Monroe.....	1.50

(3) *Maximum authorized service and deposit charges.* (a) The maximum prices per 100 pounds include carrying or wheeling to consumer's bin or storage space. If the buyer requests such service of him, the dealer may make the following charges for carrying or wheeling of quarter-ton and larger quantities to the consumer's bin or storage space:

	Per net ton	½ ton	¼ ton
For any carry or wheel from a "direct delivery" point, exclusive of charges for carries up or down flights of stairs.....	\$0.80	\$0.25	\$0.15
For carries up or down flights of stairs, per flight.....	.50	.25	.15

(b) If the buyer requests that fuel delivered in burlap bags furnished by the dealer be left in the bags, the maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, the bags shall be 25 cents per bag.

(c) *Price Schedule II: yard sales to consumers or dealers.* (1) Maximum prices for sales at the yard of any dealer in the North Country, New Hampshire Area to consumers or dealers:

Kind and size	Per net ton	Per ½ ton	Per ¼ ton	Per 100 pounds
Pennsylvania Anthracite: Broken, egg, stove, and chestnut.....	\$16.00	\$8.25	\$4.30	\$0.90
Pea.....	14.80	7.65	4.00	.80
Buckwheat.....	11.45	6.00	3.15	.65
Rice.....	9.90	5.20	2.75	.55
New England Coke: Egg, stove, and chestnut.....	14.60	7.55	3.95	.80

(2) *Maximum authorized bagging and deposit charges.* (a) The maximum prices per 100 pounds are for 100 pounds bagged, but do not include the bag. If the buyer requests such service of him, the dealer may make the following charges for bagging quarter-ton and larger quantities in 100 pound bags, exclusive of any deposit charges on bags furnished by the dealer.

Per net ton.....	50 cents
Per half-ton.....	25 cents
Per quarter-ton.....	15 cents

(b) The maximum amount which may be required by the dealer as deposit on, or as predetermined liquidated damages for failure to return, burlap bags furnished by the dealer shall be 25 cents per bag.

(d) *Quantity discounts.* \$1.00 per net ton shall be deducted from the maximum prices established above in paragraphs (b) and (c) for carload lots (not less than 30 net tons), when the purchaser orders in said quantity for immediate delivery or for delivery at one specified time and the dealer may properly (under the regulations and orders of the Solid Fuels Administration for War) deliver said quantity.

(e) *Terms of sale.* Terms of sale for sales under paragraph (b) and (c) of above may be net cash but no other additional charge shall be made for extension of credit terms of net 30 days or 10 days E. O. M.

This Amendment No. 25 shall become effective February 1, 1945.

Issued this 24th day of January 1945.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 45-2088; Filed, Feb. 3, 1945; 3:42 p. m.]

[Albany Order G-1 Under MPR 426, Amdt. 3]

FRESH FRUITS AND VEGETABLES IN ALBANY, N. Y., DISTRICT

For the reasons stated in an opinion issued simultaneously herewith and pursuant to the authority contained in section 8 (a) (7) of Maximum Price Regulation No. 426, this amendment is hereby issued.

SECTION 1. *What this amendment does.* (1) This amendment establishes freight allowances on the fresh fruits and vegetable items set forth herein to include all protective and other accessorial services, if any, as well as the taxes on transportation costs.

(2) This amendment adds the following fresh fruits and vegetable items to those heretofore governed by the order: Apples, apricots, berries, sweet cherries, cranberries, grapes, cantaloup melons, honeyball melons, honeydew melons, casaba melons, cranshaw melons, Persian melons, peaches, pears, plums, prunes, and sweet potatoes.

SEC. 2. *Revocation.* Paragraphs (a) (b), and (c) of section 3 of said Order G-1, as amended, are hereby revoked and new paragraphs (a), (b), and (c) are herewith substituted therefor.

SEC. 3. *The determination of the amount of freight allowed in establishing maximum selling prices.* (a) The amount of freight from basing point and shipping point to wholesale receiving point which may be added to the maximum basing point price and shipping price for the purpose of determining maximum selling prices of apples, apricots, berries, sweet cherries, cranberries, grapefruit, grapes, lemons, cantaloup melons, honeyball melons, honeydew melons, casaba melons, cranshaw melons, Persian melons, oranges, peaches, pears, plums, prunes, tangerines, snap beans, carrots, cucumbers (except hot-house), eggplant, lettuce, peas, sweet peppers, spinach, and sweet potatoes, at Albany, Troy, and Schenectady, New York, shall be:

Item No.	Commodity	Container	Net weight, pounds	Gross weight, pounds	WPB-L232 container No.	Basing or shipping point	Period	Freight allowance
1	Apples.....	Bushel or box.....			2.3	Eastern New York.....	All year.....	\$0.15
2	do.....	Barrel.....			Standard barrel.....	do.....	do.....	.45
3	do.....	Bushel or box.....			2.3	Western New York.....	do.....	.25
4	do.....	Barrel.....			Standard barrel.....	do.....	do.....	.75
5	do.....	Bushel or box.....			1	California, Washington, and Oregon.....	do.....	.82
6	Apricots.....	Brentwood lug.....	24-26	28-32	4	Sacramento, Calif.....	All season.....	.55
7	do.....	Northwest lug.....	13-15	17-19	29	Yakima, Wash.....	do.....	.33
8	Berries.....	24 quart crt.....	36	47	16	Local.....	do.....	.19
9	Cherries, sweet.....	Campbell lug.....	15-17	19-21	27	California.....	do.....	.72
10	do.....	Calex lug.....	18-20	22-24	48	do.....	do.....	.84
11	do.....	Lug box.....	23-25	27-29	47	do.....	do.....	1.09
12	do.....	Campbell lug.....	14½-15½	18-20	28.29	Washington, Oregon, and Idaho.....	do.....	.72
13	do.....	Fruit box.....	19½-20½	23-25	36	do.....	do.....	.84
14	Cranberries.....	¼-barrel box.....	25	32	30 or 31	Massachusetts and New Jersey indirect.....	do.....	.49
15	do.....	do.....	25	32	30 or 31	Massachusetts carlot.....	do.....	.13
16	Grapefruit, pink.....	1½ bushels.....	68	79	61	Los Angeles, Calif.....	Nov. 16-Apr. 30.....	1.20

Item No.	Commodity	Container	Net weight, pounds	Gross weight, pounds	WPB-L232 container No.	Basing or shipping point	Period	Freight allowance
17	Grapefruit, California and Arizona pink.	1½ bushels	68	79	51	Los Angeles, Calif.	May 1-Oct. 31	1.27
18	Grapefruit, other States pink.	1½ bushels	80	52	87	Weslaco, Tex.	All year	1.14
19	Grapefruit, California and Arizona white.	1½ bushels	68	76	51	Los Angeles, Calif.	Nov. 1-Apr. 30	1.20
20	do	do	68	76	51	do	May 1-Oct. 31	1.27
21	Grapefruit, white, including Indian River, other States.	1½ bushels	80	87	52	Homestead, Fla.	All year	1.00
22	Grapefruit, Isle of Pine.	do	72	79	52	Miami, Fla.	September-October	1.03
23	Grapes, table.	Lug box	24	28	46	Bakersfield, Calif.	All season	.65
24	Grapes.	12-quart basket	18	20½	41	do	do	.42
25	Grapes, table.	24-quart carton	36	40	40	do	do	.84
26	Lemons, all States.	1½ bushel	79	87	51	Los Angeles, Calif.	Nov. 1-Apr. 30	1.24
27	do	do	79	87	51	do	May 1-Oct. 31	1.38
28	Melons, cantaloup and Honeyball.	Jumbo crt.	78	87	20	El Centro and Mendota, Calif.	May 1-July 25	1.98
29	Cantaloup and Honeyball	do	78	87	20	do	July 26-Nov. 26	2.11
30	do	Standard crt.	68	77	19	do	May 1-July 25	1.72
31	do	do	68	77	19	do	July 26-Nov. 26	1.80
32	do	Pony crt.	57	65	18	do	May 1-July 25	1.44
33	do	do	57	65	18	do	July 26-Nov. 26	1.53
34	Honeydew	Jumbo cantaloup crt.	78	87	20	do	May 1-July 25	1.98
35	do	do	78	87	20	do	July 26-Nov. 26	2.11
36	do	Jumbo Honeydew crt.	45	54	42	do	May 1-July 25	1.18
37	do	do	45	54	42	do	July 26-Nov. 26	1.23
38	do	Standard crt.	40	49	41	do	May 1-July 25	1.09
39	do	do	40	49	41	do	July 26-Nov. 26	1.14
40	Casaba	Jumbo Honeydew crt.	45	54	42	Mendota, Calif.	do	1.24
41	Cranshaw	do	45	54	42	do	do	1.24
42	Persian	Jumbo crt.	45	54	42	do	do	1.24
43	do	Standard crt.	40	49	41	do	do	1.12
44	do	Pony crt.	35	44	40	do	do	1.03
45	Oranges, Florida and Texas.	1½ bushels	90	98	52	Homestead, Fla.	All year	1.02
46	Oranges, California and Arizona.	1½ bushels	77	85	51	Los Angeles, Calif.	Nov. 16-Apr. 30	1.32
47	do	do	77	85	51	do	May 1-Nov. 15	1.35
48	Peaches	Fruit box	17-19	21-23	35	California, Nevada, and Arizona	All season	.60
49	do	Sanger lug box	24-26	29-32	40	do	do	.70
50	do	Bushel	48	53	40	Carlinas	do	.66
51	do	¼ bushel	26	29	40	do	do	.33
52	do	Bushel	48	53	40	Virginia and Maryland	do	.60
53	do	¼ bushel	26	29	40	do	do	.30
54	do	Bushel	48	53	40	Pennsylvania and New Jersey	do	.50
55	do	¼ bushel	26	29	40	do	do	.25
56	do	Bushel	48	53	40	Western New York	do	.15
57	do	¼ bushel	26	29	40	do	do	.91
58	Pears, California and Josephine and Jackson counties in Oregon.	Box or 2 half boxes.	40-50	52-56	54, 55, and 56	Sacramento, Calif.	do	.43
59	Pears	Washington Pear, lug.	19-21	23-25	36	do	do	.90
60	Pears, Washington and Oregon.	Box or 2 half boxes.	46-50	52-56	54, 55, and 56	Yakima, Wash.	do	.43
61	Pears	Washington Pear, lug.	19-21	23-25	36	do	do	.65
62	Plums	4-basket crt, 3 x 4, 3 x 4 x 4.	29-33	33-37	37, 38, 39, and 40	Sacramento, Calif.	do	.62
63	do	4-basket crt, 4 x 4	28-32	32-36	37, 38, 39, and 40	do	do	.62
64	do	4-basket crt, 3 x 4 x 5, 4 x 5.	26-30	30-34	37, 38, 39, and 40	do	do	.54
65	do	4-basket crt, 5 x 5.	24-36	28-32	37, 38, 39, and 40	do	do	.54
66	do	4-basket crt, 5 x 6, 6 x 6.	23-27	27-31	37, 38, 39, and 40	do	do	.70
67	Prunes, Fresh Italian.	½ bushel	28-32	31-35	29	Yakima, Wash.	do	.50
68	do	Prune box	15-17	19-21	52	Homestead, Fla.	All year	1.05
69	Tangerines	1½ bushels	86	93	53	do	do	.51
70	do	½ bushel	43	49				
VEGETABLES								
71	Beans, snap	Bushel	28	34		Pompano, Fla.	do	.81
72	Carrots	Los Angeles crt, bunches, bunched.	72	87	44	El Centro, Calif.	Jan. 16-Mar. 31	1.50
73	do	do	72	87	44	do	Apr. 1-May 31	1.60
74	do	do	72	87	44	Salinas, Calif.	June 1-Nov. 30	1.69
75	do	do	72	87	44	do	Dec. 1-Jan. 15	1.59
76	Carrots, topped.	Bushel	50	56		California	All year	.82
77	Cucumbers, except hothouse	do	48	55		Wachula, Fla.	Nov. 1-May 31	1.05
78	do	do	48	55		Ponchatoula, La.	June 1-30	1.10
79	do	do	48	55		do	Oct. 1-31	1.10
80	do	Lug	28	31		Wachula, Fla.	Nov. 1-May 31	.56
81	do	do	28	31		Ponchatoula, La.	June 1-30	.60
82	do	do	28	31		do	Oct. 1-31	.60
83	Eggplant	1½ bushel	45	57	57	Fort Myers, Fla.	All year	1.07
84	do	Bushel	30	39	44	do	do	.83
85	Lettuce, iceberg	Los Angeles crt, (Salinas crt) 60 pounds and 48 head.	60	76		Salinas, Calif.	Jan. and Feb.	1.60
86	do	do	60	76	44	do	March and April	1.64
87	do	do	60	76	44	do	May	1.69
88	do	do	60	76	44	do	June 1-Oct. 15	1.79
89	do	do	60	76	44	do	Oct. 16-Dec. 31	1.64
90	Peas, green	Bushel	28	32		Calipatria, Calif.	Sept. 1-Mar. 31	.95
91	do	do	28	32		Santa Barbara, Calif.	Apr. 1-Aug. 31	1.03
92	Peppers, sweet	1½ bushel crt.	37	47	44	Pompano, Fla.	All year	.98
93	do	Bushel	25	29		do	do	.73
94	Spinach	do	18	36		Crystal City, Tex.	do	.39
95	Sweetpotatoes	do	50	56		Sunset, La.	do	.51

(b) The amount of freight from basing point to wholesale receiving point which may be added to the maximum basing point price for the purpose of determin-

ing maximum selling prices of apples, apricots, berries, sweet cherries, cranberries, grapefruit, grapes, lemons, cantaloup melons, honeyball melons, hon-

eydew melons, casabamelons, cranshaw melons, persian melons, oranges, peaches, pears, plums, prunes, tangerines, snap beans, carrots, cucumbers

(except hothouse), eggplant, lettuce, the period more particularly described for the fresh fruit or vegetable item bearing the corresponding item number set forth in section 3 (a) and in the market from the basing point and for container herein after named, in the

Item No.	Commodity	Container	Amsterdam, Catskill, Cobleskill, Gloversville, Hudson, Jonestown, and Saratoga	Canajoharie, Granville, Glens Falls, Kingston, and Whitehall	Malone, Plattsburg, and Saratoga Lake
1	Apples	Bushel or box	\$0.30	\$0.31	\$0.30
2	do	Barrel	.90	.93	1.17
3	do	Bushel or box	.40	.41	.49
4	do	Barrel	1.20	1.23	1.47
5	do	Bushel or box	.97	.98	1.06
6	Apricots	Brentwood lug	.64	.65	.70
7	do	Northwest lug	.39	.40	.43
8	Berries	24-quart crt	.19	.19	.19
9	Cherries	Campbell lug	.78	.79	.82
10	do	Calex lug	.90	.91	.94
11	do	Lug box	1.15	1.16	1.19
12	do	Campbell lug	.78	.79	.82
13	do	Fruit box	.90	.91	.94
14	Cranberries	34 barrel box	.88	.89	.92
15	do	14 barrel box	.22	.23	.25
16	Grapes	14 bushel	1.45	1.46	1.49
17	do	12 bushels	1.53	1.54	1.57
18	do	12 bushels	1.43	1.44	1.47
19	do	12 bushels	1.40	1.41	1.44
20	do	12 bushels	1.38	1.39	1.42
21	do	12 bushels	1.35	1.36	1.39
22	do	12 bushels	1.33	1.34	1.37
23	Grapes	Lug box	1.74	1.75	1.80
24	do	12 quart basket	.51	.52	.57
25	do	24 quart crt	.96	.98	1.04
26	Lemons	14 bushels	1.60	1.61	1.63
27	do	14 bushels	1.64	1.65	1.68
28	Melons	Jumbo crt	2.30	2.31	2.45
29	do	do	2.39	2.44	2.58
30	do	Standard crt	1.95	1.99	2.10
31	do	do	2.03	2.07	2.18
32	do	Pony crt	1.67	1.71	1.82
33	do	do	1.76	1.80	1.91
34	do	Jumbo Canialoup crt	2.21	2.25	2.36
35	do	do	2.84	2.88	2.99
36	do	Jumbo Honeydew crt	1.33	1.34	1.47
37	do	do	1.35	1.39	1.47
38	do	Standard crt	1.24	1.25	1.33
39	do	do	1.29	1.30	1.38
40	do	Jumbo Honeydew crt	1.39	1.40	1.48
41	do	do	1.39	1.40	1.48
42	do	Jumbo crt	1.39	1.40	1.48
43	do	Standard crt	1.27	1.28	1.36
44	do	Pony crt	1.18	1.20	1.27
45	Oranges	14 bushels	1.31	1.36	1.51
46	do	14 bushels	1.38	1.42	1.57
47	do	14 bushels	1.61	1.65	1.78
48	Peaches	Fruit box	.69	.70	.75
49	do	Sanger box	.81	.83	.88
50	do	Bushel	.82	.85	.93
51	do	1/2 bushel	.42	.43	.48
52	do	Bushel	.76	.79	.87
53	do	1/2 bushel	.39	.40	.45
54	do	Bushel	.66	.69	.77
55	do	1/2 bushel	.34	.35	.40
56	do	Bushel	.46	.49	.57
57	do	1/2 bushel	.19	.20	.25
58	Pears	Box or 2 half-boxes	1.07	1.10	1.18
59	do	Washington Pear lug	.49	.50	.53
60	do	Box or 2 half-boxes	1.06	1.09	1.17
61	do	Washington Pear lug	.49	.50	.53
62	Pineapples	4-basket crt, 3 x 4, 3 x 4 x 4	.73	.75	.80
63	do	do	.73	.75	.80

Item No.	Commodity	Container	Amsterdam, Catskill, Cobleskill, Gloversville, Hudson, Jonestown, and Saratoga	Canajoharie, Granville, Glens Falls, Kingston, and Whitehall	Malone, Plattsburg, and Saratoga Lake
64	Plums	4-basket crt, 3 x 4 x 5, 4 x 6	\$0.73	\$0.75	\$0.80
65	do	4-basket crt, 5 x 6	.65	.67	.72
66	do	4-basket crt, 5 x 6, 6 x 6	.65	.67	.72
67	Prunes	1/2 bushel	.81	.83	.88
68	do	Prune box	.89	.90	.95
69	Tangerines	1 1/2 bushels	1.33	1.38	1.52
70	do	1/2 bushel	.66	.68	.75
VEGETABLES					
71	Beans, snap	Bushel	.92	.94	.99
72	Carrots	Los Angeles crt, 72 bunches, bunched	1.76	1.80	1.94
73	do	do	1.80	1.84	2.04
74	do	do	1.85	1.89	2.13
75	do	do	1.85	1.89	2.03
76	do	do	1.88	1.91	2.09
77	Cucumbers	Bushel	1.65	1.70	1.89
78	do	do	1.65	1.70	1.89
79	do	do	1.71	1.76	1.99
80	do	do	1.71	1.76	1.99
81	do	Lug	1.21	1.26	1.49
82	do	do	.65	.66	.71
83	Eggplant	do	.69	.70	.75
84	do	do	.69	.70	.75
85	Lettuce	1 1/2 bushel crt	1.24	1.27	1.36
86	do	Bushel and 48 head	.95	.97	1.03
87	do	Los Angeles crt (Salinas crt) 60 pounds	1.83	1.85	1.98
88	do	do	1.87	1.89	2.02
89	do	do	1.92	1.94	2.07
90	do	do	2.02	2.04	2.17
91	do	do	1.87	1.89	2.02
92	do	do	1.05	1.06	1.11
93	Peas	60 lbs. and 48 head bus.	1.13	1.14	1.19
94	Peppers, sweet	do	1.13	1.14	1.19
95	Spinach	1 1/2 bushel crt	1.13	1.14	1.19
96	do	Bushel	.83	.85	.88
97	do	do	.45	.46	.49
98	Sweetpotatoes	do	.67	.70	.78

(Region III Order G-14 Under RMPR 122, Amdt. 7)

SOLID FUELS IN SAGINAW, MICH., AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by Regulation No. 122, it is hereby ordered, That paragraph (a) of Order No. G-14 be amended to read as follows:

(a) *What this order does.* This order establishes maximum prices for sales of specified solid fuels made within the corporate limits of the Cities of Saginaw, Carrollton, Zilwaukee, and Bridgeport, and the Townships of Kockville, Buena Vista, Saginaw and Bridgeport, all in the State of Michigan. These are the highest prices any dealer may charge when he delivers such fuel at or to a point in said area; they are also the highest prices

(c) The amounts set forth under paragraphs (a) and (b) of this section include all allowances, if any, for protective and other accessory services and all taxes on transportation costs.

Sec. 4. Except as otherwise expressly stated herein, all other provisions of said Order G-1, as amended, remain in full force and effect.

Sec. 5. *Effective date.* This amendment shall become effective on the 18th day of January, 1945.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; MPR 426, 16409)

Issued this 15th day of January 1945.

LESTER W. HERZOG,

District Director.

[F. R. Doc. 45-2081; Filed, Feb. 3, 1945; 3:49 p. m.]

any buyer in the course of trade or business may pay for them.

This Amendment No. 7 to Order No. G-14 under Revised Maximum Price Regulation No. 122 shall become effective February 10, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Laws 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued: January 26, 1945.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 45-2092; Filed, Feb. 3, 1945;
3:44 p. m.]

[Region III Order G-53 under RMPR 122]

SOLID FUELS IN KOKOMO, IND., AREA

For the reasons stated in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by §§ 1340.260 and 1340.254 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This order establishes maximum prices for sales of specified solid fuels made within the Kokomo, Indiana, area. This area consists of all the territory contained within the corporate limits of the City of Kokomo. These are the highest prices that any dealer may charge when he delivers such fuel at or to a point in said Kokomo, Indiana, area. They are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) *What this order prohibits.* Regardless of any obligation, no person shall:

(1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this Order No. G-53; but less than maximum prices may at any time be charged, paid or offered;

(2) Obtain a higher than ceiling price by:

(i) Charging a price higher than the scheduled price for a service or making a charge for a service not authorized by this Order.

(ii) Using any other device by which a higher than maximum price is obtained directly or indirectly.

(iii) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(c) *Schedule for sales of coal.*—(1) *Price schedule.* This schedule sets forth maximum prices for sales of specified sizes, kinds and quantities of solid fuels. Column I describes the coal for which prices are established, and Column II lists the maximum prices per net ton for cash or credit sales on a direct delivery basis.

SCHEDULE I

KOKOMO, IND.

Maximum price
per net ton

I. High Volatile Bituminous Coals from Producing District No. 8 (eastern Kentucky, southern West Virginia, western Virginia and northeastern Tennessee) excluding Mine Index Nos. 459, 408, 370¹	
A. Lump:	
1. Size Group No. 1 (larger than 5") Mine Price Classifications J through O	\$8.75
2. Size Group No. 2 (larger than 3" but not exceeding 5"):	
(a) Mine Price Classifications C through F	8.80
(b) Mine Price Classifications G through K	8.65
(c) Mine Price Classifications L through O	8.50
(d) Mine Price Classification P and lower	8.25
B. Egg:	
1. Size Group No. 2 (top size larger than 6" x bottom sizes larger than 3" but not exceeding 4"; top size 5" and larger x bottom size larger than 4") Mine Price Classification O	8.30
2. Size Group No. 6 (top size larger than 5" but not exceeding 6" x bottom size 2" and smaller; top size 3" and larger but not exceeding 5" x bottom size larger than 2" but not exceeding 3") Mine Price Classification G through L	8.35
C. Stoker, Size Group No. 10 (top size not exceeding 1 1/4" x bottom size 1/2" and larger) Mine Price Classifications B through E	
D. To the prices stated in Sections A, B and C of Part I may be added \$0.15 per ton provided the coal is mined in Subdistrict 6 of Producing District No. 8, and provided the coal is separately weighed and billed. Sub-district 6 includes that portion of District 8 which is in northern Tennessee and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rock Castle, Wayne and Whitley.	
II. High Volatile Bituminous Coals from Producing District No. 3 (northwestern West Virginia excluding Panhandle)¹	
A. Lump or Egg, Size Group No. 1 (bottom size larger than 2") Mine Price Classification A	
III. High Volatile Bituminous Coals from Producing District No. 4 (Ohio):	
A. Lump, Size Group No. 2 (larger than 2" but not exceeding 5") from the Hocking Freight Origin District	
IV. High Volatile Bituminous Coals from Producing District No. 9 (western Kentucky):¹	
A. Lump or Egg, Size Group Nos. 1 through 6 (all single-screened lump and all double-screened raw, washed or air-cleaned egg coals, top size larger than 2") from 14th and stray seams	

SCHEDULE I—Continued

KOKOMO, IND.—continued

Maximum price
per net ton

V. High Volatile Bituminous Coals from Producing District No. 11 (Indiana):	
A. Lump or Egg, Size Group Nos. 1, 2 and 3 (bottom size larger than 2", washed or raw)	
1. Price Group Nos. 8 through 12	\$6.20
2. Price Group Nos. 7, 18 and 19	6.25
B. Nut or Pea, Size Group Nos. 9 through 12 (raw, top size not exceeding 2" x bottom size larger than 10 mesh or 3/32") Price Group Nos. 8 through 12	
C. Dry Dedusted Screenings Size Group Nos. 26 and 27 (top size not exceeding 2") Price Group Nos. 8 through 12	
VI. Low Volatile Bituminous Coals from Producing District Nos. 7 and 8 (southern West Virginia and western Virginia) excluding Mine Index No. 28 in Producing District No. 7:¹	
A. Lump and Egg, Size Group Nos. 1 and 2 (lump: bottom size larger than that designated for screened Run of Mine; egg: top size larger than 3" x bottom size no limit) Mine Price Classifications A through C	
B. Stoker, Size Group No. 5 (pea or dedusted screenings; top size not exceeding 3/4" x bottom size smaller than 3/4") Mine Price Classification A	
VII. Anthracite, Pennsylvania—egg, stove and chestnut sizes	
¹ \$0.10 per ton may be added to the price of these coals provided the coal has been subjected to an oil or calcium chloride treatment by the producer to allay dust or prevent freezing.	
(2) Discounts. A discount of not less than 50 cents per ton shall be given on all sales at the yard.	
(3) Descriptive terms. All terms used herein to describe size, volatility and producing district are those that were established and defined by the Bituminous Coal Division and in effect as of midnight, August 23, 1943.	
(d) Sales not covered by Order G-53. The maximum prices for all sales by dealers of solid fuel not provided for by this Order G-53 shall be the maximum prices established by Revised Maximum Price Regulation No. 122.	
(e) Schedule of service charges. This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales of Solid Fuels. These charges may be made only if the buyer requests such service of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.	
Wheel in from curb	\$0.50 per ton.
Carry from curb	\$0.50 per ton.
Carry up or down each flight of stairs	\$1.00 per ton.
Service charge for deliveries in quantities of 1/2 ton	\$0.25 per 1/2 ton.
(f) The transportation tax. The transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set by this order, provided the dealer states it separately from the price on his invoice or statement. However,	

such tax need not be so separately stated on sales to the United States or any agency thereof, the District of Columbia, any state government or any political subdivision thereof.

(g) *Addition of increase in suppliers' prices prohibited.* The maximum prices set by this order may not be increased by a dealer to reflect increases in purchase costs or in supplier's maximum prices occurring after the effective date hereon; but increases in the maximum prices set hereby to reflect such increases are within the discretion of the Regional Administrator.

(h) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

(i) *Applicability of other regulations.* Every dealer subject to this order is governed by the licensing provisions of Supplementary Order No. 72, effective October 1, 1943.

(j) *Right of amendment or revocation.* The Regional Administrator or Price Administrator may amend, revoke, or rescind this order, or any provision thereof, at any time.

(k) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing: the date, the name and address of the buyer, if known, the per net ton price charged and the type and kind of solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also separately state each service rendered and the charge made for it.

(l) *Posting of maximum prices; sales slips.* (1) Each dealer subject to this order shall post all the maximum prices set by it for all his types of sales. He shall post his prices in his place of business in a manner plainly visible to and understandable by the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuel. No report of the maximum prices established by this order need be made by any dealer under § 1340.262 (c) of Regulation No. 122.

(2) Every dealer selling solid fuels subject to this order shall, either at the time of, or within thirty days after the date of, a sale or delivery of solid fuels governed by this order, give to his purchaser an invoice, sales slip or receipt, and shall keep an exact copy thereof for so long as this order is in effect or for so long as the Emergency Price Control Act of 1942, as amended, shall permit, whichever period is longer, showing the following information:

The name and address of the seller and the purchaser; the kind, size and quantity of the solid fuels sold, the date of the sale or delivery and the price charged. In addition, he shall separately state on each such invoice, sales slip or receipt, the amount, if any, of the required discounts, authorized service charges and taxes which must be deducted from or which may be added to the established

maximum prices: *Provided*, That a dealer who is authorized to make a special service charge for chemical or oil treatment of coal need not separately state the amount of such service charge if he clearly indicates on the invoice that such coal is so treated; *And further provided*, That the provisions of this paragraph (2) shall not apply to sales of solid fuels in less than quarter ton lots unless requested by the purchaser.

(m) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Indianapolis District Office of the Office of Price Administration.

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

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser", shall be construed accordingly.

(3) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct delivery" means dumping, shoveling or chuting the fuel from the seller's truck directly into the buyer's bin or storage; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

(5) Except as otherwise provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122, as amended, shall apply to terms used herein, and in full force and effect.

(o) *Applicability of this order.* To the extent applicable, the provisions of this order supersede Revised Maximum Price Regulation No. 122.

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

This order G-53 under Revised Maximum Price Regulation No. 122 shall become effective February 10, 1945.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Laws 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued: January 26, 1945.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 45-2093; Filed, Feb. 3, 1945; 3:43 p. m.]

[Region III Order G-1 Under Supp. Order 94]

STANLEY SPOFFORD AUGER BRACES IN
CLEVELAND REGION

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 11 of Supplementary Order No. 94 and the Emergency Price Control Act of 1942, as amended, it is hereby ordered:

(a) *What this order does.* This order No. G-1 establishes maximum prices at the wholesale and retail level for all sales of certain auger braces hereinafter described, purchased from the United States Treasury Department, Procurement Division.

(b) *Geographical applicability.* This order No. G-1 shall apply to all wholesale and retail sales made in this Region III, which includes the states of Ohio, Indiana (except the County of Lake), Michigan, Kentucky and West Virginia.

(c) *Maximum prices.* The maximum delivered prices for the auger braces listed below shall be:

Article	Wholesalers' or jobbers' maximum prices to retailers	Retailer's maximum prices to consumers
No. 8 Stanley Spofford Auger Braces.....	Per doz. \$3.75	Each \$0.49

(d) *Notification of maximum prices.* Any person who sells auger braces described in paragraph (c) to a retailer shall notify such retailer in writing of his maximum reselling price. This notice may be given in any convenient form.

(e) *Tagging.* Every seller of the auger braces covered by this order must, before selling or delivering any auger braces, attach thereto a tag or label setting forth the maximum prices established by this order for sales of the auger braces to consumers.

(f) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective January 22, 1945.

Issued: January 22, 1945.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 45-2094; Filed, Feb. 3, 1945; 3:50 p. m.]

[Region III Order G-26 Under RMPR 122]

SOLID FUELS IN MONROE, MICH., AREA

For the reasons stated in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This order establishes maximum prices for sales of specified solid fuels made within an area described as all the territory within a five mile radius of the intersection of Front Street and Monroe Street in the City of Monroe, State of Michigan.

These are the highest prices that any dealer may charge when he delivers such fuel at or to any point in said area; they are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) *What this order prohibits.* Regardless of any obligation, no person shall:

(1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this Order No. G-26; but less than maximum prices may at any time be charged, paid or offered;

(2) Obtain a higher than ceiling price by:

(i) Charging a price higher than the scheduled price for a service or making a charge for a service not authorized by this order.

(ii) Using any other device by which a higher than maximum price is obtained directly or indirectly.

(iii) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(c) *Schedule for sales of coal.*—(1) *Price schedule.* This schedule sets forth maximum prices for sales of specified sizes, kinds and quantities of solid fuels. Column I describes the coal for which prices are established, and Column II lists the maximum prices for sales by direct delivery to consumers at any point in the City of Monroe, Mich., area. All prices are for cash or credit sales when payment is made within thirty days of the date of purchase. For credit sales when payment is not made within thirty days, 50 cents per ton should be added to the prices in Schedule I.

SCHEDULE I

MONROE, MICH.

Maximum price
per net ton

I. High Volatile Bituminous Coals from Producing District No. 8 (eastern Kentucky, southern West Virginia, western Virginia and northeastern Tennessee) excluding Mine Index Nos. 213 and 459:¹	
A. Lump:	
1. Size Group Nos. 1 and 2 (larger than 3") Mine Price Classifications A and B.....	\$10.20
2. Size Group No. 2 (larger than 3" but not exceeding 5") Mine Price Classifications C through N.....	9.65
B. Egg:	
1. Size Group No. 3 (Top size larger than 3" but not exceeding 6" x bottom size larger than 3" but not exceeding 4") Mine Price Classifications C and D....	10.20
2. Size Group No. 6 (top size larger than 5" but not exceeding 6" x bottom size 2" and smaller; top size 3" but not exceeding 5" x bottom size larger than 2" but not exceeding 3") Mine Price Classifications B through K.....	9.50
3. Size Group No. 7 (top size larger than 3" but not exceeding 5" x bottom size 2" and smaller) Mine Price Classification A.....	9.20

No. 27—7

SCHEDULE I—Continued

MONROE, MICH.—continued

Maximum price
per net ton

I. High Volatile Bituminous Coals from Producing District No. 8—Continued.	
C. Stoker, Size Group No. 10 (top size not exceeding 1 1/4" x bottom size 1/2" and larger):	
1. Mine Price Classifications A through E.....	9.25
2. Mine Price Classifications H and lower.....	8.30
D. To the prices stated in A, B and C of Part I above, may be added \$0.15 per ton provided the coal is mined in sub-district 6 of Producing District No. 8 and provided it is separately weighed and billed. Sub-district 6 includes that portion of District 8 which is in northern Tennessee and the following counties of Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rock Castle, Wayne and Whitley.	
II. High Volatile Bituminous Coals from Producing District No. 4 (Ohio):	
A. Lump or Egg, Size Group No. 2 (lump, bottom size larger than 2" but not exceeding 5"; egg, bottom size larger than 2") from the Hocking Freight Origin District:	
1. From Mine Index No. 73.....	8.90
2. From all other mines.....	8.70
B. Egg, Size Group No. 3 (bottom size larger than 1 1/4" but not exceeding 2") from the Hocking Freight Origin District:	
1. From Mine Index No. 73.....	8.25
2. From all other mines.....	8.05
III. Low Volatile Bituminous Coals from Producing District No. 7 (southeastern West Virginia and northwestern Virginia):¹	
A. Lump, Size Group No. 1 (larger than screened run of mine), Mine Price Classifications B and C.....	
B. Egg, Size Group No. 2 (top size larger than 3" x bottom size no limit):	
1. Mine Price Classification A.....	10.75
2. Mine Price Classifications B through D.....	10.60
C. Stove, size Group No. 3 (top size larger than 1 1/4" but not exceeding 3" x bottom size smaller than 3") Mine Price Classifications A through C.....	
D. Nut, Size Group No. 4 (top size larger than 3/4" but not exceeding 1 1/4" x bottom size smaller than 1 1/4") Mine Price Classification A.....	
E. Stoker (Pea or Dedusted Screenings) Size Group No. 5 (top size not exceeding 3/4" x bottom size smaller than 3/4") Mine Price Classifications A through D.....	
IV. Low Volatile Bituminous Coals from Producing District No. 8 (southeastern West Virginia and northwestern Virginia):¹	
A. Egg, Size Group No. 2 (top size larger than 3" x bottom size no limit) Mine Price Classifications B and C.....	
1 \$0.10 per ton may be added to the prices of these coals if the coals have been subjected to an oil or calcium chloride treatment by the purchaser to allay dust or prevent freezing.	

(2) *Discounts.* A discount of 50 cents per ton shall be allowed on sales of 1/2 ton or more when the coal is called for at the yard. No discount shall be allowed on sales of less than 1/2 ton.

(3) *Descriptive terms.* All terms used herein to describe size, volatility and producing district are those that were established and defined by the Bituminous Coal Division and in effect as of midnight, August 23, 1943.

(d) *Sales not covered by order G-26.* The maximum prices for all sales by dealers of solid fuel not provided for by this Order G-26 shall be the maximum prices established by Revised Maximum Price Regulation No. 122.

(e) *Schedule of service charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales of Solid Fuels. These charges may be made only if the buyer requests such service of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

Wheel in from Curb.....	\$0.50 per ton.
Carry from Curb.....	.75 per ton.
Carry up or down each flight of stairs.....	.25 per ton.
Service charge for deliveries in quantities of 1/2 ton....	.25 per 1/2 ton.

(f) *The transportation tax.* The transportation tax imposed by section No. 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set by this order, provided the dealer states it separately from the price on his invoice or statement. However, such tax need not be so separately stated on sales to the United States or any agency thereof, the District of Columbia, any state government or any political subdivision thereof.

(g) *Addition of increase in suppliers' prices prohibited.* The maximum prices set by this order may not be increased by a dealer to reflect increases in purchase costs or in supplier's maximum prices occurring after the effective date hereon; but increases in the maximum prices set hereby to reflect such increases are within the discretion of the Regional Administrator.

(h) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

(i) *Applicability of other regulations.* Every dealer subject to this order is governed by the licensing provisions of Supplementary Order No. 72, effective October 1, 1943.

(j) *Right of amendment or revocation.* The Regional Administrator or Price Administrator may amend, revoke, or rescind this order, or any provision thereof, at any time.

(k) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing: the date, the name and address of the buyer, if known, the per net ton price charged and the type and kind of solid fuel sold. The solid fuel shall be identified in the manner in

which it is described in the order. The record shall also separately state each service rendered and the charge made for it.

(1) *Posting of maximum prices; sales slips.* (1) Each dealer subject to this order shall post all the maximum prices set by it for all his types of sales. He shall post his prices in his place of business in a manner plainly visible to and understandable by the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuel. No report of the maximum prices established by this order need be made by any dealer under § 1340.262 (c) of Regulation No. 122.

(2) Every dealer selling solid fuels subject to this order shall, either at the time of, or within thirty days after the date of, a sale or delivery of solid fuels governed by this order, give to his purchaser an invoice, sales slip or receipt, and shall keep an exact copy thereof for so long as this order is in effect or for so long as the Emergency Price Control Act of 1942, as amended, shall permit, whichever period is longer, showing the following information:

The name and address of the seller and the purchaser; the kind, size and quantity of the solid fuels sold, the date of the sale or delivery and the price charged. In addition, he shall separately state on each such invoice, sales slip or receipt, the amount, if any, of the required discounts, authorized service charges and taxes which must be deducted from or which may be added to the established maximum prices: *Provided*, That a dealer who is authorized to make a special service charge for chemical or oil treatment of coal need not separately state the amount of such service charge if he clearly indicates on the invoice that such coal is so treated: *And further provided*, That the provisions of this paragraph (2) shall not apply to sales of solid fuels in less than quarter ton lots unless requested by the purchaser.

(m) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Detroit District Office of the Office of Price Administration.

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

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser", shall be construed accordingly.

(3) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct Delivery" means dumping, shoveling or chuting the fuel from the seller's truck directly into the buyer's bin or storage; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

(5) Except as otherwise provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122, as amended, shall apply to terms used herein, and in full force and effect.

(o) *Applicability of this order.* To the extent applicable, the provisions of this order supersede Revised Maximum Price Regulation No. 122.

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

This order G-26 under Revised Maximum Price Regulation No. 122 shall become effective February 1, 1945.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Laws 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued: January 17, 1945.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 45-2095; Filed, Feb. 3, 1945;
3:50 p. m.]

[Region IV Order G-3 Under RMPR 122]

SOLID FUELS IN FULTON AND DEKALB
COUNTIES, GA.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* (1) This order establishes maximum prices for sales of specified solid fuels when the delivery is made to any point in the area set out in paragraph (c) hereinafter.

(2) Paragraph (c) of this order contains a price schedule applicable to sales of the solid fuels named therein. Special charges and discounts applicable to such sales are likewise found in that paragraph.

(b) *What this order prohibits.* Regardless of any contract, agreement, or other obligation, no person shall:

(1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this Order, but less than maximum prices may, at any time, be charged, paid or offered; or

(2) Obtain a higher than maximum price by:

(i) Charging for a service which is not expressly requested by the buyer or

which is not specifically authorized by this order;

(ii) Using any tying agreement by making any requirement that anything other than the fuel requested by the buyer be purchased by him; or

(iii) Using any other device by which a higher than maximum price is obtained, directly or indirectly.

(c) *Price schedule; consumer sales.* (1) This price schedule sets forth maximum prices for certain sales of specified solid fuels when delivery is made to any point in Fulton or DeKalb Counties in the State of Georgia.

(i) "Direct delivery or domestic" basis:

HIGH VOLATILE BITUMINOUS COAL FROM DISTRICT
No. 8

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Lump, Chunk, or Block.....	\$9.55	\$5.03	\$2.77
Egg.....	9.30	4.91	2.70
Stoker.....	9.15	4.83	2.66
Stoker, Size Group 10, Price Classification A.....	9.50	5.00	2.75
Nut and Slack.....	7.05	3.78	2.14

HIGH VOLATILE BITUMINOUS COAL FROM DISTRICT
No. 13

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Lump, Chunk, or Block.....	\$9.45	\$4.98	\$2.75
Egg.....	9.20	4.86	2.68
Stoker.....	9.50	5.00	2.75
Nut and Slack.....	6.95	3.73	2.12
Montevallo 8" Block.....	10.50	5.50	3.01

(2) *Maximum authorized service charges and required deductions—*(i) *Carry or wheel service.* If buyer requests such service, the dealer may charge not more than 50¢ per ton therefor.

(ii) *Carry upstairs.* If buyer requests such service, the dealer may charge not more than \$1.00 per ton therefor.

(iii) *Sacking.* If buyer requests such service, the dealer may charge not more than \$1.00 per ton for the service of putting coal into sacks furnished by the buyer or not more than \$3.00 per ton for such service if the dealer furnishes the sacks.

(iv) *Yard sales.* When a buyer picks up coal at the dealer's yard, the domestic price for lump, chunk, and block coals must be reduced at least \$1.25 per ton and the domestic price for egg coal must be reduced at least \$1.00 per ton.

(v) *Oil or calcium chloride treatment.* If a dealer's supplier has subjected the coal to oil or calcium chloride treatment to allay dust or to prevent freezing and makes a charge therefor, the dealer selling such coal may add to the applicable maximum price set by this Order the amount of such charge, not to exceed 10¢ per net ton. Any such treatment charge shall be stated separately from all other charges on the invoice.

(vi) *Sacked coal.* On yard sales of less than ¼ ton of sacked high volatile bituminous coal, the dealer may charge at a rate of not more than 50¢ per 80 lb. sack.

(vii) *Less than ¼ ton yard sales.* On yard sales of less than ¼ ton of unsacked high volatile bituminous coal, with the buyer furnishing the take-away receptacle, the dealer may charge at a rate of not more than 40¢ per 100 lbs., and may

limit such sales to quantities of 250 lbs. and over.

(viii) *Credit.* The dealer may charge not more than 25¢ per ton for credit extending more than 10 days from date of delivery, but no additional charge over the prices established by this order may be made if payment is made within 10 days from date of delivery.

(ix) *Adjustments for reallocation of supply source by SFAW.* (a) In the event the Solid Fuels Administrator for War allocates coal to the area covered by this order from a new source of supply having a higher delivered cost to the dealer, a dealer purchasing such coal and offering the same for sale to consumers may file an application for adjustment of the prices set by this Order to compensate for such higher delivered cost. Dealers desiring such adjustment shall file their application in duplicate with the Atlanta District Office, Office of Price Administration, 44 Pryor Street, N. E., Atlanta, Georgia. Each application so filed shall set forth the following:

(1) The size of the coal purchased from the new supply source;

(2) The normal source of his supply of that size of coal (including mine index number), mine cost of such coal, and freight cost (per ton) as of October and November, 1944;

(3) The new supply source of that size of coal (including mine index number), mine cost of such coal, and freight cost (per ton) thereof;

(4) The difference in the delivered cost (mine cost plus freight) of the coal from the normal source of supply and the delivered cost of the coal from the new source of supply.

(5) The increase proposed to be added by the dealer (which may not exceed the amount of cost differential required to be shown under part (4) of this inferior subdivision (a)), stated on a per ton basis, and also for such less than one ton selling lots as are customarily sold by the dealer.

(b) The increase requested by the applicant shall not be added to the prices established by this order until the District Price Executive, by letter, acknowledges receipt thereof. If such letter contains a request for additional information or for correction of errors in the application, the increase requested shall not be used until the dealer has furnished such information or made such correction and has received acknowledgment thereof from the District Price Executive. The increase may be added, however, if no acknowledgment or request for additional information or for correction of the application shall have been mailed to the applicant within ten days from the date of mailing of application or of requested additional or corrective information to the District Office.

(c) The Regional Administrator of the Atlanta Regional Office may at any time disapprove, correct, or modify any requested increase, but such disapproval, correction, or modification shall not be retroactive.

(d) A dealer, in order to make any additions permitted by subdivision (c)

(2) (ix), must show the increase as a

separate charge on the customer's invoice or sales ticket, bearing the notation "Increase because of SFAW reallocation of supply source".

(x) *Pricing of new sizes of coal from new supply source allocated by SFAW.*

(a) In the event the Solid Fuels Administrator for War allocates coal to the area covered by this order from a new source of supply, and in the event the coal purchased by a dealer from such new supply source is of a size different from the sizes for which prices are set by this order, the maximum price for such different size of coal shall be a price established hereunder upon request for the establishment of such price by the dealer. No such coal may be sold or offered for sale until a price therefor has been established in accordance with the provisions of this subdivision (c) (2).

(x). The request for establishment of such price shall be filed in duplicate with the Atlanta Regional Office, Office of Price Administration, Solid Fuels Branch, Candler Building, Atlanta 3, Georgia, and shall set forth the following:

(1) The size of the coal purchased from the new supply source;

(2) The supply source of that size of coal (including Mine Index Number), mine cost of such coal, and freight cost (per ton) thereof;

(3) The size of the coal purchased from the dealer's normal source of supply, (and having a price established therefor by this order), having a mine cost most nearly equal to the mine cost of the new size from the new supply source; the source of supply of that size of coal (including Mine Index Number), mine cost of such coal, and freight cost (per ton) thereof;

(4) The requested price for the new size from the new supply source (which shall not exceed the mine cost, plus the delivery cost, plus the dealer's normal mark-up).

(b) The price requested by the applicant shall not be used by the dealer until the Regional Price Executive, by letter, acknowledges receipt thereof. If such letter contains a request for additional information or for correction of errors in the application, the price shall not be used until the dealer has furnished such information or made such correction and has received acknowledgment thereof from the Regional Price Executive. The price may be used, however, if no acknowledgment or request for additional information or for correction of the application shall have been mailed to the applicant within 10 days from the date of mailing of the application or of requested additional or corrective information to the Regional Office.

(c) The Regional Administrator of the Atlanta Regional Office may at any time disapprove, correct, or modify any requested price, but such disapproval, correction, or modification shall not be retroactive.

(3) This price schedule sets forth maximum prices for commercial sales of forty tons or more of specified solid fuels when delivery is made in less than carload lots to consumers at any point

in Fulton or DeKalb Counties in the State of Georgia.

(i) "Commercial" basis:

HIGH VOLATILE BITUMINOUS COAL FROM	
DISTRICT NO. 8	
Size:	Per ton
Egg	2,000 lbs.
Nut and slack	\$7.65
	6.45

HIGH VOLATILE BITUMINOUS COAL FROM	
DISTRICT NO. 13	
Size:	Per ton
Egg	2,000 lbs.
Nut and slack	\$7.55
	6.35

(4) This price schedule sets forth maximum prices for commercial sales of carload lots of specified solid fuels when delivery is made to consumers at any point in Fulton or DeKalb Counties in the State of Georgia.

(i) "Commercial" basis:

HIGH VOLATILE BITUMINOUS COAL FROM	
DISTRICT NO. 8	
Size:	Per ton
Egg	2,000 lbs.
Nut and slack	\$7.00
	6.30

HIGH VOLATILE BITUMINOUS COAL FROM	
DISTRICT NO. 13	
Size:	Per ton
Egg	2,000 lbs.
Nut and slack	\$6.90
	6.20

(d) *Ex parte 148 freight rate increase; transportation tax.*—(1) *The freight rate increase.* Since the ex parte 148 freight rate increase has been rescinded by the Interstate Commerce Commission, the dealer's freight rates are the same as those of December, 1941; therefore, no dealer may increase any price specified herein on account of freight rates.

(2) *The transportation tax.* Only the transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected, in addition to the maximum prices set by this order. It may be collected only if the dealer states such tax separately from the price of the coal on the invoice. (The tax need not be stated separately on sales to the United States or any agency thereof—see Amendment 12 to Revised Maximum Price Regulation No. 122.) No part of this tax may be collected in addition to the maximum prices specified on sales of one-quarter ton or lesser amounts of coal, or on sales of any quantity of bagged coal.

(e) *Addition of increases in supplier's prices prohibited.* The maximum prices set by this order may not be increased by a dealer to reflect increases in his purchase cost or in his supplier's maximum prices occurring after the effective date hereof, but increases in the maximum prices set hereby to reflect such increases are within the discretion of the Administrator or of the Regional Administrator of Region IV.

(f) *Power to amend or revoke.* This order, or any provision thereof, may be revoked, amended, or corrected at any time by the Administrator or by the Regional Administrator of Region IV.

(g) *Petitions for amendment.* Any person seeking an amendment of this order may file a petition for amendment with the Administrator in accordance

with the provisions of Revised Procedural Regulation No. 1, or in the alternative, may file such petition with the Regional Administrator, Region IV, Office of Price Administration, Candler Building, Atlanta 3, Georgia. If such petition is filed with the Regional Administrator, action thereon shall be taken by him. When such a petition is filed with the Regional Administrator, all requirements of Revised Procedural Regulation No. 1, relative to the filing of such petitions, are applicable except the place of filing specified therein.

(h) *Applicability of other regulations*—(1) *Licensing and registration.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. A seller's license may be suspended for violations of the license or of one or more applicable price schedules, regulations, or orders. A seller whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(2) *Effect of this order on Revised Maximum Price Regulation No. 122.* To the extent applicable, the provisions of this order supersede the provisions of Revised Maximum Price Regulation No. 122.

(i) *Records and reports.* Every person making sales of solid fuels for which maximum prices are established 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. This record shall also separately state each service rendered and the charge made therefor.

(1) It is not necessary that these records of your maximum prices be filed with the War Price and Rationing Board.

(j) *Posting of maximum price; sales slips and receipts.* (1) Each dealer subject to this order shall post all the maximum prices set hereby for all of his types of sales. He shall post his prices in his place of business in a manner plainly visible to, and understandable by, the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuels.

(2) Every dealer selling solid fuels for the sale of which a maximum price is set by this order shall, within 30 days after the date of delivery of the fuel, give to the buyer a statement showing: the date of the sale, the name and address of the dealer and of the buyer; the kind, size, and quantity of the solid fuel sold, the price charged and separately stating any item which is required to be separately stated by this order. This paragraph (j) (2) shall not apply to sales of quantities of less than one-quarter ton or to sales of bagged coal unless the dealer customarily gave such a statement on such sale.

(3) In the case of all other sales, every dealer who during December, 1941 customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing

the name and address of the dealer, the kind, size, and quantity of the solid fuel sold to him, or the price charged, the dealer shall comply with the buyer's request as made by him.

(k) *Enforcement.* (1) Persons violating any provisions of this order are subject to the civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violations of this order are urged to communicate with the nearest District Office of the Office of Price Administration.

(l) *Definitions and explanations.* When used in this order the term:

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

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale," "selling," "sold," "seller," "buy," "purchase," and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuels except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

(1) "Direct delivery" of bagged fuel or of any fuel in one-quarter ton or lesser lots always means delivery to the buyer's storage space.

(5) "Carry" and "wheel" refer to movement of fuel to the buyer's bin or storage space by wheel barrow, barrel, sack, or otherwise from the seller's truck or from the point of discharge therefrom when made in the course of "direct delivery."

(6) "Yard sales" means deliveries made by the dealer in his customary manner, at his yard, or at any place other than his truck.

(7) "District No." refers to the geographical bituminous coal producing districts as delineated and numbered by the Bituminous Coal Act of 1937, as amended, as they have been modified by the Bituminous Coal Division and as in effect at midnight, August 23, 1943.

(8) "Lump, egg, stove, stoker, etc." sizes of bituminous coal refer to the size 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 as promulgated by the Bituminous Coal Division of the United States Department of the Interior and in effect (or established) as of midnight, August 23, 1943,

except that "run-of-mine" shall be that size sold as such by the dealer.

(9) Except as otherwise provided herein, or except as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

(m) This Revised Order G-3 under Revised Maximum Price Regulation No. 122 incorporates substantially the same provisions as are found in Order G-3 under Revised Maximum Price Regulation No. 122, except that, as stated in the accompanying opinion, certain provisions resulting from changes in supply sources under orders of the Solid Fuels Administrator for War have been added; therefore, as of the effective date hereof, this revised order supersedes said Order G-3.

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

This order shall become effective January 25, 1945.

(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: January 20, 1945.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 45-2095; Filed, Feb. 3, 1945; 3:47 p. m.]

[Region IV Order G-1 Under RMPR 333]

EGGS IN MONROE COUNTY INCLUDING KEY WEST, FLA.

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, Region IV by section 3.3 (c) of Revised Maximum Price Regulation No. 333, it is hereby ordered:

(a) *Adjustment of maximum wholesale prices for eggs in Monroe County and the City of Key West, Florida.* (1) The maximum prices established in section 1.11 of Revised Maximum Price Regulation No. 333, Table A, zone 17C for eggs sold and delivered within the limits of Monroe County including the City of Key West, Florida, shall be increased by 2 cents per dozen.

(2) The additions to, and deductions from Table A prices set forth in section 1.12 and the maximum prices on delivered sales for transactions not covered by Tables A and A-1 set forth in section 1.13 of RMPR 333 shall be applied to maximum prices established for Monroe County, Florida, in zone 17C, Table A, as adjusted by paragraph (a) (1) above.

(b) *Applicability of Revised Maximum Price Regulation No. 333.* Except as otherwise provided herein, all transactions subject to this order remain subject to all the provisions of Revised Maximum Price Regulation No. 333, including section 3.17, together with all amendments and orders which have heretofore or may hereafter be issued. Unless the context otherwise requires, all terms used herein shall be construed in accordance with the definitions set forth in section

3.2 of Revised Maximum Price Regulation No. 333.

(c) This order may be revoked, amended or corrected at any time.

(d) This order shall be effective January 15, 1945.

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

Issued January 18, 1945.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 45-2097; Filed, Feb. 3, 1945;
3:46 p. m.]

[Region V Order G-1 Under 2d RMPR 265]

LIVE POULTRY IN DALLAS REGION

For the reasons set forth in the accompanying opinion and under the authority vested in the Regional Administrator, Region V, of the Office of Price Administration by section 2.3 (a) (2) of 2nd Revised Maximum Price Regulation No. 269, it is hereby ordered:

(a) *Definitions.* (1) When used in this Order G-1 under 2nd Revised Maximum Price Regulation No. 269 the term:

(i) "WFO 119" means War Food Order 119 issued by the War Food Administration on December 1, 1944, including Amendment 1 to such order issued on December 30, 1944, and also includes any amendments that may hereafter be issued to such order affecting the sales of live chickens in the designated "poultry areas" in Region V of the Office of Price Administration.

(ii) "Poultry area" or "Poultry areas" means any of the following areas located in Region V of the Office of Price Administration:

(a) The counties of Benton, Washington, Carroll, Boone, Sebastian, Franklin, Madison and Crawford located in the state of Arkansas.

(b) The counties of Newton, McDonald, Stone, Taney and Barry located in the state of Missouri.

(c) The counties of Ottawa, Delaware and Adair located in the state of Oklahoma.

(d) And such other areas, all or part of which may be within the boundaries of Region V of the Office of Price Administration, as may be hereafter created and designated as a "poultry area" pursuant to subsequent amendments issued to WFO 119.

(iii) Live chickens means such live chickens as are included within the definition of "poultry" as that term is defined in WFO 119 under § 1414.6 (a) (1), as amended.

(iv) "Authorized processor" shall have the same meaning as that term is defined in WFO 119 under § 1414.6 (a) (7).

(2) Unless the context otherwise requires the definitions set forth in 2nd Revised Maximum Price Regulation No. 269 shall apply to the other terms used herein.

(b) Any person who sells and delivers any quantity of live chickens to an "authorized processor" may add a mark-up in the amount of 1½¢ per pound to the

applicable maximum base price for the item at such "authorized processor's" plant, provided:

(1) The live chickens are grown or located in a "poultry area" and are subject to the set-aside requirements of WFO 119.

(2) The live chickens are delivered by the seller to the "authorized processor's" plant or his customary receiving point.

(c) In determining the maximum price for the sale of any such live chickens the weight of the live chickens at the point of delivery to the "authorized processor" shall govern.

(d) The mark-up provided in this adjustment order shall be in lieu of, but not in addition to, the mark-up provided under Item No. 1 to Table G, set forth in 2nd Revised Maximum Price Regulation 269.

(e) The adjustment provided by this order shall remain in effect until the restrictions or set-aside requirements contained in WFO 119 (as they may apply to "poultry areas" located in Region V of the Office of Price Administration) have been lifted, or until the adjustment provided by this order is amended, modified or revoked, whichever is sooner.

(f) This adjustment order is subject to revocation or amendment, at any

time hereafter, either by special order, or by any price regulation issued hereafter, or by any amendment or supplement hereafter issued to any price regulation, the provisions of which may be contrary hereto.

Issued at Dallas, Texas, and effective this 24th day of January 1945.

W. A. ORTH,
Regional Administrator.

[F. R. Doc. 45-2098; Filed, Feb. 3, 1945;
3:50 p. m.]

[Region II Order G-53 Under RMPR 122,
Amdt. 3]

PENNSYLVANIA ANTHRACITE IN NEW YORK 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 §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Order No. G-53 is amended in the following respect:

1. Appendix A is amended by revising Items Nos. 11 and 18 to read as follows:

Kind	Permitted per net ton increase above applicable area ceiling price for anthracite, pursuant to paragraph (b) (for sales of fractions of a net ton, the increase shall be proportionate)						
	Broken	Egg	Stove	Nut	Pea	Buck-wheat	Rice
(11) "East Bear Ridge" (This includes only anthracite produced by East Bear Ridge Colliery Company, prepared at its Packer #5 Colliery, and sold as "East Bear Ridge Anthracite").	\$0.90	\$0.90	\$0.90	\$0.90	\$0.65	\$0.50	\$0.45
(18) "Kehoe-Berge" (This includes only anthracite produced by Kehoe-Berge Coal Company, and prepared at their Breaker located at Duryea, Pennsylvania.)	.50	.50	.50	.50	.50	.50	.20

This Amendment No. 3 to Order No. G-53 shall become effective as of January 17, 1945.

(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 January 1945.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 45-2099; Filed, Feb. 3, 1945;
3:46 p. m.]

[Region VI Order G-106 Under SR 15, MPR
280 and MPR 329]

FLUID MILK IN SHAWANO AND BONDUEL, WIS.

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 by § 1351.408 (a) of Maximum Price Regulation No. 329, it is ordered:

(a) *Maximum producer prices.* (1) The maximum prices which distributors in Shawano and Bonduel, Wis., may pay to producers for milk sold for human consumption in fluid form shall be either of the following, whichever is higher:

(i) \$2.96 per cwt., f. o. b. purchaser's plant, for milk having a butterfat content of 3.5%, or

(ii) The monthly uniform or blend price for 3.5% butterfat content milk, f. o. b. purchaser's plant, established for zone 12 in the Chicago, Ill., Marketing Area by the Market Administrator under Order No. 41 issued by the War Food Administration pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, for the Chicago, Illinois, Marketing Area.

(2) For any variation in the butterfat content of milk from 3.5%, there may be added not more than 5½¢ for each ¼ of a pound of butterfat in excess of 3.5% and there must be deducted not less than 5½¢ for each ¼ 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 Shawano and Bonduel, Wis., or who sell within those cities 50% or more of the milk sold by them.

(c) *Addition of transportation charges.* (1) The maximum price established in paragraph (a) is the maximum price for milk f. o. b. purchaser's plant. Where the transportation charge or any part thereof is paid by the purchaser, the total amount paid for transportation, plus the amount received by the producer, shall not be in excess of the maximum price set forth in paragraph (a).

(2) Where the purchaser hauls the milk to his plant in a conveyance owned, leased or operated by him, he shall deduct from the maximum price set forth in paragraph (a) of this order the cost of such transportation. The "cost of such transportation" shall be the maximum price which may be charged by milk haulers or other transportation companies for the hauling of milk to the purchaser's plant.

(d) *Maximum distributor prices for high butterfat content milk.* The maximum prices for the sale and delivery of milk having a butterfat content of 4.2% or more, at wholesale and retail, in Shawano and Bonduel, Wis., 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:

Container size	Wholesale	Retail
Gallon, in bulk	\$0.40	
Gallon	.40	\$0.46
½ gallon	.21	.24
Quart	.11	.13
Pint	.06	.07
½ pint	.03	.05

(e) *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 (d) 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.

(f) *Applicability of distributor prices.* For the purpose of paragraph (d) of this order, sales and deliveries within Shawano and Bonduel, Wis., area shall mean:

(1) All sales made within the city limits of Shawano and Bonduel, Wis., and all sales at or from an establishment located in Shawano and Bonduel, Wis.

(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 in Shawano and Bonduel, Wis.

(g) *Definitions.* (1) Sales at wholesale shall include all sales to retail

stores, restaurants, Army camps, prisons, schools, hospitals and other institutions.

(2) Unless the context otherwise requires, the definitions set forth in the General Maximum Price Regulation and in Maximum Price Regulation No. 280 and Maximum Price Regulation No. 329, and the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(h) *Relation to Office of Price Administration regulations.* Except as otherwise herein provided, the provisions of 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.

(i) *Revocability.* This order may be revoked, amended or corrected at any time.

This order has been approved by the Midwest Field Representative, Dairy & Poultry Branch, Office of Distribution of the War Food Administration, insofar as producer prices are affected.

This order shall become effective February 5, 1945.

Issued this 30th day of January 1945.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 45-2100; Filed, Feb. 3, 1945; 3:44 p. m.]

[Region VIII Order G-3 Under 18 (c),
Amdt. 45]

FLUID MILK IN WASHINGTON

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, and special authorization conferred by the Price Administrator, *It is hereby ordered*, That Order No. G-3 under § 1499.18 (c), as amended, of the General Maximum Price Regulation, be amended as set forth below.

(a) Section (1) is amended by adding to the schedule of prices at the end thereof, the following:

MORTON DISTRICT IN THE STATE OF WASHINGTON
[Not less than 3.8% milk fat]

Quantity	Wholesale price	Retail price
Quart	\$0.115	\$0.13
Half-pint	.035	.05

(b) Section (5) (d) is amended to read as follows:

(i) Spokane, including an area within a radius of 15 miles thereof.

(ii) Pasco, and including an area within a radius of 10 miles thereof.

(iii) Kennewick, including an area within a radius of 10 miles thereof.

(iv) Everett, and including an area within a radius of 10 miles thereof; excepting, however, any part of Whidbey Island or Camano Island.

(v) Port Ludlow, and including an area within a radius of 5 miles thereof.

(vi) Morton District includes the area within 5 miles of Highway No. 5 in Lewis County, Washington, from Mineral to Kosmos and from Mary's Corner to Packwood.

(vii) Including an area within a radius of 3 miles of any other city named herein. All radii are to be determined from the corporate limits of any city named herein.

(c) This amendment shall become effective January 27, 1945.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Law 363, 73th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 23d day of January 1945.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 45-2101; Filed, Feb. 3, 1945; 3:49 p. m.]

[Region VIII Order G-15 Under 3 (e) (2)]
TAPPAN GAS RANGES 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 § 1499.3 (e) (2) of the General Maximum Price Regulation, *It is hereby ordered*:

(a) The maximum prices at which retailers who are subject to the General Maximum Price Regulation, and who are unable to establish a price under § 1499.2 of the General Maximum Price Regulation, may sell and deliver the following described models of Tappan Gas Ranges, shall be as follows:

Item:	Maximum retail price
GV57	\$158.50
G57	157.90

Such prices to include Federal Excise Tax, less discounts, allowances, and price differentials no less favorable than those customarily granted by the seller.

(b) This order shall apply to sales in that portion of the State of California south of a line starting at Galeta, California, and running generally eastward south of the grapevine highway and ending north of Needles, California.

(c) The maximum prices herein established include installation services and/or other services customarily furnished by the seller on sales of similar commodities during March, 1942.

(d) This order may be amended, corrected or revoked at any time.

(e) This order shall become effective January 29, 1945.

Issued this 25th day of January 1945.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 45-2102; Filed, Feb. 3, 1945; 3:45 p. m.]

[Region VIII Order G-16 Under 3 (e) (2)]

TAPPAN GAS RANGES 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 § 1499.3 (e) (2) of the General Maximum Price Regulation, *It is hereby ordered:*

(a) The maximum prices for sales to retailers and at retail of the following described models of Tappan Gas Ranges, by sellers subject to the General Maximum Price Regulation, who cannot determine their maximum prices under § 1499.2 of the General Maximum Price Regulation, shall be as follows:

Item:	Maximum price-to retailers
GV 57-----	\$107.70
G 57-----	101.50

The above prices include Federal Excise Tax, are f. o. b. wholesaler's warehouse, 1% 10th prox. Net 30 days.

Item:	Maximum price at retail
GV 57-----	\$179.50
G 57-----	169.00

The above prices include Federal Excise Tax, less discounts, allowances and price differentials no less favorable than those customarily granted by the seller, and/or installation services and all other services customarily furnished by the

seller on sales of similar commodities during March, 1942.

(b) This order shall apply to sales in the State of California north of a line starting at Galeta, California, and running generally eastward south of the grapevine highway and ending north of Needles, California, and all the State of Nevada, except the counties of Clark, Eureka, Lander, Elko, Lincoln and White Pine.

(c) This order may be amended, corrected or revoked at any time.

(d) This order shall become effective January 29, 1945.

Issued this 25th day of January 1945.

CHARLES R. BAIRD,
Regional Administrator.

[F. R. Doc. 45-2103; Filed, Feb. 3, 1945;
3:45 p. m.]

