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## Regulations

### TITLE 5—ADMINISTRATIVE PERSONNEL

#### Chapter I—Civil Service Commission

#### PART 18—WAR SERVICE REGULATIONS

##### RATING AND ELIGIBILITY

In paragraph (c) of § 18.3 *Rating and eligibility* (9 F.R. 7235, 15135; 10 F.R. 2154), subparagraph (2) is revoked; and in paragraphs (d) and (e) of this section, the references to § 18.4 (d) should read "§ 18.4 (c)".

Effective: December 30, 1944.

(E.O. 9063 as amended by E.O. 9378, 8 F.R. 13037)

By the United States Civil Service Commission.

[SEAL]

H. B. MITCHELL,  
President.

MARCH 30, 1945.

[F. R. Doc. 45-5253; Filed, Apr. 2, 1945; 10:15 a. m.]

### TITLE 7—AGRICULTURE

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

[Amdt. 1]

#### PART 413—1945 COTTON CROP INSURANCE REGULATIONS

##### INSURANCE UNIT

Paragraph (n) of § 413.38 (10 F.R. 1421) of the 1945 Cotton Crop Insurance Regulations is hereby amended to read as follows:

§ 413.38 *Meaning of terms.* \* \* \*

(n) "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 cotton producer at the beginning of planting, 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: *Provided, however,* That all or any part of such land which is designated on the crop insurance listing sheet in the office of the county association as "non-insurable", because of the insurance risk involved, shall not constitute an insurance unit or any part thereof and shall not be considered in any manner whatsoever under the insurance contract.

Adopted by the Board of Directors on March 27, 1945.

[SEAL]

E. R. DUKE,  
Chairman.

Approved: April 2, 1945.

WILSON COWEN,  
Assistant War Food  
Administrator.

[F. R. Doc. 45-5267; Filed, Apr. 2, 1945; 11:40 a. m.]

[Amdt. 1]

#### PART 416—1945 CORN CROP INSURANCE REGULATIONS

##### INSURANCE UNIT

Paragraph (o) of § 416.39 (10 F. R. 2601) of the 1945 Corn Crop Insurance Regulations is hereby amended to read as follows:

§ 416.39 *Meaning of terms.* \* \* \*

(o) "Insurance unit" means all or that portion, as the case may be, of the farm (considered for the purpose of establishing the maximum amount(s) of investment insurance per acre, the average yield(s) and premium rates(s)) in which the insured has an interest as a corn producer at the time of planting, except that when a part of such land is regularly irrigated and the remainder never irrigated, or when separate maximum amounts of insurance per acre, yields and

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rates have been established for widely separated parts of such land, such portions of the land shall constitute separate insurance units: *Provided, however*, That all or any part of such land which is designated on the crop insurance listing sheet in the office of the county association as "non-insurable", because of the insurance risk involved, shall not constitute an insurance unit or any part thereof and shall not be considered in any manner whatsoever under the insurance contract.

Adopted by the Board of Directors on March 27, 1945.

[SEAL]

E. R. DUKE,  
Chairman.

Approved: April 2, 1945.

WILSON COWEN,  
Assistant War Food  
Administrator.

[F. R. Doc. 45-5268; Filed, Apr. 2, 1945;  
11:39 a. m.]

#### Chapter IX—War Food Administration (Marketing Agreements and Orders)

#### PART 941—MILK IN THE CHICAGO, ILLINOIS, MARKETING AREA

##### SUSPENSION OF CERTAIN PROVISIONS

Pursuant to the applicable provisions of Public Act No. 10, 73rd Congress, as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 *et seq.*), hereinafter referred to as the "act," and of the order, as amended,

regulating the handling of milk in the Chicago, Illinois, marketing area, it is hereby determined that the provisions of such order which provide a seasonal minimum price on Class I milk during May and June 1945 are provisions which obstruct and do not tend to effectuate the declared policy of the act with respect to producers of milk under such order.

It is, therefore, ordered, That the following provisions of § 941.5 (a) (2) of the order, as amended, regulating the handling of milk in the Chicago, Illinois, marketing area be suspended for the period from 12:01 a. m., on May 1, 1945, through June 30, 1945:

1. The words " \* \* ", except the delivery periods of May and June, " \* \* " and

2. The words " \* \* "; and during the delivery periods of May and June the price per hundredweight for Class I milk shall be the price determined pursuant to paragraph (b), plus 50 cents " \* \* ".

(E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Done at Washington, D. C., this 30th day of March 1945.

ASHLEY SELLERS,  
Assistant War Food Administrator.

[F. R. Doc. 45-5154; Filed, Mar. 30, 1945;  
3:32 p. m.]

#### PART 941—MILK IN THE CHICAGO, ILLINOIS, MARKETING AREA

##### SUSPENSION OF CERTAIN PROVISIONS

Pursuant to the applicable provisions of Public Act No. 10, 73rd Congress, as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 *et seq.*), hereinafter referred to as the "act", and of the order, as amended, regulating the handling of milk in the Chicago, Illinois, marketing area, it was determined on September 12, 1944, that the provisions of such order which provide for pro rata classification of milk or cream which is sold to a person who is a handler under another milk marketing agreement or order effective under the act, are provisions which, during October, November, and December 1944, obstructed and did not tend to effectuate the declared policy of the act with respect to producers of milk under such order. A similar determination was made on December 29, 1944, with respect to such provisions as regards January, February, and March 1945.

It is now determined, pursuant to the provisions of the aforesaid act and order, that the said provisions of the order are provisions which will, for an indefinite period after March 31, 1945, obstruct and not tend to effectuate the declared policy of the act with respect to the producers of milk under such order.

It is, therefore, ordered, That the suspension of the following provision of § 941.4 (a) of the said order be continued in effect after March 31, 1945, until otherwise ordered by the War Food Administrator: "And provided further, That in the case of the sale of milk or cream by a



handler to a person who is a handler under another Federal milk agreement or order, such milk may be classified on a pro rata basis."

(E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Done at Washington, D. C., this 30th day of March 1945.

ASHLEY SELLERS,  
Assistant War Food Administrator.

[F. R. Doc. 45-5177; Filed, Mar. 31, 1945;  
11:03 a. m.]

# Chapter XI—War Food Administration (Distribution Orders)

[WFO 53, Amdt. 7]

## PART 1460—FATS AND OILS

### DISTILLED RED OIL

The fulfillment of requirements for the defense of the United States has resulted in a shortage in the supply of distilled red oil for defense, for private account, and for export, and it is deemed necessary and appropriate in the public interest and to promote the national defense that the order partially suspending War Food Order No. 53, issued December 1, 1944 (9 F.R. 14273), be hereby terminated, and that said War Food Order No. 53, as amended (9 F.R. 6391), be further amended to read as follows:

§ 1460.15 *Distribution, delivery, use and set aside of distilled red oil*—(a) *Definitions.* (1) "Distilled red oil" means the lower titer fatty acids, commonly known as commercial oleic acid, obtained by any process which includes the splitting of animal fat and a subsequent separation by pressing or otherwise of such lower titer fatty acids from the higher titer fatty acids, and which have been distilled either prior to or after separation from the higher titer fatty acids.

(2) "Producer" means any person who produces distilled red oil.

(3) "Distributor" means any person who acquires distilled red oil for resale.

(4) "User" means any person who uses distilled red oil in the manufacture of any other product, regardless of whether distilled red oil is incorporated into such other product.

(5) "Certified order" means a written order to a producer or distributor which has attached thereto or incorporated therein a certificate executed in accordance with paragraph (c) hereof.

(6) "Pharmaceuticals and medicinal preparations" shall not include tooth paste, tooth powder, toilet soap, shaving cream, hand lotion, after shaving lotion, hair dressing, hair tonic, or any other product intended to be applied to the human body for cleansing, beautifying, promoting attractiveness, or altering the appearance.

(7) "Inventory" means the total quantity of distilled red oil owned by any person, wherever located.

(8) "Eastern zone" means that area of the United States and the District of Columbia lying east of the eastern boundaries of the States of Montana, Wyoming, Colorado, and New Mexico.

(9) "Western zone" means that area of the United States and the District of Columbia lying west of the eastern boundaries of the States of Montana, Wyoming, Colorado, and New Mexico.

(10) "Current rate of consumption", as determined on any particular date, means the amount of distilled red oil used during the 30-day period immediately prior to such date, or the amount of distilled red oil scheduled for use during the 30-day period immediately following such date.

(11) "Maximum unit" means the largest, single, segregate, commercial quantity of distilled red oil shipped to and accepted by any person during the calendar year 1944.

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

(13) "Director" means the Director of Marketing Services, War Food Administration.

(b) *Delivery restrictions.* Except as specifically authorized by the Director, no person shall, in any calendar month, deliver distilled red oil on other than certified orders to any person except a distributor unless and until he has, before the end of such month, filled or offered to fill all certified orders received by him or before the 16th day of such month.

(c) *Certified orders.* (1) Any user who requires distilled red oil for lubrication of wool fibers for spinning or weaving; spin bath lubricants for synthetic fiber manufacturing (filament only); flotation of tungsten, lithium, kyanite, magnesite, or fluorspar; pharmaceuticals and medicinal preparations; or any other use certified by the Order Administrator, may transmit to his supplier a written order which has attached thereto or incorporated therein a properly executed certificate in the following form:

The undersigned hereby certifies to the War Food Administrator and to \_\_\_\_\_

(Name and address of supplier) that he is familiar with the terms of War Food Order No. 53, that this certificate is furnished in order to enable the undersigned to obtain preferred delivery, in accordance with War Food Order No. 53, of \_\_\_\_\_ pounds of distilled red oil, and that he will use all of such distilled red oil as follows (check applicable use):

- ☐ Lubrication of wool fibers for spinning or weaving.
- ☐ Spin bath lubrication for synthetic fiber manufacturing (filament only).
- ☐ Flotation of tungsten, lithium, kyanite, magnesite, or fluorspar.
- ☐ Pharmaceuticals and medicinal preparations.
- ☐ Use certified by Order Administrator bearing Authorization No. \_\_\_\_\_

(Purchaser)

By \_\_\_\_\_  
(Authorized official)

(Date)

(2) No user who receives distilled red oil under a certified order shall use any part thereof for any purpose other than the use indicated in such certificate.

(d) *Set aside.* Every producer shall, during each calendar month, after the fulfillment of all certified orders received

by him on or before the 16th day of such month, set aside, reserve, and hold for delivery in accordance with specific authorization by the Order Administrator, 25 percent of the remaining balance of all distilled red oil produced by him during such month. Distilled red oil so set aside shall not be used, processed, delivered, or received by any person except as specifically authorized by the Order Administrator. Any distilled red oil so set aside, the delivery of which is not specifically authorized by the Order Administrator before the first day of the succeeding calendar month, shall, without further notice to the producer, be released from the provisions of this paragraph (d).

(e) *Inventory restrictions.* Except as hereinafter provided:

(1) No distributor shall accept delivery of distilled red oil in any quantity which will cause his inventory to exceed the following number of days' supply based upon his deliveries during the preceding calendar month:

(i) Distributors located in the Eastern zone—20 days' supply;

(ii) Distributors located in the Western zone—30 days' supply.

(2) No user shall accept delivery of distilled red oil in any quantity which will cause his inventory to exceed the following number of days' supply based upon his current rate of consumption:

(i) Users located in the Eastern zone—30 days' supply;

(ii) Users located in the Western zone—45 days' supply.

(f) *Inventory exemption; Maximum units.* Subject to the requirements of paragraph (g) of this order, any user or distributor whose inventory does not exceed two-thirds of the quantity which he is permitted to have under the applicable provision of paragraph (e) may accept delivery of not more than one maximum unit, provided that such acceptance shall not cause his inventory to exceed twice the quantity which he is permitted to have under the applicable provision of paragraph (e).

(g) *Inventory certificates.* No person shall deliver and no person shall accept delivery of more than 50 pounds of distilled red oil in any calendar month unless the person accepting delivery executes and furnishes to his supplier a certificate in the following form:

The undersigned hereby certifies to the War Food Administration and to \_\_\_\_\_

(Name and address of supplier) that he is familiar with the terms of War Food Order No. 53, that this certificate is furnished in order to enable the undersigned to acquire \_\_\_\_\_ pounds of distilled red oil, to be delivered on or about \_\_\_\_\_, and that the receipt by him of such distilled red oil will not increase his inventory beyond the amount permitted under War Food Order No. 53.

(Purchaser)

By \_\_\_\_\_  
(Authorized official)

(Date)

(h) *Transfers between branches or departments.* The transfer of distilled red oil between units, departments, branches, plants, or companies owned, controlled, or directed by the same person but en-



gaged in separate activities as producers, distributors, or users shall constitute delivery and acceptance of delivery within the meaning of this order.

(i) *Records and reports.* (1) All certified orders and all certificates executed under paragraphs (c) or (g) of this order shall be retained for at least two years and shall, upon request, be submitted to the Director for examination. All statements contained in such certificates shall be deemed representations to an agency of the United States. No person shall be entitled to rely upon any such certificate if he knows or has reasonable cause to believe it to be false.

(2) Every producer shall, within 15 days after the end of each calendar month, execute and mail to the Order Administrator one copy of Form FDA-476, showing his actual and estimated production, deliveries, and stocks of distilled red oil.

(3) Every person who uses more than 3,000 pounds of distilled red oil in any calendar quarter shall execute and mail to the Bureau of the Census, Washington 25, D. C., Bureau of the Census Form BM-1 for each calendar month, on or before the 15th day of the following month, and Bureau of the Census Form BM-2 for each calendar quarter on or before the 15th day of the second month following such calendar quarter. Nothing contained herein shall be construed as requiring any person to file more than one Form BM-1 in any month, nor more than one Form BM-2 in any calendar quarter, except that a separate report shall be filed for each plant in which such person uses distilled red oil.

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

(5) Every person subject to this order shall, for at least two years, or for such other period of time as the Director may designate, maintain an accurate record of his production of and transactions in distilled red oil.

(j) *Existing contracts.* The restrictions of this order shall be observed without regard to existing contracts or any rights accrued or payments made thereunder.

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

(l) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Petitions shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is

dissatisfied with the action taken by the Order Administrator, he may, by request addressed to the Order Administrator, obtain a review of such action by the Director. After said review, the Director may take such action as he deems appropriate, which action shall be final.

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

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

(o) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise provided, be addressed to the Order Administrator, War Food Order No. 53, Fats and Oils Branch, Office of Marketing Services, War Food Administration, Washington 25, D. C.

(p) *Territorial scope.* This order shall apply within the 48 States and the District of Columbia.

(q) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., April 1, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 53, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

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

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

Issued this 31st day of March 1945.

WILSON COWEN,  
Assistant War Food Administrator.

[F. R. Doc. 45-5234; Filed, Mar. 31, 1945;  
4:54 p. m.]

[WFO 128]

#### PART 1460—FATS AND OILS

##### INVENTORIES OF ANIMAL OIL AND NEAT'S-FOOT OIL

The fulfillment of requirements for the defense of the United States has resulted in a shortage in the supply of animal oil and neat's-foot oil for defense, for private account, and for export, and the

following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1460.43 *Restrictions on animal oil and neat's-foot oil*—(a) *Definitions.* (1) "Animal oil" means oil pressed or otherwise separated from animal tallow or grease, including grease or lard oil, tallow oil, and oil obtained from the feet of swine, commonly known as pig's-foot oil. The term "animal oil" shall not include (i) neat's-foot oil, (ii) any edible oil which has been inspected and marked "Inspected and Passed" pursuant to the act of March 4, 1907 (35 Stat. 1260, 1261; 21 U.S.C. 1940 ed. 71 et seq.), nor (iii) the higher titer residue, commonly known as stearine, obtained from a pressing operation in the production of animal oil.

(2) "Neat's-foot oil" means any oil obtained by any process which includes rendering of the feet or shin bones of cattle, regardless of whether such process includes a pressing operation.

(3) "Producer" means any person who produces animal oil or neat's-foot oil.

(4) "Distributor" means any person who acquires animal oil or neat's-foot oil for resale.

(5) "User" means any person who uses animal oil or neat's-foot oil in the manufacture of any other product, regardless of whether animal oil or neat's-foot oil is incorporated into such other product.

(6) "Inventory" means the total quantity of animal oil or neat's-foot oil, as the case may be, owned by any person, wherever located.

(7) "Current rate of consumption," as determined on any particular date, means the amount of animal oil or neat's-foot oil, as the case may be, used during the 30-day period immediately prior to such date, or the amount thereof scheduled for use during the 30-day period immediately following such date.

(8) "Maximum unit" means the largest single, segregate, commercial quantity of animal oil or neat's-foot oil, as the case may be, shipped to and accepted by any person during the calendar year 1944.

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

(10) "Director" means the Director of Marketing Services, War Food Administration.

(b) *Animal oil inventories.* Except as hereinafter provided:

(1) No user shall accept delivery of animal oil in any quantity which will cause his inventory to exceed a 60-day supply based upon his current rate of consumption, or 60,000 pounds, whichever is the greater.

(2) No distributor shall accept delivery of animal oil in any quantity which will cause his inventory to exceed one-third of his deliveries during the last 6 months of the calendar year 1944.

(c) *Neat's-foot oil inventories.* Except as hereinafter provided:

(1) No user shall accept delivery of neat's-foot oil in any quantity which will cause his inventory to exceed a 60-day supply based upon his current rate of



consumption, or 30,000 pounds, whichever is the greater.

(2) No distributor shall accept delivery of neat's-foot oil in any quantity which will cause his inventory to exceed one-third of his deliveries during the last 6 months of the calendar year 1944.

(d) *Inventory exemption; Maximum units.* Any user or distributor whose inventory does not exceed two-thirds of the quantity which he is permitted to have under the applicable provision of paragraph (b) or (c) of this order may accept delivery of more than one maximum unit of animal oil or neat's-foot oil, as the case may be: *Provided*, That such acceptance shall not cause his inventory of oil of the type so received to exceed twice the quantity which he is permitted to have under the applicable provision of paragraph (b) or (c).

(e) *Transfers between branches or departments.* The transfer of animal or neat's-foot oils between units, departments, branches, plants, or companies owned, controlled, or directed by the same person but engaged in separate activities as producers, distributors, or users shall constitute delivery or acceptance of delivery within the meaning of this order.

(f) *Records and reports.* (1) Every producer shall, within 15 days after the end of each calendar month, execute and mail to the Order Administrator one copy of form FDA 476, showing his actual and estimated production, deliveries and stocks of animal oil and neat's-foot oil.

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

(3) Every person subject to this order shall, for at least two years or for such other period of time as the director may designate, maintain an accurate record of his transactions in animal oil and neat's-foot oil.

(g) *Existing contracts.* The restrictions of this order shall be observed without regard to existing contracts or any rights accrued or payments made thereunder.

(h) *Audits and inspections.* The director shall be entitled to make such audits or inspections of the books, records and other writings, premises, or stocks of animal oil or neat's-foot oil of any person, and to make such investigations as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

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

tain a review of such action by the director. After said review, the director may take such action as he deems appropriate, which action shall be final.

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

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

(l) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise provided, be addressed to the Order Administrator, War Food Order No. 128, Fats and Oils Branch, Office of Marketing Services, War Food Administration, Washington 25, D. C.

(m) *Territorial scope.* This order shall apply within the 48 States and the District of Columbia.

(n) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t. April 1, 1945.

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

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

Issued this 31st day of March 1945.

WILSON COWEN,  
Assistant War Food Administrator.

[F. R. Doc. 45-5235; Filed, Mar. 31, 1945;  
4:54 p. m.]

[WFO 2, Amdt. 5]

#### PART 1401—DAIRY PRODUCTS

##### REQUIREMENTS FOR PRODUCERS AND AUTHORIZED RECEIVERS TO SET ASIDE BUTTER

War Food Order No. 2, as amended (8 F.R. 253, 5696, 9 F.R. 3623, 4321, 4319, 9584, 10 F.R. 103), is further amended to read as follows:

§ 1401.11 *Butter required to be set aside—(a) Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) "Butter" means the food product usually known as butter and which is made exclusively from milk or cream, or both, with or without common salt, and with or without additional coloring matter, and containing not less than 80 per-

cent by weight of milk fat, all tolerances having been allowed. Unless otherwise specified by the Director, it shall include butter made from milk or cream containing whey cream and shall exclude butter made entirely from whey cream.

(2) "U. S. 90 score" and "U. S. 89 score," respectively, mean U. S. Grade B, or 90 score, butter, and U. S. Grade C, or 89 score, butter, respectively, determined in accordance with the Official United States Standards for Grades of Creamery Butter, issued by the Secretary of Agriculture on January 30, 1943 (8 F.R. 1327).

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

(4) "Authorized receiver" means any person who holds a letter of authority, issued to him by the Director, to receive butter set aside pursuant to the provisions hereof.

(5) "Set aside" means to set aside and hold for sale and delivery to any designated agency.

(6) "Designated agency" means (i) the War Food Administration, including, but not limited to, any corporate agency thereof; (ii) Dairy Products Marketing Association, Inc.; (iii) the Armed Services of the United States (excluding, for the purposes of this order, the United States Army post exchanges, the United States Navy ship service departments, and the United States Marine Corps post exchanges); (iv) War Shipping Administration; (v) Veterans' Administration; (vi) any other agencies designated by the Director; and (vii) any person who, pursuant to a war food order, is entitled to purchase butter subject to this order.

(7) "Armed Services of the United States" means the Army, the Navy, the Marine Corps, and the Coast Guard of the United States.

(8) "Producer" means a person who produces butter subject to the provisions of this order.

(9) "Director" means the Director of Marketing Services, War Food Administration.

(b) *Restrictions on producers and authorized receivers of butter.* (1) Each person who produced more than 12,000 pounds of butter in any calendar month from April 1944 to March 1945, inclusive, shall set aside in April 1945, and in each subsequent calendar month, a quantity of butter equal to such percentage as the Director may order of all butter produced by such person during each such calendar month, regardless of the quantity of butter produced by him during or after April 1945.

(2) Each person who did not produce more than 12,000 pounds of butter in any calendar month from April 1944 to March 1945, inclusive, but who produces more than 12,000 pounds of butter in April 1945 or in any subsequent calendar month shall, during each calendar month thereafter, set aside a quantity of butter equal to such percentage as the Director may order of all butter produced by such person during each such subsequent calendar month, regardless of the quantity of butter produced by



such person in each such subsequent calendar month.

(3) In the event of a change in ownership with respect to a creamery, the production record of the former owner with respect to such creamery shall be the basis for reporting and setting aside butter by the new owner; and the purchaser of the creamery shall so report and set aside butter if (i) the person from whom he purchased the creamery was obligated to report and set aside butter, or (ii) such purchaser is required by other provisions hereof to report and set aside butter.

(4) Notwithstanding the restrictions in paragraphs (b) (1), (2), and (3) hereof, any person required by the provisions of such paragraphs to set aside butter may, at his option, sell and deliver all or part of the butter set aside pursuant to the provisions hereof to any authorized receiver who agrees to set aside, upon receipt of such set-aside butter, out of butter owned by him, a quantity of butter equal to the quantity of such set-aside butter so sold and delivered to him, and such authorized receiver shall so set aside such quantity of such butter. An authorized receiver may sell and deliver set-aside butter to another authorized receiver who agrees to set aside, upon receipt of such set-aside butter, out of butter owned by him and in addition to all other butter required to be set aside by him, a quantity of butter equal to the quantity of set-aside butter so sold and delivered to him. Each person who sells and delivers set-aside butter to an authorized receiver shall deliver, with each such delivery, a certificate, in duplicate, in substantially the following language (with the appropriate information inserted in the blank spaces):

"This is to certify that of the \_\_\_\_\_ pounds of butter sold and delivered by me on \_\_\_\_\_ pounds are butter set aside pursuant to the provisions of War Food Order No. 2, issued on January 5, 1943, as amended, and you are required, pursuant to the provisions of said order, as amended, to set aside, upon receipt of such set-aside butter, out of butter owned by you, a quantity of butter equal to the aforesaid quantity of set-aside butter. The balance of \_\_\_\_\_ pounds is butter free from the restrictions of said order, as amended.

I \_\_\_\_\_ an authorized receiver.  
(am) (am not)

Name	Location	Signature
"This will acknowledge receipt of the above indicated quantity of set-aside butter.		
Name	Location	Signature

The aforesaid certificate, in duplicate, shall be signed (i) by the person selling and delivering set-aside butter, and (ii) by the authorized receiver accepting such set-aside butter; and such authorized receiver shall retain, for two years, one copy of such certificate and return the other to the person who sold and delivered such set-aside butter.

(5) All butter set aside pursuant to the provisions hereof shall be salted and shall be U. S. 90 score, or better, and shall be packed as bulk in domestic packages, unless

(i) Otherwise specified by the Director; or

(ii) The producer arranges with an authorized receiver to sell and deliver to such authorized receiver unsalted butter, butter below U. S. 90 score, or butter packaged other than as specified herein and such authorized receiver agrees to set aside, upon receipt of such set-aside butter, an equal quantity of butter which is salted, is U. S. 90 score, or better, and is packaged as specified herein; or

(iii) The producer or authorized receiver has previously arranged with a designated agency to sell and deliver to such agency unsalted butter, butter below U. S. 90 score, or butter packaged other than as specified herein; or

(iv) The producer manifests by butter grading certificates issued by the Office of Marketing Services, War Food Administration, or by other written evidence satisfactory to the Director, that the quantity of U. S. 90 score, and better, produced by such producer in the calendar month in which such butter is required to be set aside, is less than the quantity required to be set aside by such producer in such month, in which event the producer shall set aside all of the U. S. 90 score, and better, produced by him in such month and an additional quantity of U. S. 89 score produced by him in such month to the extent necessary to fulfill such producer's total set-aside requirements under the provisions hereof: *Provided*, That if a producer does not produce, during such month, an additional quantity, as aforesaid, of U. S. 89 score sufficient to fulfill such producer's total set-aside requirements, as aforesaid, he shall set aside all of the U. S. 89 score, and better, so produced by him, and thereupon he shall be deemed to have fulfilled the set-aside requirements, as aforesaid. Any authorized receiver who purchases and accepts delivery of any butter set aside in accordance with (iv) of this paragraph shall set aside, upon receipt of such butter, an equal quantity of butter which shall contain, at least, the same number of pounds of U. S. 90 score, or better, as that of U. S. 90 score, and better, contained in the quantity of butter so accepted by him, and the remainder, if any, thus set aside shall be U. S. 89 score. The Director may require any person who is required to set aside butter pursuant to the provisions hereof to submit butter grading certificates issued by the Office of Marketing Services or other evidences satisfactory to the Director relative to the grade of all butter produced or owned by such person.

(6) All butter set aside pursuant to the provisions hereof shall be stored under the same conditions of storage customarily observed to maintain the quality of butter.

(7) No person may serve as an authorized receiver unless he has received from the Director a letter of authority to serve as an authorized receiver. Any such letter of authority issued to become effective prior to April 1, 1945, shall not entitle the person to whom it was issued to serve as an authorized receiver on or after April 1, 1945. Any person who desires to serve as an authorized receiver on or after April 1, 1945, shall file with the Director an application upon a form approved by the Director setting forth

information requested in said form of application. Thereupon, the Director shall consider such application and issue a letter of authority if, in the opinion of the Director, the issuance of such letter of authority is necessary or appropriate in the public interest and to promote the national defense. Any letter of authority, issued as aforesaid, may be revoked at any time by the Director and all letters of authority issued to become effective on or after April 1, 1945, shall expire on March 31, 1946, or on such other date as the Director may specify by order. No person shall represent himself to be an authorized receiver unless he holds a letter of authority issued by the Director pursuant hereto. No person other than an authorized receiver shall purchase, receive, or deal in butter set aside pursuant to the provisions hereof: *Provided*, That any set-aside obligations incumbent on any person with respect to butter acquired or butter produced by him on or prior to March 31, 1945, shall continue subsequent to March 31, 1945.

(c) *Inventory restrictions.* (1) No authorized receiver shall, during any calendar month, unless authorized in writing by the Director, buy, or contract to buy, and accept delivery of any quantity of set-aside butter which will cause the total quantity of set-aside butter owned by such authorized receiver on the last day of such calendar month to exceed an amount equal to the total quantity of butter required to be set aside by such authorized receiver during such calendar month and the immediately preceding calendar month.

(2) Each producer and each authorized receiver, respectively, shall retain in his possession at all times a quantity of set-aside butter which is equal to the total quantity of butter required to be set aside by each such person minus the quantity of set-aside butter (i) sold and delivered by each such person to authorized receivers or designated agencies, and (ii) released from the set-aside provisions hereof.

(d) *Releases by Director.* The Director may release any butter from the restrictions of this order if he determines that no designated agency has contracted for, or declared its intention or desire to contract for, such butter within such period as may be specified by the Director, or that such butter is not required for such agencies. The Director may issue such administrative rulings, regulations, interpretations, and exemptions, as he deems necessary to facilitate, expedite, and accomplish the purposes of this order.

(e) *Existing contracts.* The provisions of this order and of any regulation or order issued in pursuance hereof shall be observed without regard to contracts heretofore or hereafter entered into or any rights accrued or payments made thereunder. This order shall not, however, be construed as reducing the amount of butter which any person is required to offer or deliver, under existing contracts or contracts subsequently entered into with any designated agency, to any such agency.

(f) *Records and reports.* (1) The Director shall be entitled to obtain such information from, and require such re-



ports and the keeping of such records by any person, as may be necessary or appropriate, in the discretion of the Director, for the enforcement or administration of the provisions of this order, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

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

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

(h) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Such petition shall be addressed to Order Administrator, War Food Order No. 2, Dairy and Poultry Branch, Office of Marketing Services, War Food Administration, Washington 25, D. C. Petition for such relief shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the Order Administrator on the petition, he shall obtain, by requesting the Order Administrator therefor, a review of such action by the Director. The Director may, after said review, take such action as he deems appropriate, and such action shall be final. The provisions of this paragraph (h) shall not be construed to deprive the Director of authority to consider originally any petition for relief from hardship submitted in accordance herewith. The Director may consider any such petition and take such action with reference thereto that he deems appropriate, and such action shall be final.

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

(j) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director

is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(k) *Communications.* All reports to be filed hereunder and all communications concerning this order shall, except as provided herein or unless instructions to the contrary are issued by the Director, be addressed to the Order Administrator, War Food Order No. 2, Dairy and Poultry Branch, Office of Marketing Services, War Food Administration, Washington 25, D. C.

(l) *Territorial scope.* This order shall apply only in the area included in the 48 States of the United States and the District of Columbia.

(m) *Provisions of certain previous orders not affected.* The provisions hereof shall not be considered as rescinding or modifying the provisions of any order heretofore issued pursuant to War Food Order No. 2, or War Food Order No. 2, as amended.

(n) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., April 1, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 2, as amended, prior to the effective time of the provisions hereof, all provisions of War Food Order No. 2, as amended, in effect prior to the issuance of this order shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

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

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

Issued this 30th day of March 1945.

MARVIN JONES,  
War Food Administrator.

[F. R. Doc. 45-5150; Filed, Mar. 30, 1945;  
12:18 p. m.]

[WFO 79-57, 79-73, 79-74, 79-75, 79-76,  
79-77, 79-84, and 79-94, Gen. Amdt. 8]

#### PART 1401—DAIRY PRODUCTS

##### GENERAL AMENDMENT TO CERTAIN WAR FOOD ORDERS ALLOCATING MILK, MILK BYPRODUCTS, AND CREAM PURSUANT TO WAR FOOD ORDER NO. 79, AS AMENDED

In the determination of handler quotas for cream for the quota period of April 1945 under War Food Order No. 79-57, as amended, War Food Order No. 79-73, as amended, War Food Order No. 79-74, as amended, War Food Order No. 79-75, as amended, War Food Order No. 79-76, as amended, War Food Order No. 79-77, as amended, War Food Order No. 79-84, as amended, and War Food Order No. 79-94, as amended, respectively, the applicable percentages for cream shall be 85 percent of cream and of butterfat in

cream (notwithstanding quotas heretofore assigned).

This order shall become effective as of 12:01 a. m., e. w. t., April 1, 1945. With respect to violations of said War Food Order No. 79, as amended, or any of the aforesaid orders issued by the Director pursuant thereto, rights accrued, liabilities incurred, or appeals taken thereunder, prior to the effective time of this amendment, all provisions of said orders in effect prior to the effective time hereof shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283; 9 F.R. 4321, 4319, 6982, 9459, 10035, 11990; 10 F.R. 103)

Issued this 30th day of March 1945.

C. W. KITCHEN,  
Director of Marketing Services.

[F. R. Doc. 45-5155; Filed, Mar. 30, 1945;  
3:32 p. m.]

[WFO 75-2, Amdt. 21]

#### PART 1410—LIVESTOCK AND MEATS

##### BEEF REQUIRED TO BE SET ASIDE

War Food Order No. 75-2, as amended (10 F. R. 182, 1823, 2955) is further amended by deleting paragraph (c) and substituting in lieu thereof the following:

(c) *Class 1 slaughterers; utility grade and cutter and canner beef.* No Class 1 slaughterer shall deliver meat unless he shall set aside, reserve, and hold for delivery to governmental agencies, contract schools, marine hospitals, maritime academies, and ship suppliers, 80 percent of the conversion weight of each week's production of beef derived from steers, heifers, and cows graded "U. S. Utility" (Grade C beef), and 80 percent of the conversion weight of each week's production of beef derived from cutter and canner grade steers, heifers, and cows (Grade D beef).

This amendment shall become effective at 12:01 a. m., e. w. t., April 1, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 75-2, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 75, 8 F.R. 11119, 9 F.R. 4319)

Issued this 30th day of March 1945.

H. E. REED,  
Acting Director of  
Marketing Services.

[F. R. Doc. 45-5151; Filed, Mar. 30, 1945;  
12:18 p. m.]



## TITLE 16—COMMERCIAL PRACTICES

## Chapter I—Federal Trade Commission

[Docket No. 4733]

## PART 3—DIGEST OF CEASE AND DESIST ORDERS

## VITAMIN PRODUCTS CO.

§ 3.6 (a) 10) *Advertising falsely or misleadingly; comparative data or merits:*  
 § 3.6 (n) *Advertising falsely or misleadingly; nature; product:* § 3.6 (t) *Advertising falsely or misleadingly; qualities or properties of product or service:*  
 § 3.6 (y) 10) *Advertising falsely or misleadingly; scientific or other relevant facts.* In connection with the offering for sale, sale and distribution of the preparations hereinafter named, or any preparations of substantially similar composition or possessing substantially similar properties, whether sold under the same or any other name, disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means to induce, etc., directly or indirectly, purchase in commerce, etc., of any of said preparations, which advertisements represent, directly or through inference, (a) that respondent's preparation "Catalyn", when taken as directed, constitutes a competent dietary supplement for or has any therapeutic value in the treatment of any vitamin deficiency disease except such as are due to a deficiency of Vitamins A or D; (b) that respondent's preparation "Catalyn" is a competent nutritional or corrective treatment for the prevention or cure of acidosis, anemia, angina pectoris, backward children, Bright's disease, change of life, chorea, colds, constipation, cystitis, or numerous other ailments and conditions, as in order set forth, including heart trouble, high blood pressure, low blood pressure, menopause, mucous colitis, nervousness, ovary and menstrual disorders, illness of pregnancy, prostate gland disorders, pyorrhea, teeth disorders, tired feeling, diseases of tonsils, tuberculosis, etc.; (c) that the use of respondent's preparation "Catalyn" will insure vitality or health to the user, or that said preparation is a product of Nature; (d) that respondent's preparation "Vitamin A Complex" is a competent nutritional or corrective treatment for the prevention or cure of retarded appetite, growth, or development, disturbed dental or bone development, susceptibility to infections, slow healing or reticuloendothelium or epithelium, eye infection, including corneal ulcers or degeneration of eyes, infection of ear, infection of genito-urinary tract, tonsillitis, pneumonia, tuberculosis, diarrhea, infection of sinus, difficulty of delivery of young, interference with successful reproduction or lactation, pernicious anemia, secondary anemia, and various other ailments and conditions, as in order set forth, including degeneration of the nervous system or atrophy of organs or glands, including liver, testes, spleen, thyroid, pituitary, and salivary; (e) that respondent's preparation "Vitamin B Complex" is a competent nutritional or corrective treatment for the prevention or cure of susceptibility to infections due

to lowered resistance, diabetes mellitus, functional disorders, including atrophy or pathological enlargement of adrenals, brain, gonads, heart, kidneys, liver, ovaries, pancreas, pituitary gland, spleen, testes, thymus and thyroid glands, tendency to functional gastro-intestinal disorders such as ulcers, indigestion, tendency to muscular paralysis, loss of weight or vigor, and various ailments and conditions, as in order set forth, including disturbances of reproductive cycle, dental caries, predisposition to allergic conditions, or neuritis; (f) that respondent's preparation "Vitamin C Complex" is a competent nutritional or corrective treatment for the prevention or cure of diseases of the blood vessels or capillaries, diseases of gums, tooth degeneration, joint or bone changes, mucous membrane hemorrhages, destruction of bone marrow, tendency to epithelial lesions, increased susceptibility to infections, retarded growth and loss of weight, physical weakness, and various other ailments and conditions, as in order set forth, including development of arthritic or rheumatic tendencies, development of edematous conditions, complications of pregnancy, tendency to raise temperature, possible sterility, lowered glucose tolerance, cataract, predisposition to allergic conditions, or sprue; (g) that respondent's preparation "Vitamin D Complex" is a competent nutritional or corrective treatment for the prevention or cure of defective mineral metabolism (except in cases of defective metabolism of calcium or phosphorus occurring in connection with diseases such as rickets and osteomalacia), decreased resistance to infection, especially tubercular infection, retarded growth, enlarged liver, kidneys, or spleen, instability or irritability of nervous system or tissues, muscular weakness, constipation, pyorrhea, parathyroid dysfunction, or menstrual disorders; (h) that respondent's preparation "Vitamin E" or "Vitamin E Complex" is a competent nutritional treatment for or preventive of loss of weight, retarded growth, weakness, paralysis, lowered resistance to infection, particularly to infantile paralysis, sterility (temporary in female—permanent in male), falling hair, alteration of the texture of the hair, or possible tendency to malignancies; (i) that respondent's preparation "Vitamin F" or "Vitamin F Complex" is a competent nutritional treatment for or preventive of epidermal manifestations, including ridged or split fingernails, exzematous condition, dermatitis, scurf, dandruff, hemorrhagic spots on the skin, brittleness or falling out of hair, impairment of endocrine glands, particularly the pituitary glands, impairment of visceral organs, particularly the kidneys, lowered resistance to allergies, susceptibility to Vitamin D poisoning, loss of sex instincts, lowered resistance to infections, particularly to tuberculosis, cessation of growth, severe renal manifestations, or sterility; (j) that respondent's preparation "Vitamin G Complex" is a competent nutritional treatment for or preventive of underdevelopment, retarded growth, malnutrition, eye disorders, secondary anemia, cutaneous changes, neuritis, loss of hair,

sprue, interference with normal skin respiration, alimentary tract disorders, including gastro-enteritis, degeneration of the liver, renal manifestations, including cystitis, hemorrhagic conditions of the urine, severe pellagra, or severe nerve or spinal degeneration; (k) that respondent's preparation "V. P. Organic Mineral Tablets" or respondent's preparation "Vitamin F Complex" singly or together will restore normal balance between the sympathetic and parasympathetic nervous systems, or constitute an effective treatment for gastro-intestinal disorders, including ulcers, or angina pectoris; (l) that respondent's preparation "Cerol" is a competent nutritional or corrective treatment for sterility in the female, or for the prevention of sterility in the male, or that it will prevent hyperemesis during the period of gestation, or will cause childbirth to become a relatively simple physiological process or render unnecessary the use of oxytocic drugs; (m) that respondent's preparation "V. P. Phosphade" is a competent nutritional or corrective treatment for a diet deficient in phosphates, or that it will be effective in eliminating calcium accumulations in the tissues and blood vessel walls, or constitutes an effective treatment for high blood pressure, hardening of the arteries, heart trouble, stiffness of the joints, or symptoms of premature old age; (n) that respondent's preparation "Cerodyn" (also referred to as "Cerolyn" and "V. P. Fortified Wheat Germ") is a competent nutritional or corrective treatment for improving resistance to colds, increasing physical stamina, lessening fatigue, improving mental functions or physical condition generally, or for preventing inability to concentrate or to sleep because of nervous tension; (o) that respondent's preparation "Viable Acidophilus Yeast" is a competent nutritional or corrective treatment for producing lactic acid by fermentation of carbohydrates or restricting the growth of undesirable microorganisms in the alimentary tract; or that it constitutes an effective treatment for halitosis; (p) that a synthetic vitamin is incapable of curing or relieving diseases or symptoms of vitamin deficiency as effectively as a like vitamin obtained from respondent's preparations; or (q) that any recognized scientific or medical publication contains statements or conclusions concerning the effects of vitamin deficiencies or the effectiveness of vitamins in the treatment of diseases or conditions which are different from the import of the statements or conclusions actually contained in such publication; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Vitamin Products Company, Docket 4733, February 28, 1945]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 28th day of February, A. D. 1945.

*In the Matter of Royal Lee, an Individual Trading Under the Name of Vitamin Products Company*

This proceeding having been heard by the Federal Trade Commission upon the



complaint of the Commission, the answer of respondent, and certain facts and exhibits stipulated into the record (further hearing as to the facts and all intervening procedure having been waived), and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act:

*It is ordered,* That respondent Royal Lee, an individual trading as Vitamin Products Company, or under any other name, his representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of the preparations hereinafter named, or any preparations of substantially similar composition or possessing substantially similar properties, whether sold under the same or any other name, do forthwith cease and desist from directly or indirectly:

1. Disseminating or causing to be disseminated, by means of the United States mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, any advertisement which represents, directly or through inference:

(a) That respondent's preparation "Catalyn," when taken as directed, constitutes a competent dietary supplement for or has any therapeutic value in the treatment of any vitamin deficiency disease except such as are due to a deficiency of Vitamins A or D.

(b) That respondent's preparation "Catalyn" is a competent nutritional or corrective treatment for the prevention or cure of acidosis, anemia, angina pectoris, backward children, Bright's disease, change of life, chorea, colds, constipation, cystitis, dropsy, enlarged glands, enlarged prostate gland, goiter, hardening of the arteries, headache, heart trouble, high blood pressure, infectious diseases, insomnia, low blood pressure, low vitality, menopause, mucous colitis, nervousness, ovary and menstrual disorders, illness of pregnancy, prostate gland disorders, pyorrhea, teeth disorders, tired feeling, diseases of tonsils, tuberculosis, underweight, overweight, difficult urination, congested liver, cardiac asthma, dizzy spells, dizziness, liver blotches, gastric disturbance, nervous indigestion, frequent urination, choking spells, sinus infection, chronic (low grade) infections, leg ulcers, or varicose veins.

(c) That the use of respondent's preparation "Catalyn" will insure vitality or health to the user, or that said preparation is a product of Nature.

(d) That respondent's preparation "Vitamin A Complex" is a competent nutritional or corrective treatment for the prevention or cure of retarded appetite, growth, or development, disturbed dental or bone development, susceptibility to infections, slow healing of reticulo-endothelium or epithelium, eye infection, including corneal ulcers or degeneration of eyes, infection of ear, infection of genito-urinary tract, tonsillitis, pneumonia, tuberculosis, diarrhea, infection of sinus, difficulty of delivery of young, interference with successful reproduction or lactation, pernicious anemia, second-

ary anemia, gastritis, bronchitis, kidney or bladder disorders, calculi, nephritis, cystitis, excessive growth of lymphoid tissues, degeneration of the nervous system or atrophy of organs or glands, including liver, testes, spleen, thyroid, pituitary, and salivary.

(e) That respondent's preparation "Vitamin B Complex" is a competent nutritional or corrective treatment for the prevention or cure of susceptibility to infections due to lowered resistance, diabetes mellitus, functional disorders, including atrophy or pathological enlargement of adrenals, brain, gonads, heart, kidneys, liver, ovaries, pancreas, pituitary gland, spleen, testes, thymus and thyroid glands, tendency to functional gastro-intestinal disorders such as ulcers, indigestion, tendency to muscular paralysis, loss of weight or vigor, stunted growth, tendency to edematous conditions, fall in body temperature, degeneration of nervous system, anemia, disturbances of reproductive cycle, dental caries, predisposition to allergic conditions, or neuritis.

(f) That respondent's preparation "Vitamin C Complex" is a competent nutritional or corrective treatment for the prevention or cure of diseases of the blood vessels or capillaries, diseases of gums, tooth degeneration, joint or bone changes, mucous membrane hemorrhages, destruction of bone marrow, tendency to epithelial lesions, increased susceptibility to infections, retarded growth and loss of weight, physical weakness, depression and irritability, rapid respiration and heart action, blood degeneration, development of heart weakness, increased weight or enlargement of spleen, liver, stomach, intestines or kidneys, atrophy of glands, including reduced secretion of adrenals or thyroid gland, development of arthritic or rheumatic tendencies, development of edematous conditions, complications of pregnancy, tendency to raise temperature, possible sterility, lowered glucose tolerance, cataract, predisposition to allergic conditions, or sprue.

(g) That respondent's preparation "Vitamin D Complex" is a competent nutritional or corrective treatment for the prevention or cure of defective mineral metabolism (except in cases of defective metabolism of calcium or phosphorus occurring in connection with diseases such as rickets and osteomalacia), decreased resistance to infection, especially tubercular infection, retarded growth, enlarged liver, kidneys, or spleen, instability or irritability of nervous system or tissues, muscular weakness, constipation, pyorrhea, parathyroid dysfunction, or menstrual disorders.

(h) That respondent's preparation "Vitamin E" or "Vitamin E Complex" is a competent nutritional treatment for or preventive of loss of weight, retarded growth, weakness, paralysis, lowered resistance to infection, particularly to infantile paralysis, sterility (temporary in female—permanent in male), falling hair, alteration of the texture of the hair, or possible tendency to malignancies.

(i) That respondent's preparation "Vitamin F" or "Vitamin F Complex" is a competent nutritional treatment for or preventive of epidermal manifestations, including ridged or split finger-

nails, eczematous condition, dermatitis, scurf, dandruff, hemorrhagic spots on the skin, brittleness or falling out of hair, impairment of endocrine glands, particularly the pituitary glands, impairment of visceral organs, particularly the kidneys, lowered resistance to allergies, susceptibility to Vitamin D poisoning, loss of sex instincts, lowered resistance to infections, particularly to tuberculosis, cessation of growth, severe renal manifestations, or sterility.

(j) That respondent's preparation "Vitamin G Complex" is a competent nutritional treatment for or preventive of underdevelopment, retarded growth, malnutrition, eye disorders, secondary anemia, cutaneous changes, neuritis, loss of hair, sprue, interference with normal skin respiration, alimentary tract disorders, including gastro-enteritis, degeneration of the liver, renal manifestations, including cystitis, hemorrhagic conditions of the urine, severe pellagra, or severe nerve or spinal degeneration.

(k) That respondent's preparation "V. P. Organic Mineral Tablets" or respondent's preparation "Vitamin F Complex" singly or together will restore normal balance between the sympathetic and parasympathetic nervous systems, or constitute an effective treatment for gastro-intestinal disorders, including ulcers, or angina pectoris.

(l) That respondent's preparation "Cerol" is a competent nutritional or corrective treatment for sterility in the female, or for the prevention of sterility in the male, or that it will prevent hyperemesis during the period of gestation, or will cause childbirth to become a relatively simply physiological process or render unnecessary the use of oxytocic drugs.

(m) That respondent's preparation "V. P. Phosphade" is a competent nutritional or corrective treatment for a diet deficient in phosphates, or that it will be effective in eliminating calcium accumulations in the tissues and blood vessel walls, or constitute an effective treatment for high blood pressure, hardening of the arteries, heart trouble, stiffness of the joints, or symptoms of premature old age.

(n) That respondent's preparation "Cerodyn" (also referred to as "Cerolyn" and "V. P. Fortified Wheat Germ") is a competent nutritional or corrective treatment for improving resistance to colds, increasing physical stamina, lessening fatigue, improving mental functions or physical condition generally, or for preventing inability to concentrate or to sleep because of nervous tension.

(o) That respondent's preparation "Viable Acidophilus Yeast" is a competent nutritional or corrective treatment for producing lactic acid by fermentation of carbohydrates or restricting the growth of undesirable micro-organisms in the alimentary tract; or that it constitutes an effective treatment for halitosis.

(p) That a synthetic vitamin is incapable of curing or relieving diseases or symptoms of vitamin deficiency as effectively as a like vitamin obtained from respondent's preparations.

(q) That any recognized scientific or medical publication contains statements



or conclusions concerning the effects of vitamin deficiencies or the effectiveness of vitamins in the treatment of diseases or conditions which are different from the import of the statements or conclusions actually contained in such publication.

2. Disseminating or causing to be disseminated by any means, any advertisement for the purpose of inducing, or which is likely to induce, directly or indirectly, the purchase in commerce, as "commerce" is defined in the Federal Trade Commission Act, of any of said preparations, which advertisement contains any of the representations prohibited in paragraph 1 above.

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

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 45-5193; Filed, Mar. 31, 1945;  
11:51 a. m.]

[Docket No. 3092<sup>1</sup>]

PART 3—DIGEST OF CEASE AND DESIST  
ORDERS

SCIENTIFIC APPARATUS MAKERS OF AMERICA,  
ET AL.

§ 3.7 *Aiding, assisting or abetting unfair or unlawful act or practice:* § 3.27 (d) *Combining or conspiring—To enhance, maintain or unify prices.* A. Entering into or carrying out any understanding, etc., on the part of the respondents named (who filed petitions in the Circuit Court of Appeals for the 7th Circuit and as to whom said court on May 22, 1944 entered four separate decrees by which the Commission's order to cease and desist entered on August 25, 1941, was, with respect to said petitioning respondents only, modified, affirmed and enforced), and on the part of respondents named as members of the Scientific Apparatus Makers of America, and on the part of the respective officers, etc. of said various respondents, with each other or with any other person or persons, association or corporation, to restrict, restrain, monopolize, or to hinder or suppress, competition in the sale and distribution in commerce of prepared tracing papers, tracing cloths, blueprint papers and cloths, other reproduction papers, and cloths, profile and cross-section papers and cloths in sheets and rolls, coordinate papers—graph sheets (except rolled sheets) for engineering and drafting purposes, field books for engineers, drawing instruments and various other products used by surveyors, engineers, builders, the drafting profession and others, by doing any of the acts or things below specified; and doing any of the said acts or things pursuant to any such understanding, etc., namely, (1) fixing and maintaining, or agreeing to fix and maintain the prices at which

said products will be sold by them; (2) fixing and maintaining, or agreeing to fix and maintain the terms and conditions, including the classification of customers, freight allowances and duration of and optional clauses in contracts, in connection with any sales by them of their said products; (3) exchanging information among themselves with regard to the prices, discounts, terms and conditions of sale to be submitted by them when bids for their products are requested, and submitting or agreeing to submit identical, or substantially identical, bids on said products when requests for bids have been received; (4) filing with respondent Surveying-Drafting-Coaters Section of Scientific Apparatus Makers of America, price lists including discounts, terms and conditions at which they will sell their products, for dissemination by said respondent Association among its members; or, (5) agreeing not to sell their said products at a price less, or a discount greater, or on terms and conditions more favorable to the purchaser than those contained in any of the price lists filed with respondent Surveying-Drafting-Coaters Section of Scientific Apparatus Makers of America, or agreeing not to sell said products at a price less or discount greater than or on terms and conditions of sale more favorable to the purchaser than those contained in the price list published by the seller; and, B, aiding and assisting, on the part of respondent Surveying-Drafting-Coaters Section of Scientific Apparatus Makers of America, respondent Parker, its manager and his successors, respondents Keller, Bruning, Allin, and Berger, members of its executive committee and their successors, the members of said respondent association in carrying out or engaging in any of the acts and practices hereinbefore set forth, and performing any service or function in the furtherance of said acts and practices, and particularly, (1) adopting any rule or regulation designed or intended to prevent any deviation on the part of the members of said respondent Association from the prices, discounts and terms fixed and agreed upon by them, as hereinbefore set forth; or (2) receiving from the individual members of said respondent association price lists, including discounts, terms and conditions of sale, and disseminating such information among said respondent association members; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45i) [Modified cease and desist order, Scientific Apparatus Makers of America, et al., Docket 3092, March 2, 1945]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 2nd day of March, A. D. 1945.

*In the Matter of Scientific Apparatus Makers of America, a Corporation, Its Officers and Directors and Certain of its Members, Separately and as Representative of Certain Others of its Members, Carl S. Hallauer, R. E. Gillmor, John M. Roberts and Karl L. Keller, Individually, as Officers and Directors of, and as Representative of Other Officers and Directors of Scientific Apparatus Makers of America; Survey-*

*ing-Drafting-Coaters Section of the Scientific Apparatus Makers of America, an Association, its Officers and Certain Members, Separately and as Representative of the Other Members; Arthur L. Parker, Manager, Paul J. Bruning, Chairman Executive Committee, Karl L. Keller, Member Executive Committee, W. A. Berger, Member Executive Committee, and R. Fred Allin, Individually and as Manager, Chairman and Members of the Executive Committee of the Surveying-Drafting-Coaters Section of the Scientific Apparatus Makers of America; Charles Bruning Company, Inc., a Corporation; The Huey Company, a Corporation; The Frederick Post Company, a Corporation; Eugene Dietzgen Company, a Corporation; Economy Blue Print Products, Inc., a Corporation; Keuffel & Esser Company, a Corporation; Alphonse A. Brunner, Trading as Keystone Blue Paper Company, The C. F. Pease Company, a Corporation; Charles W. Speidel and Walter A. Kohn, Trading as Chas. W. Speidel & Company; United States Blue Print Paper Company, a Corporation; Jacob H. Weil, Edwin H. Weil and Manfred R. Krauskopf, Trading as J. H. Weil & Company—Separately and as Members and Representatives of Surveying-Drafting-Coaters Section of Scientific Apparatus Makers of America*

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answers of respondents, the testimony and other evidence taken before duly appointed trial examiners of the Commission theretofore designated by it to serve in this proceeding, the report of the trial examiner thereon and the exceptions to said report, briefs filed herein by the Attorney for the Commission and attorneys for the respondents, and the oral arguments by the respective attorneys, and the Commission having made its findings as to the facts and its conclusion that respondents had violated the provisions of the Federal Trade Commission Act, and having entered an order to cease and desist herein on August 25, 1941; and

Thereafter the respondents (1) Keuffel & Esser Company and Karl Keller, (2) Charles Bruning Company, Inc., The Frederick Post Company, Chas. W. Speidel & Company, J. H. Weil & Company, Paul J. Bruning, W. A. Berger, Arthur L. Parker; and the Charles Bruning Company, Inc., The Frederick Post Company and J. H. Weil & Company, as members of the Scientific Apparatus Makers of America, a corporate association; (3) The C. F. Pease Company; and (4) Eugene Dietzgen Company, filed in the United States Circuit Court of Appeals for the Seventh Circuit their four separate petitions for a review of the Commission's said order to cease and desist entered on August 25, 1941. Thereafter, the Circuit Court of Appeals for the Seventh Circuit entered four separate decrees by which the Commission's said order to cease and desist entered on August 25, 1941, was, with respect to the petitioning respondents only, modified, affirmed and enforced; and

It appearing to the Commission that of the respondents who filed their petitions

<sup>1</sup> 6 F.R. 4682.



for review of the Commission's said order to cease and desist with the Circuit Court of Appeals for the Seventh Circuit only one of said respondents, namely, Eugene Dietzgen Company, filed a petition for certiorari, which said petition was denied by the Supreme Court of the United States on October 9, 1944, and that the time for filing petitions for certiorari as to the remaining said petitioners expired on August 22, 1944; and

The Commission having considered the record herein issues this its modified order to cease and desist in accordance with the decrees of the United States Circuit Court of Appeals for the Seventh Circuit entered on May 22, 1944, as to those respondents who filed petitions for review before said court:

*It is ordered*, That the respondents Keuffel & Esser Company and Karl Keller, their officers, directors, representatives, agents and employees; Charles Bruning Company, Inc., The Frederick Post Company, Charles W. Speidel and Walter A. Kohn, trading as Chas. W. Speidel & Company, Jacob H. Weil, Edwin H. Weil and Manfred R. Krauskopf, trading as J. H. Weil & Company, Paul J. Bruning, W. A. Berger, Arthur L. Parker; and the Charles Bruning Company, Inc., The Frederick Post Company, and J. H. Weil & Company, as members of the Scientific Apparatus Makers of America, a corporate association, and their officers, directors, representatives, agents and employees; The C. F. Pease Company, its officers, directors, representatives, agents and employees; and Eugene Dietzgen Company, its officers, directors, representatives, agents and employees, forthwith cease and desist from:

Directly or indirectly, jointly or severally, entering into or carrying out any understanding, agreement, arrangement, combination or conspiracy, with each other or with any other person or persons, association or corporation, to restrict, restrain, monopolize, or to hinder or suppress, competition in the sale and distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of prepared tracing papers, tracing cloths, blueprint papers and cloths, other reproduction papers, and cloths, profile and cross-section papers and cloths in sheets and rolls, coordinate papers—graph sheets (except rolled sheets) for engineering and drafting purposes, field books for engineers, drawing instruments, drawing tools (scales, triangles, T-squares, curves), drawing machines, blueprinting machines and equipment, drawing boards and tables, filing cabinets for drawings and blueprints, lettering devices and lettering pens for the drafting profession, slide rules, planimeters and integrators, surveying instruments, surveying barometers, forestry instruments such as tree calipers, hypsometers, increment borers, current meters and water-stage registers, rods and poles for surveyors' use, tapes, chains and plumb bobs, by doing any of the following acts or things, and from doing any of the following acts or things pursuant to any such understanding, agreement, arrangement, combination or conspiracy:

(1) Fixing and maintaining, or agreeing to fix and maintain the prices at

which said products will be sold by them.

(2) Fixing and maintaining, or agreeing to fix and maintain the terms and conditions, including the classification of customers, freight allowances and duration of and optional clauses in contracts, in connection with any sales by them of their said products.

(3) Exchanging information among themselves with regard to the prices, discounts, terms and conditions of sale to be submitted by them when bids for their products are requested, and submitting or agreeing to submit identical, or substantially identical, bids on said products when requests for bids have been received.

(4) Filing with respondent Surveying-Drafting-Coaters Section of Scientific Apparatus Makers of America, price lists including discounts, terms and conditions at which they will sell their products, for dissemination by said respondent Association among its members.

(5) Agreeing not to sell their said products at a price less, or a discount greater, or on terms and conditions more favorable to the purchaser than those contained in any of the price lists filed with respondent Surveying-Drafting-Coaters Section of Scientific Apparatus Makers of America, or agreeing not to sell said products at a price less or discount greater than or on terms and conditions of sale more favorable to the purchaser than those contained in the price list published by the seller.

*It is further ordered*, That respondent association, Surveying-Drafting-Coaters Section of Scientific Apparatus Makers of America, Arthur L. Parker, its manager and his successors, Karl Keller, Paul J. Bruning, R. Fred Allin, and W. A. Berger, members of its executive committee and their successors, forthwith cease and desist from, directly or indirectly, jointly or severally, aiding and assisting the members of said respondent association in carrying out or engaging in any of the acts and practices hereinbefore set forth, and from performing any service or function in the furtherance of said acts and practices, and particularly from:

(1) Adopting any rule or regulation designed or intended to prevent any deviation on the part of the members of said respondent association from the prices, discounts and terms fixed and agreed upon by them; as hereinbefore set forth.

(2) Receiving from the individual members of said respondent association lists, including discounts, terms and conditions of sale, and disseminating such information among said respondent association members.

*It is further ordered*, That the complaint herein be and the same hereby is dismissed as to respondents Scientific Apparatus Makers of America, its officers and directors, and respondents Carl S. Hallauer, R. E. Gillmor and John M. Roberts, the evidence being insufficient to establish the charges of the complaint with respect to these respondents.

*It is further ordered*, that the respondents shall, within sixty (60) days after the service upon them of a copy of this order, file with the Commission a report in writing setting forth in de-

tail the manner and form in which they have complied with this order.

By the Commission.

[SEAL]

OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 45-5263; Filed, Apr. 2, 1945;  
11:35 a. m.]

## TITLE 29—LABOR

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

#### REDESIGNATION OF TITLES

1. The determinations made and public notices issued with respect to maximum wages for areas, crops, and classes of employers, or otherwise of agricultural labor, now referred to as Specific Wage Ceiling Regulations followed by the appropriate number (e. g., Specific Wage Ceiling Regulation 4), are supplements to the Specific Wage Ceiling Regulations issued January 20, 1944 (9 F.R. 831, 7645) as revised on October 23, 1944 (9 F.R. 12807, 14206) and as revised on March 23, 1945 (10 F.R. 3177), and are, therefore, redesignated and shall hereafter be known as Specific Wage Ceiling Regulations, Supplement No. 2. The number previously assigned to each Specific Wage Ceiling Regulation, as listed below in Column A, shall remain unchanged and shall hereafter follow the title *Supplement*, as indicated in Column B.

A	B
Former title	As now designated
Specific wage ceiling regulation:	Supplement
1 (9 F.R. 833)-----	1
1, Amendment 1 (9 F.R. 4574)----	1
1, Amendment 2 (10 F.R. 1263)----	1
2 (9 F.R. 3681)-----	2
3 (9 F.R. 4170)-----	3
3, Amendment 1 (9 F.R. 4976)----	3
4 (9 F.R. 4333)-----	4
5 (9 F.R. 4805)-----	5
6 (9 F.R. 4805)-----	6
7 (9 F.R. 5471)-----	7
8 (9 F.R. 5471)-----	8
9 (9 F.R. 6396)-----	9
10 (9 F.R. 6585)-----	10
11 (9 F.R. 6700)-----	11
12 (9 F.R. 6701)-----	12
13 (9 F.R. 7047)-----	13
13, Amendment 1 (9 F.R. 7376)----	13
14 (9 F.R. 7256)-----	14
15 (9 F.R. 8113)-----	15
16 (9 F.R. 8009)-----	16
17 (9 F.R. 8010)-----	17
18 (9 F.R. 8010)-----	18
19 (9 F.R. 7377)-----	19
19, Amendment 1 (9 F.R. 9598)----	19
20 (9 F.R. 7377)-----	20
21 (9 F.R. 9042)-----	21
21, Amendment 1 (9 F.R. 9970)----	21
22 (9 F.R. 10298)-----	22
23 (9 F.R. 10349)-----	23
24 (9 F.R. 10557)-----	24
24, Amendment 1 (9 F.R. 12437)----	24
25 (9 F.R. 11056)-----	25
25, Amendment 1, (9 F.R. 11389)----	25
26 (9 F.R. 11056)-----	26
26, Amendment 1, (9 F.R. 11389)----	26
27 (9 F.R. 11056)-----	27
28 (9 F.R. 11603)-----	28
29 (9 F.R. 11676)-----	29
30 (9 F.R. 11838)-----	30
31 (9 F.R. 11991)-----	31

<sup>1</sup> Amendment 1.

<sup>2</sup> Amendment 2.



A	B
Former title	As now designated
Specific wage ceiling regulation: Supplement	
32, (9 F.R. 11991)-----	32
33, (9 F.R. 12145)-----	33
34, (9 F.R. 12147)-----	34
35, (9 F.R. 12716)-----	35
36, (9 F.R. 13035)-----	36
37, (9 F.R. 13037)-----	37
38, (9 F.R. 13037)-----	38
39, (9 F.R. 13037)-----	39
40, (9 F.R. 13038)-----	40
41, (9 F.R. 14275)-----	41
42, (10 F.R. 2708)-----	42
43, (10 F.R. 2825)-----	43
43, Amendment 1, (10 F.R. 3008)-----	43
44, (10 F.R. 3008)-----	44

<sup>1</sup> Amendment 1.

2. Hereafter the determinations made and public notices issued with respect to maximum wages for areas, crops, classes of employers, or otherwise of agricultural labor shall each be designated as Supplements to the Specific Wage Ceiling Regulations, followed by the number which is assigned to it.

(56 Stat. 765 (1942), 50 U.S.C. App. 961 et seq. (Supp. III), 57 Stat. 63 (1943), 50 U.S.C. 964 (Supp. III), 58 Stat. 632 (1944), E.O. No. 9250 (3 CFR, Cum. Supp. p. 1213), E.O. 9328 (3 CFR, Cum. Supp. 1267), regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547, regulations of the War Food Administrator, 9 F.R. 655, 12117, 12611; 9 F.R. 831, 12807, 14206; 10 F.R. 3177)

Issued this 30th day of March 1945.

WILSON R. BUIE,  
Director of Labor,  
War Food Administration.

[F. R. Doc. 45-5178; Filed, Mar. 31, 1945; 11:03 a. m.]

## TITLE 30—MINERAL RESOURCES

### Chapter VI—Solid Fuels Administration for War

[SFAW Reg. 26, Amdt. 1]

#### PART 602—GENERAL ORDERS AND DIRECTIVES LIMITATION OF DELIVERIES TO AND RECEIPTS BY CONSUMERS

SFAW Regulation No. 26 is hereby amended in the following respects:

1. Paragraph (c) of § 602.652 is amended to read as follows:

(c) "Less scarce solid fuel" means No. 2 buckwheat (rice) anthracite, semi-anthracite produced in the Bernice Region of Pennsylvania, semi-anthracite produced in Virginia, reclaimed beehive coke, run-of-oven beehive coke, bituminous coal produced in Colorado, Iowa, Michigan, Montana, Utah and Wyoming, and lignite.

2. The last sentence of paragraph (b) of § 602.653 is amended to read as follows:

Each retail dealer shall record each delivery made to domestic consumers during the period from April 1, 1945 to March 31, 1946, inclusive, on the back of the Consumer Declarations filed by the consumers: *Provided, however,* That, unless the nearest SFAW regional representative or area distribution manager orders otherwise, this need not be done

if the retail dealer files a statement in writing with such regional representative or area distribution manager in which he states that:

(1) He maintains written records, and describes the book, card, or ledger where they are kept, of the dates on which consumer declarations and orders are received by him and of deliveries to consumers in at least as much detail as would be required if such information were recorded on the back of the consumer declarations.

(2) Such written records will be kept in the same office in which he keeps consumer declarations filed with him, and the address of such office, and

(3) He knows that the entries made in such written records are representations to SFAW and that wilful falsification of any of such entries will subject him to criminal and civil liability.

This amendment shall become effective April 1, 1945.

(E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; WPB Directive No. 33, as amended, 9 F.R. 84; sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 176 and 58 Stat. 827)

Issued this 30th day of March 1945.

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

[F. R. Doc. 45-5176; Filed, Mar. 31, 1945; 10:26 a. m.]

#### PART 602—GENERAL ORDERS AND DIRECTIVES

##### PROHIBITION AGAINST DEALER MAKING CHANGES OR FILLING IN CERTAIN ITEMS OF CONSUMER DECLARATION FORMS PRESCRIBED BY SFAW REG. 26

It appears that some retail dealers question whether they may lawfully write or otherwise place their names, or the names of their companies, or advertising statements or slogans, on the Consumer Declaration forms prescribed by SFAW Regulation No. 26. The answer is no.

The SFAW Consumer Declaration forms are governmental forms. Their filing is required by law; generally they have been supplied to retail dealers by the government; and they are to be kept in the custody of retail dealers for a period of not less than two years for and on behalf of SFAW. No retail dealer may change any item in the form filled out by a consumer except with the consumer's consent. The retail dealer should fill out the space in Item 3 of the form under the caption "Dealer's Verification." However, no retail dealer may lawfully write or otherwise place his name, or the name of his company, or advertising material on the prescribed SFAW Consumer Declaration form before he sends it or makes it available to the consumer.

Issued this 31st day of March 1945.

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

[F. R. Doc. 45-5262; Filed, Apr. 2, 1945; 11:08 a. m.]

## TITLE 32—NATIONAL DEFENSE

### Chapter VI—Selective Service System

[No. 285]

#### OCCUPATIONAL QUESTIONNAIRE

##### ORDER PRESCRIBING FORMS

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

Discontinuance of DSS Form 311, entitled "Occupational Questionnaire."

Discontinuance of DSS Form 312, entitled "Covering Memorandum for Occupational Questionnaire."

Discontinuance of DSS Form 313, entitled "Notice to Registrant of Return of Selective Service Occupational Questionnaire for Completion."

The foregoing change in DSS Forms shall become a part of the Selective Service regulations effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,  
Director.

MARCH 30, 1945.

[F. R. Doc. 45-5213; Filed, Mar. 31, 1945; 12:30 p. m.]

[No. 286]

#### REPLACEMENT AND INDIVIDUAL CERTIFICATION

##### ORDER PRESCRIBING FORMS

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

Discontinuance of DSS Form 318, entitled "Replacement Summary."

Discontinuance of DSS Form 319, entitled "Replacement List."

Discontinuance of DSS Form 320, entitled "Replacement Schedule Title Sheet."

Discontinuance of DSS Form 400-A, entitled "Replacement Schedule Certification."

Discontinuance of DSS Form 401-A, entitled "Individual Certification."

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

LEWIS B. HERSHEY,  
Director.

MARCH 30, 1945.

[F. R. Doc. 45-5214; Filed, Mar. 31, 1945; 12:30 p. m.]

[Amdt. 294]

#### PART 616—LATE REGISTRATION

##### OCCUPATIONAL QUESTIONNAIRE

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service reg-



ulations, Second Edition, are hereby amended in the following respect:

1. Amend the regulations by deleting § 616.46 in its entirety.

The foregoing amendments to the Selective Service regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,  
Director.

MARCH 30, 1945.

[F. R. Doc. 45-5210; Filed, Mar. 31, 1945;  
12:30 p. m.]

[Amdt. 295]

**PART 621—QUESTIONNAIRE AND OTHER INFORMATION TO BE USED IN CLASSIFYING REGISTRANTS**

**OCCUPATIONAL QUESTIONNAIRE**

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service regulations, Second Edition, are hereby amended in the following respect:

1. Amend the regulations by deleting § 621.11 in its entirety.
2. Amend the regulations by deleting § 621.12 in its entirety.
3. Amend the regulations by deleting § 621.13 in its entirety.
4. Amend the regulations by deleting § 621.14 in its entirety.
5. Amend the regulations by deleting § 621.15 in its entirety.
6. Amend the regulations by deleting § 621.16 in its entirety.
7. Amend the regulations by deleting § 621.17 in its entirety.

The foregoing amendments to the Selective Service regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,  
Director.

MARCH 30, 1945.

[F. R. Doc. 45-5211; Filed, Mar. 31, 1945;  
12:30 p. m.]

[Amdt. 296]

**PART 642—DELINQUENCY RECORDS**

Pursuant to authority contained in the Selective Training and Service Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respects:

1. Amend paragraph (a) of § 642.31 to read as follows:

§ 642.31 *Completing records of man liable for training and service.* (a) Provided they are required and have not already been accomplished, the following steps shall be taken in connection with every man who has registered or who

is required to register under the provisions of the Selective Training and Service Act of 1940, as amended, immediately upon his reporting to or being brought before a local board or immediately upon his being taken into custody or his being placed in confinement:

(1) He shall be registered in accordance with Part 616, provided that any law-enforcement official or any other authorized person may act as a registrar.

(2) He shall complete his Selective Service Questionnaire (Form 40).

(3) He shall complete his Special Form for Conscientious Objector (Form 47), when applicable.

(4) He shall complete all other necessary forms.

(5) He may be physically examined. If he is in custody or confinement, the institution physician may act as the examining physician.

The foregoing amendments to the Selective Service regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,  
Director.

MARCH 30, 1945.

[F. R. Doc. 45-5212; Filed, Mar. 31, 1945;  
12:30 p. 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 3305—PAPERBOARD**

[Conservation Order M-290, as Amended  
Mar. 30, 1945]

**CONTAINERBOARD**

The fulfillment of requirements for the defense of the United States has created shortages in the supply of containerboard and of materials entering into the production of containerboard for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3305.11 *Conservation Order M-290—(a) Definitions.* For the purpose of this order:

(1) "Producer" means a person (including a sheet supplier) who makes containerboard in roll stock form or in the form of corrugated or solid fibre sheets at one or more plants which he owns or controls.

**NOTE:** Subparagraphs (2) to (7) inclusive, formerly (1) to (6) redesignated Mar. 30, 1945.

(2) "Plant" means a congregation of pulp preparation, roll and sheet finishing

<sup>1</sup> Formerly Part 3270, § 3270.1.

equipment, paper machines and subsidiary facilities located and operated together as a single producing unit for the production of containerboard.

(3) "Containerboard" means the types and grades of paperboard classified under caption No. 211000 through 219000 in Form WPB-514, as currently revised. It shall also mean corrugated or solid fibre sheets of the kind used by "sheet plants" and "cleated-box manufacturers" in making containers or any other product. The term shall not include any item which is defined in Order P-146 as a "fibre shipping container"—such as a solid fibre (.045 or heavier) or corrugated fibre sheet or roll to be used for wrapping, packaging or otherwise protecting a product or material for shipment.

(4) "Container manufacturer" means any person (including any sheet plant operator, fibre-drum manufacturer, and any cleated-box manufacturer) who manufactures shipping containers or parts therefor, made wholly or in part from any type of containerboard.

(5) "Sheet-plant" means any container-manufacturing plant which does not have either corrugating or pasting equipment.

(6) "Cleated-box manufacturer" means any manufacturer of shipping containers made of corrugated or solid fibre sheets attached to wooden cleats.

(7) "Sheet supplier" means any container-manufacturer who supplies corrugated or solid fibre sheets to sheet-plants, whether owned by him or not.

**Restrictions on Delivery and Receipt of Containerboard**

(b) *Restrictions on acceptance of delivery.* On and after April 1, 1944, no person shall accept delivery of containerboard except as authorized by the War Production Board in writing.

(c) *Sheet plants and cleated box manufacturers.* Sheet plants and cleated box manufacturers who have been authorized to accept delivery of containerboard may place orders for corrugated or solid fibre sheets with sheet suppliers. If the orders have been properly certified as provided in the next paragraph the supplier may obtain the amount of containerboard which he will use to fill the orders in addition to that which the War Production Board has permitted him to receive by authorization issued directly to him. In certifying his orders for this additional containerboard the supplier shall give his customer's authorization number and date.

(d) *Delivery restrictions.* On and after April 1, 1944, no person shall deliver containerboard except on an order accompanied by a certificate, manually signed by the purchaser or an authorized official of the purchaser, in substantially the following form:

Authorized under Order M-290. Date of authorization \_\_\_\_\_, authorization number \_\_\_\_\_.

This certificate shall constitute a representation to the War Production Board (subject to the penalties of section 35A of the United States Criminal Code) that the purchaser is authorized under this and other applicable War Production



Board regulations and orders to place the delivery order and to receive the item(s) ordered for the purpose for which ordered. The standard certification of Priorities Regulation 7 must not be used instead of the certification described in this paragraph (d).

(d-1) *Exception to requirement of authorization to receive containerboard.* A person who has been granted an authorization by the War Production Board to receive containerboard may deliver such containerboard to another person to be processed, and such other person need not have War Production Board authorization or give the required certificate to accept the delivery if the person having the authorization retains ownership of the containerboard and invoices and sells the end product made from the containerboard. He must report the shipments of products so made on Form WPB-3077 in accordance with paragraph (v) below.

#### *Authorizations*

(e) *V-board.* Normally authorizations to accept delivery of containerboard for use in the manufacture of V-boxes will be on a monthly basis and will be issued separately on Form WPB-2492, Supplement No. 1, immediately prior to the month in which such containerboard is to be received. However, they may be issued at any other time and in any other manner (as by telegram or letter).

(f) *Containerboard other than V-board.* Authorizations to accept delivery of containerboard other than that described in paragraph (e) above will be either:

(i) *"Basic authorizations"* which will permit the acceptance of a specific amount of containerboard;

(ii) *"Incentive authorizations"* which will permit the acceptance of an indefinite amount of containerboard during a particular quarter. These incentive authorizations will be identified by the inclusion of the letter "X" in the authorization number. They will be issued to consumers of containerboard whose rating patterns as reported to the War Production Board on Form WPB-3077 are above average.

Both basic and incentive authorizations will generally be issued on Form WPB-2492 on a quarterly basis prior to the beginning of the pertinent quarter. They may, however, be issued at any other time and in any other manner, such as by telegram or letter.

(g) *Specifications of suppliers and delivery date; cancellation or amendment of authorizations.* (1) The authorizations described in paragraphs (e) and (f) above may specify the supplier with whom all or part of the authorized orders may be placed and the date as of which said orders are to be delivered.

(2) The War Production Board may cancel or amend any authorization for the purchase of containerboard at any time prior to its complete fulfillment.

#### *Treatment of "Basic" Authorizations*

(h) *Policy.* The following paragraphs (i) and (j) are directed at assuring, insofar as is possible, that all orders covered by basic authorizations can be

placed and filled during the calendar quarter for which the authorization was issued. To further implement this policy basic authorizations will be originally issued only to the extent of the contemplated production of containerboard during the pertinent quarter, less a reasonable safety factor, and, if necessary, will be adjusted from time to time to conform with variations in production trends and military requirements.

(1) *Definitions.* For the purposes of this paragraph (h) and of paragraphs (i) and (j) below "basic orders" are all those which do not have the letter "X" in the authorization number which must be set forth in the certificate provided by paragraph (d). The term shall include "V-board" orders and small delivery orders (see paragraphs (k) and (l)).

"Incentive orders" are those which do have the letter "X" in the authorization number.

(i) *Preferential treatment of basic authorizations.* No producer shall fill any order for containerboard, which is certified as carrying an incentive authorization, in any calendar quarter during which he has not previously shipped, from all plants he owns or controls, on basic orders, a tonnage of containerboard equal to at least 95 percent of the total production of containerboard, at these plants, during the corresponding quarter of 1944, (as reported on Form WPB-514).

(j) *Acceptance, fulfillment and placing of authorized orders.*

(1) *Acceptance of orders.* Each producer of containerboard must accept basic orders in the order in which they are received by him, except:

(i) He may reject orders calling for delivery in April, 1945, which are received on or before the tenth of April 1945; and he may reject orders calling for delivery in any subsequent month which are received on or before the seventh day of that month.

(ii) He may reject orders calling for delivery during the first month of any calendar quarter at any time when the basic orders which he has on his schedule for delivery during that month, plus those which he has already delivered during that month, call for a tonnage of containerboard equal to at least 33 1/3 percent of that produced, at all plants he owns or controls, during the corresponding calendar quarter of 1944. Orders carried over from a previous month may not be credited to the tonnage specified in this subparagraph, (unless this was done at the written request of the customer).

(iii) He may reject orders calling for delivery during the second month of any calendar quarter, at any time when the basic orders which he has on his schedule

for delivery during that month, plus those which he has already delivered during that month, call for a tonnage of containerboard equal to at least 33 1/3 percent of that produced, at all plants he owns or controls, during the corresponding calendar quarter of 1944. Orders carried over from a previous month may not be credited to the tonnage specified in this subparagraph, (unless this was done at the written request of the customer).

(iv) He may reject orders calling for delivery during the third month of any calendar quarter at any time when the basic orders which he has on his schedule for delivery during the quarter, plus those which he has already delivered during the quarter, call for a tonnage of containerboard equal to at least 95 percent of that produced, at all plants he owns or controls, during the corresponding calendar quarter of 1944. Orders carried over from a previous quarter may not be credited to the tonnage specified in this subparagraph, (unless this was done at the written request of the customer).

(v) He must reject any order which he receives after the end of the quarter for which the authorization covering the order was issued. (Authorization numbers, which must be certified to suppliers according to paragraph (d), will identify the quarter for which the authorization is valid by the first digit following the letters in the authorization number. This number will be "6" for the second quarter of 1945, (such as CB-6-000), "7" for the third quarter of 1945, and so on.)

(vi) In any case where he is of the opinion that the filling of an order for containerboard would substantially reduce his over-all production, owing to the large or small size of the order, its specifications, or otherwise, he may apply for relief to the Paperboard Division of the War Production Board. The War Production Board may release him from his obligation to accept and fill such order.

(vii) He may reject an order, if the person seeking to place it is unwilling or unable to meet his regularly established prices and terms of sale or payment.

(2) *Notification of filling of schedules.* Each month, each producer shall notify the Paperboard Division of the War Production Board, in writing, as soon as he has accepted basic orders for delivery, during that month, in the amounts specified in subparagraphs (1) (ii), (1) (iii) and (1) (iv) of this paragraph (j). If, after giving this notice, a producer's orders scheduled for delivery during the month are reduced (due to customers' cancellations, cut backs or postponement of orders, etc.) below the specified amounts—and such reduction continues for more than twenty-four hours—he



must immediately advise the Paperboard Division of the War Production Board, in writing, that his original notice is withdrawn.

(3) *Delivery of orders.* If a producer fails to deliver a basic order, which he has accepted, during the month in which delivery is called for, he must deliver it as soon as possible thereafter, in preference to all other orders except orders for V or W board. He must do this even if delivery is effected after the end of the quarter in which the purchase order was placed.

This rule does not apply to orders based upon incentive authorizations. No person may deliver and no person may accept delivery of containerboard, pursuant to incentive authorizations unless the containerboard was in transit to the purchaser on or before the last day of the calendar quarter for which the incentive authorization was issued.

(4) *Variation of percentages in individual cases.* The War Production Board may increase the percentage of past production which any producer must sell and deliver on basic orders (paragraphs (i) and (j)), or which he must produce (paragraph (m)), where facilities have been expanded since the base period, or increased production is expected for other reasons. On application from a producer, the War Production Board may reduce said percentages in cases where breakdowns, work stoppages, raw material shortages, etc., justify a reduction.

(5) *Limitation on placing of orders.* No person may place orders for containerboard, during either of the first two months of any calendar quarter, for more than 36½ percent of his basic authorization for that quarter. However, this shall not prevent any person from placing an order for one full carload of containerboard in each month, providing he does not exceed the tonnage he is authorized to accept under this order.

#### Exceptions for Small Deliveries

NOTE: Paragraphs (k) and (l), formerly (i) and (j), redesignated Mar. 30, 1945.

(k) *Purchasers.* A person who accepts delivery of less than 2½ tons of containerboard from all sources in any calendar quarter shall not be required to obtain the written authorization of the War Production Board to get containerboard in that quarter. However, when he buys in lots of more than fifty pounds he must accompany his order with a certificate in the following form:

The undersigned certifies that the amount of containerboard delivered to him and ordered for delivery to him during the calendar quarter in which delivery of this order is to be made (including the amount specified in this delivery order), does not exceed 2½ tons.

Any person may accept delivery of containerboard in lots of less than fifty pounds without the authorization of the

War Production Board and without filing the foregoing certificate.

(l) *Suppliers.* Any supplier of containerboard may deliver it to a person purchasing in accordance with the preceding paragraph (k) regardless of the provisions of paragraph (d) of this order.

#### Production of Containerboard

(m) *Required production.* No producer may manufacture any paperboard as defined in Order M-378, of a grade which is not listed in Direction 1 of Order M-93 at any plant, during any calendar quarter, unless the total tonnage of containerboard produced in that quarter, at all plants he owns or controls, is at least as great as the tonnage of containerboard produced at said plants in the corresponding quarter of 1944.

#### Directions

NOTE: Paragraphs (n) to (w), inclusive, formerly (k) to (t), redesignated Mar. 30, 1945.

(n) *Directions.* The War Production Board may, from time to time, issue directions of the following kinds:

(1) *Mill production.* Directions requiring that all or any part of any plant's or producer's containerboard production during any period shall be in specified types and grades. Such directions will not be inconsistent with Order M-93 or actions taken under that order.

(2) *Mill shipment.* Directions requiring that all or any part of any plant's or producer's containerboard production shall be shipped (in such quantities, types, and grades as may be specified) to specified persons and at specified times, whether or not the containerboard is produced for other persons.

(3) *Sheet-supplier shipments.* Directions requiring that all or any part of any sheet-supplier's supply of containerboard sheets shall be shipped in such quantities, types, and grades as may be specified, to specified sheet-plants or cleated-box manufacturers.

(4) *Observance of directions.* Directions issued pursuant to this paragraph (n) shall, to the extent stated therein, take precedence over other deliveries of containerboard. The War Production Board may (with or without conditions) rescind or modify any directions issued pursuant to this paragraph (n) in any case in which it decides that there are special circumstances which would cause fulfillment of the direction to be impractical. In order to receive consideration, such special circumstances must be presented by telegram or letter to the War Production Board within seventy-two hours after they have arisen. If the War Production Board shall, after receipt of such facts, not give its written approval to an application for rescission or modification of a direction, the direction shall be fulfilled in accordance with its original terms.

Unless the War Production Board specifically permits him to do so, in writing, no plant or producer or other supplier shall require customers to deliver waste in return for containerboard shipped on any authorized order.

#### Restrictions on Use of Authorized Containerboard

(o) *Use of authorized or directed containerboard.* Authorizations or directions issued under paragraphs (e), (f), or (n) may specify the use to which all or any part of the authorized or directed containerboard may be put. In such cases, no person shall use any such containerboard except for the purpose specified. This prohibition does not, however, prevent the substitute use of any equivalent amount of containerboard of suitable grades.

(p) *Production directions.* The War Production Board may, from time to time, direct any person to fill any designated order or class of orders involving the use of containerboard and to use in filling that order, any allocated or unallocated containerboard available to him.

(q) *Restrictions on usage of Kraft as a corrugating media.* No Kraft containerboard may be used as corrugating media except for V and W boxes. For the purposes of this paragraph "Kraft containerboard" shall mean a grade of paperboard of full bending quality manufactured on a Fourdrinier or a Cylinder machine from a furnish of at least 70 percent virgin Kraft wood pulp or Kraft wood pulp screenings.

#### Ratings

(r) *Prohibition against use of ratings.* No person shall use any rating to get containerboard and no person selling containerboard shall require a rating as a condition of sale. Any rating purporting to be applied or extended to containerboard shall be void and no person shall give any effect to it in filling an order.

#### Inventory Restrictions

(s) *Inventories.* No person shall knowingly deliver to any person, and no person shall accept delivery of any quantity of containerboard if the total inventory in the hands of the person accepting delivery is, or by virtue of acceptance will become, either (1) in excess of two carloads, or (2) in excess of his reasonably anticipated requirements for the next thirty days, whichever is greater.

(t) *Amounts of containerboard which may be ordered.* No person may place orders for more containerboard than he has been authorized to receive under this order, regardless of whether or not he intends to cancel or reduce some of his orders before they are delivered.

In addition, authorized purchase orders must specify delivery at a time when a person reasonably anticipates that he will be entitled to receive the amount of containerboard he has ordered within the inventory limitations of Priorities Regulation No. 1 or of paragraph (s) of this order, whichever is the more restrictive.

#### Applications and Reports

(u) *Applications for permission to receive containerboard.* Each person requiring authorization to accept delivery of containerboard during any calendar



quarter shall file application on Form WPB-2492 in the manner and at the time stated in the instructions on that Form.

(v) *Reports required from all container manufacturers.* Each container manufacturer who requires authorization for the acceptance of containerboard (i. e. all those who are not exempt from this requirement under paragraph (k)) shall report to the War Production Board on Form WPB-3077 in accordance with the instructions appearing on that form.

(w) *Reports by manufacturers of V-boxes.* In addition to the reports required by paragraphs (u) and (v), above each manufacturer of V-boxes shall, on or before the 10th day of each month, report to the War Production Board on Form WPB-2492-Supplement No. 1, in accordance with the instructions on that form.

(x) *Reports by producers of containerboard.* Each producer shall, on or before the fifth day of each month report to the War Production Board on Form WPB-3850 in accordance with the instructions on that form.

NOTE: Paragraphs (y) and (z), formerly (u) and (v), redesignated Mar. 30, 1945.

(y) *Budget approval.* The reporting requirements set forth in paragraphs (j), (u), (v), (w) and (x) of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(z) *Other reports.* All persons affected by this order shall execute and file with the War Production Board, such other reports and questionnaires as said Board shall from time to time request subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

#### Miscellaneous

NOTE: Paragraphs (aa) to (dd) inclusive, formerly (w) to (z), redesignated Mar. 30, 1945.

(aa) *Multiple function organizations.* Where any person (including any parent subsidiary organization) engages in two or more of the types of operations subject to this order (for instance, if he is both a producer or supplier and a converter of containerboard), the provisions of this order applicable to each type of function shall apply separately to his operations of that type. For example, a container-manufacturer may not receive containerboard from his own mill without an authorization; or part or all of that mill's production may be made the subject of a direction under paragraph (n).

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

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

(dd) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Paperboard Division, Washington 25, D. C., Ref.: M-290.

Issued this 30th day of March 1945.

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

[F. R. Doc. 45-5171; Filed, Mar. 30, 1945;  
5:04 p. m.]

#### PART 3305—PAPERBOARD

[Conservation Order M-290, Interpretation 1, as Amended Mar. 30, 1945]

The following amended interpretation is issued with respect to Conservation Order M-290:

Paragraph (b) of Order M-290 provides that no person shall accept delivery of containerboard except as authorized by the War Production Board in writing. This prohibition is not only applicable to container manufacturers, sheet plants, cleated box manufacturers, etc., but covers any person who requires the materials defined as containerboard by paragraph (a) (3) for any purpose. For instance, manufacturers of insulation, cedar closets, filing cabinets, and all other users of containerboard are barred from accepting delivery of this material without authorization. Pursuant to paragraph (d) a person who delivers containerboard to any person (not alone container manufacturers) except on an order certified as provided in that paragraph is in violation of Order M-290.

The material defined as containerboard in paragraph (a) (3) is any grade of paperboard classified under caption No. 211,000 through 219,000 in Form WPB-514 and any corrugated or solid fibre sheets of the kind used by sheet plants and cleated box manufacturers in making containers or any other product. If the sheets are of a kind used by sheet plants or cleated box manufacturers, they are covered by the order and cannot be acquired without authorization, regardless of whether they are to be used for the fabrication of containers or not.

Cases falling within the "small deliveries" exceptions provided by paragraphs (k) and (l) of the order are an exception to this rule. In addition, attention is called to the fact that items which fall within the definition of "fibre shipping containers" in Order P-146 are excluded from the definition of "containerboard" in Order M-290.

Issued this 30th day of March 1945.

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

[F. R. Doc. 45-5297; Filed, Mar. 30, 1945;  
5:04 p. m.]

#### PART 984—LEAD

[General Preference Order M-38, as amended Mar. 31, 1945]

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

§ 984.1 *General Preference Order M-38—(a) Scope of the order.* This order controls generally the use of lead and lead products. Lead and lead products may be used only for the items and purposes set forth in the order. Other restrictions may also be found in other orders of the War Production Board relating to particular articles or parts. In such case the more restrictive provision governs. In no case shall any person use, purchase, sell, deliver or accept delivery of any lead in violation of this order.

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

(1) "Lead" means metallic lead, including any alloy containing 50% or more by weight of metallic lead. It includes soft and antimonial lead produced from foreign or domestic ores, scrap, drosses, or other lead bearing material, as well as scrap lead and alloys in which the lead content is 50% or more by weight.

(2) "Lead product" means lead in the form of sheet, pipe, ingot, castings, and foil.

(3) "Refiner" means any person who produces lead in refinery shapes, and includes any person who has such lead produced for him under toll agreement.

(4) "Dealer" means any person who procures lead either by importing or from domestic sources for sale or resale without change in form, whether or not such person receives title to or physical delivery of the material, and includes selling agents, warehousemen, and brokers.

(5) "Military order" means a specific contract or sub-contract necessitating the use of lead or lead products in the manufacture of any product, or any component to be physically incorporated into such products, produced for or for the account of the Army or Navy of the United States, Maritime Commission, War Shipping Administration, Veterans Administration or Office of Scientific Research and Development.

(6) "Implement of war" means combat end products, complete for tactical operations (including, but not limited to, aircraft, ammunition, armaments, weapons, ships, tanks, military vehicles and radio and radar equipment), and any parts, assemblies or materials to be incorporated in any of the foregoing items. This term does not include facilities or equipment used to manufacture the foregoing items.

(7) "Use" means to melt, form or alloy lead for introduction into an end product or a component thereof.

(8) "Item" means any article or component thereof.

(c) *Prohibitions on use.* On and after April 1, 1945, no person shall use lead or lead products except for the items and purposes and subject to the qualifications set forth in List I of this order, and then only to the extent necessary to meet applicable specifications or for the proper service performance of the end product or where the use of any less critical material is impracticable or when satisfactory substitutes are prohibited in other War Production Board orders.

(d) *Special directions.* The War Production Board may at any time issue special directions to any person respecting



the production, distribution, delivery, or acceptance of delivery of lead.

(e) *Lead from Metals Reserve Company.* Any person unable to obtain pig lead from the regular sources of supply and wishing to procure pig lead from the Metals Reserve Company must make application in writing to the War Production Board on Form WPB-95, not later than the 20th of the month preceding that of shipment.

(f) *Inventory restrictions.* No person shall knowingly deliver to any person and no person shall accept delivery of any quantity of pig lead if the total inventory of pig lead in the hands of the person accepting delivery is, or by virtue of the acceptance will become, in excess of his reasonable anticipated requirements for permissible uses in the next 45 days (except where a minimum carload quantity requested by Office of Defense Transportation exceeds these restrictions). The restrictions of this paragraph do not apply to a refiner, dealer, or scrap dealer.

(g) *Restrictions on Sale and Delivery of new articles containing lead.* No manufacturer shall sell or deliver any new articles of the kinds listed below, which contain lead. For the purpose of this paragraph, a new article is an article which has not been used by an ultimate consumer:

(1) Buttons, badges, emblems and regalia (except for sale to the Army or Navy of the United States, the War Shipping Administration, the United States Maritime Commission or the Veterans Administration).

(2) Costume jewelry, novelties and trophies.

(3) Games or toys.

(4) Tennis court markers.

(5) Statuary and art goods (except church goods).

(h) *Restrictions on sales and deliveries of lead.* No person shall sell or deliver any lead to any person if he knows, or has reason to believe, such material is to be used in violation of the terms of this order.

(i) *Appeals.* Any appeal from the restrictions of this order must be filed by letter in duplicate to the War Production Board, Tin, Lead and Zinc Division, Washington 25, D. C., Ref. M-38, giving justification for the appeal with necessary supporting data, such data should include:

(1) Product in which the lead will be used.

(2) Period of time, not exceeding one calendar quarter, for which relief is requested.

(3) Monthly schedule of amount of lead to be used.

(4) Prime contract numbers on military orders.

(5) If the appeal is filed because the restrictions on use of lead will prevent the filling of non-military orders of extreme urgency, give exact information as to the use of the product in which the lead is used.

(6) Why other less critical materials cannot be used.

(7) Any other information pertinent to the appeal.

Attention is called to the requirement of Priorities Regulation No. 16 with re-

spect to the statement of manpower requirements which must be submitted with any appeal.

(j) *Priorities Regulation No. 25.* Requests for exceptions from the restrictions of this order may not be made under the provisions of Priorities Regulation No. 25. The use of lead for production authorized under Priorities Regulation No. 25 prior to January 1, 1945, will be subject to the restrictions of this order.

(k) *Records.* All persons affected by this order must maintain accurate and complete records of all transactions as required by Priorities Regulation No. 1, 944.15. Such records must include complete statements of the amounts of lead consumed for the items specified in this order, and the amount of inventory on hand.

(l) *Required reports.* (1) On or before the 20th day of each calendar month each person who purchased or consumed 10 tons or more of lead during the preceding calendar month, or had in his possession or under his control 20 tons or more of lead, shall report such purchases, consumption and stocks on hand at the end of the preceding month to the War Production Board on Form WPB-95.

(2) The War Production Board may from time to time issue special directions requiring any refiner or dealer to file a report showing a schedule of his proposed deliveries of lead.

(3) All persons affected by this order shall execute and file with the War Production Board such other reports as may be required subject to the approval of the Bureau of the Budget.

(4) 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.

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

(n) *Communications of the War Production Board.* All communications and reports dealing with this order shall be addressed to: War Production Board, Tin, Lead and Zinc Division, Washington 25, D. C., Ref. M-38

Issued this 31st day of March 1945.

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

#### LIST I

Pursuant to the foregoing order, lead and lead products may be used only for the following items and purposes subject to such qualifications on use as are set forth next to the item or purpose; and then only to the extent necessary to meet applicable speci-

cations or for the proper service performance of the end product or where the use of any less critical material is impracticable or when satisfactory substitutes are prohibited in other War Production Board orders.

1. Ammunition for Military Orders.
2. Anchorages for military and industrial equipment and components, including expansion bolts and shields.
3. Anodes for electrolytic refining, chromium plating and for lead plating as permitted in Item 36 of this List.
4. Anti-vibration mats.
5. Babbitt for abrasives and grinding wheels and for securing hardware to radio insulators and for securing end connections of windings and/or for securing enclosures of wire wound restrictors.
6. Ballast for implements of war where available space does not permit the use of material of lower density, for submarines and for surface craft of sizes up to and including destroyers.
7. Bearing Metal.
8. Bolster Metal for surgical, table and industrial cutlery.
9. Brake lining and clutch facings.
10. Brass and bronze.
11. Cable covering as permitted by Direction 63 of CMP Regulation #1.
12. Cable sleeving and other accessories necessary for the maintenance, repair and installation of lead covered cable.
13. Cable terminals for storage batteries as permitted by Orders L-1-e and L-158.
14. Games.
15. Caulking of cast iron pipelines (including lead wool) where other material such as sulphur compounds or cement does not provide a leak proof joint.
16. Chemicals subject to the restrictions of Conservation Order M-384.
17. Closure Spouts for drugs and chemicals.
18. Coating of wire and galvanized sheet, including sheathing.
19. Collapsible tubes, subject to the restrictions of Conservation Order M-115.
20. Counterweights, weights and sliding poises for Military, industrial and laboratory equipment, and implements of war where available space does not permit the use of material of lower density, other than wheel balancing weights.
21. Foil:
  - (a) Military orders to the extent that Method IA (not dehydrated) and/or Method II (dehydrated) packaging, as presently defined in the U. S. Army Specification 100-14, U. S. Navy Specification 39-P-16 and Bridges Standard Packaging Code BS-1133, or any new specifications covering the above are expressly specified in the prime contract.
  - (b) For component ammunition for military only.
  - (c) Electrotypes subject to the restrictions of Order M-43.
  - (d) Condensers.
  - (e) Cap Liners for packaging drugs.
  - (f) Electrostatic shielding of transformer coils and cores.
22. Fire extinguisher and decontaminator components.
23. Gaskets, locknuts and shims.
24. Heat equalization in galvanizing pots and for molten zinc operations.
25. Heat treating and annealing.
26. Implements of War, as defined in Section (b) (6) of the Order.
27. Impression lead.
28. Inserts for treads on non-sparking ladders and stairs.
29. Lead hammers.
30. Lead-headed nails only to the extent that the use of springhead or flathead nails is impracticable.
31. Fusible alloys.
32. Lead lined bowls for centrifugal oil purifiers.



33. Lead wire for determining gear bearing clearances.
34. Lining for acid lockers.
35. Lubricant for cold drawing of steel products.
36. Manufacture and moulding of plastics.
37. Medical, dental and veterinarian equipment and instruments.
38. Metallic and semi-metallic packing.
39. Patterns and dies.
40. Plating or coating where lead is used in place of either cadmium or tin, or where corrosion makes the use of any other material impractical.
41. Powder for military uses, powder metallurgy and gear lubricants.
42. Production of rayon.
43. Refining of platinum group metals, gold and silver, and metallic sodium.
44. Repair of existing lead construction.
45. Seals for pilfering and tampering protections.
46. Sheath for curing process of rubber.
47. Sheet, pipe (including lead lined pipe), valves, fittings, burning bars and castings to be used
  - (a) in chemical and processing equipment to the extent that corrosion makes the use of any other material impracticable.
  - (b) in water service lines to the extent that municipal, state or Federal regulations permit no substitutes or sound water works practice requires its use.
48. Sinkers for military requirements and commercial fishing.
49. Solder subject to the restrictions of Order M-43.
50. Sounding Leads.
51. Spectrographs and spectrophoto Meters.
52. Storage batteries (including lead content of oxide) and cell covers for Military Orders.
53. Storage batteries (including lead content of oxide) and cell covers of Industrial type, to the extent of 50% per calendar quarter of the amount of lead used for the same purpose during the first six months of 1944.
 

(An Industrial storage battery means an electric storage battery of other than SLI type which has been completely assembled and sealed whether charged or uncharged and which is designed and built for industrial applications such as, but not confined to, railway signalling and lighting, mine locomotives and industrial trucks, farm lighting, public utilities stand-by equipment, commercial radio installations, airplane and commercial boat installations and components thereof.)
54. Storage batteries (including lead content of oxide) and cell covers for original equipment of vehicles governed by Order L-1-e, Order L-257, Order L-53, and Order L-192.
55. Storage batteries (including lead content of oxide) and cell covers for automotive SLI type, for replacement purposes to the extent of 37½% per calendar quarter of the amount of lead used for the same purpose during the first six months of 1944.
56. Terne plate and Terne metal subject to restrictions of Conservation Order M-43.
57. Tetra ethyl subject to the restrictions of PAW directives.
58. Turbine and gear bearing oil deflectors.
59. Turbine gland labyrinth and diaphragm packing.
60. Type metal for use in printing trade.
61. Vocational purposes where lead is re-used and in laboratories for analytical purposes and research.
62. X-ray purposes and Radiography.
63. Zinc production.

64. For use to comply with safety regulations issued under Government authority which requires the use of lead to the extent employed, or in safety equipment.

[F. R. Doc. 45-5186; Filed, Mar. 31, 1945; 11:33 a. m.]

#### PART 3270—CONTAINERS

[Limitation Order L-197, as Amended Mar. 31, 1945]

##### STEEL SHIPPING DRUMS

Section 3270.15 *Limitation Order L-197*, as amended January 18, 1945, is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created shortages in the supply of materials entering into the production of steel shipping drums for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

##### § 3270.15 *Limitation Order L-197*—

(a) *What this order does.* This order restricts the manufacture, delivery and use of new and used steel shipping drums. Schedule A of the order lists quarterly tonnage quotas for the use of new steel shipping drums for the packing of all classes of products. Upon specific War Production Board authorization, such packing quotas may be adjusted as provided in paragraph (g) (2). Only upon specific War Production Board authorization, may new drums be used for any other purpose than for packing. Schedule B of the order lists certain products which may not be packed in new or used steel shipping drums, except that certain of those products identified by an asterisk may be packed in used drums. The numbers which appear in brackets after many of the items listed in Schedule A refer to the numbers which identified the respective items in the schedules of the January 18, 1945, edition of Order L-197. Certain other restrictions and exemptions from various restrictions appear in the order.

(b) *Definitions.* Wherever used in this order: (1) "Drum" means any single-walled, cylindrical or bilged container with a capacity of 132 gallons or less (including but not limited to buckets, kits and pails) constructed wholly of steel. It does not include cheese or ice cream cans or cans as defined in Order M-81, high or low pressure gas steel cylinders, storage tanks, or any container not usable commercially for transporting commodities.

(2) "Used drum" means any drum which has been used for shipping, storage or intra-plant transfer of a product. This term shall include any drum purchased from a disposal agency of the United States government.

(3) "New drum" means any drum which is not a used drum. It includes rejects or seconds, new drums which may be considered obsolete by the owner, and new drums which may be in idle inventory and not usable by the owner.

(4) "Reject or second" means any newly manufactured drum which cannot

be used for the purpose for which it was intended due to some defect in it.

(5) "Naval store products" mean those materials which are directly derived from the oleo-resinous secretions of various species of coniferous trees. The term includes resins and liquid terpenes, both crude and refined, and special materials derived from these and such related products as tall oil and pine tars.

##### *Restrictions on Manufacture, Sale and Delivery*

(c) *Restriction against manufacture, sale or delivery.* No person shall manufacture any new drum or sell or deliver any new or used drum which he has reason to believe will be accepted or used in violation of the terms of this order.

(d) *Use of preference ratings.* No preference rating shall be applied to obtain delivery of new or used drums except a rating which has been specifically assigned for drums by the Army, Navy, Maritime Commission, or War Shipping Administration for direct or ultimate delivery of drums either filled or empty to them or to other persons pursuant to assignment by the War Production Board on Form WPB-646.

(e) *Certificate for delivery of new drums.* No person shall sell or deliver any new drums unless he has received from the purchaser a certificate, signed manually or as provided in Priorities Regulation 7. This certificate shall be in substantially the following form and, once filed by a purchaser with a supplier, covers all future deliveries from the supplier to that purchaser.

The undersigned purchaser certifies, subject to criminal penalties for misrepresentation, that he is familiar with Order L-197 of the War Production Board, and that all purchases from you of steel drums, and the use of the same by the undersigned, will be in compliance with the order, as amended from time to time.

The standard certificate provided for in paragraph (d) of PR 7 cannot be used in place of the above certificate; nor may the certificate provided by this order be waived in accordance with paragraph (f) of PR 7.

##### *Restrictions on Acceptance or Use of New Drums*

(f) *Prohibition against acceptance or use of new drums for packing Schedule B products.* (1) Except as provided in paragraph (f) (2) below, no person shall accept delivery of or use a new drum for packing any product listed in Schedule B of this order. Where a specific product is listed in Schedule B, the prohibition of this paragraph applies even though the general class of products under which the product may be included has a quota under Schedule A.

(2) The above prohibition shall not apply to the acceptance of delivery or use by a person of a new drum for the packing of a specific quantity of a Schedule B product for export for which a license has been received by such person from the Foreign Economic Administration. However, such acceptance or use of new drums must be included within the quota limitations of paragraph (g) below.



(g) *Packing quota restrictions on new drums.* (1) No person shall, during any calendar quarter, use a greater tonnage of new drums for packing any class of products than the amount listed in Schedule A of this order with respect to that class.

(2) Any person who wants to establish a quota, or to obtain an adjustment of his packing quota for any class of products may file an application for authorization on Form WPB 3770 in quadruplicate with the War Production Board. The use of Form WPB 3770 has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Such applications will be considered on an equitable basis in view of the quantities of steel drums distributed to other persons in the industry. Authorizations will not be dependent upon whether the applicant used steel drums during any previous period to pack the particular class of products.

(3) Where a person has a quota for a class of products, he may not use any part of this quota to pack another class of products. However, a quota for a class of products may be distributed among the various products within that class except for the products restricted by paragraph (f).

(4) Any person who has any part of his packing quota for a class of products left over from one calendar quarter (including a left over part of his first quarter 1945 quota as provided by this order as amended January 18, 1945) may use it to pack that class of products in the next calendar quarter in addition to that next quarter's quota. Any person may also borrow and use in any quarter up to 25% of the next quarter's quota. When this order takes effect on April 1, 1945, as prescribed in paragraph (s) below, a person shall deduct from his second quarter 1945 quota whatever amount of tonnage was borrowed and used in the first quarter of 1945 against his expected second quarter quota pursuant to paragraph (d) (6) of the January 18, 1945 edition of this order.

(5) Whenever a quota is given to a person based on use of new drums for packing a class of products, the quota shall belong to the person who owned the drums whether he packed them himself or had someone pack them for him. A person who packed drums in the base period owned by someone else does not have a quota based on packing those drums as that quota belongs to the person who owned the drums and for whose account the packing was done. An exception to this rule as to quota is made in the case of foreign petroleum operators operating under Priorities Regulation No. 9. The quota in such cases shall belong to the person who obtained the authorization for the drums for export on form WPB-743 or under other applicable licensing procedures, and the person who packs for him, whether he buys the drums or not, shall not be entitled to a quota based upon such packing.

A person who has a quota under the provisions of this paragraph may either pack the class of products himself or have someone else pack it for him. When someone else packs it for him, such use

of new drums shall be chargeable to his quota and not to the quota of the person who packs for him. A person who packs a class of products for another, to be charged against the latter's quota, must receive a statement from such person that the packing of that class of products is within his quota under the order.

(h) *Other use restrictions on new drums.* Unless specifically authorized by the War Production Board pursuant to application on Form WPB-3770, no person may use a new drum for any purpose other than for packing products permitted to be packed in accordance with paragraphs (f) (2) and (g).

(i) *Small user exemption from quota restrictions.* The restrictions of paragraphs (g) and (h) do not apply to any person during any calendar quarter in which he uses no more than a total of 1500 pounds of new drums for all purposes.

(j) *Inventory restrictions on new drums.* No person shall, at any time, accept delivery of any new drum which will increase his total inventory of that type or size of new drum to more than his requirements for the following sixty-day period or will increase his total inventory of all types and sizes of new drums to more than one and one-half carloads, whichever is the greater.

#### Restrictions on Used Drums

(k) *Prohibition against acceptance or use of used drums for packing certain Schedule B products.* (1) Except as provided in paragraph (k) (2) below, no person shall accept delivery of or use a used drum for packing any products listed without an asterisk in Schedule B of this order. Any other product not appearing on Schedule B or listed there with an asterisk may be packed in used drums without limitation.

(2) The above prohibition shall not apply to the acceptance of delivery or use by a person of used drums for the packing of a specific quantity of a Schedule B product listed without an asterisk for export for which a license has been received by such person from the Foreign Economic Administration.

(l) *Restrictions on sale or delivery of empty used drums.* (1) No person shall sell or deliver any empty drum which was packed with an edible product the last time it was used, and which is capable of being reused for the same purpose, if he knows or has reason to believe that it will be used for packing inedible products.

(2) No person shall sell or deliver any empty drum which was packed with a naval store product the last time it was used, and which is capable of being reused for the same purpose, if he knows or has reason to believe that it will be used for packing anything other than naval store products.

(m) *Exemption for certain used drums.* The provisions of this order shall not apply to the use by any person of used drums (1) for storage purposes by any person having less than five drums in use for all purposes or (2) constructed wholly of lighter than 23 gauge steel.

#### General Provisions

(n) *General Exemption.* Except for paragraphs (d) and (e), none of the restrictions of this order shall apply to the purchase, acceptance of delivery, or use of empty new or used drums by the following agencies or by any persons for packing a product for delivery directly to the following agencies: Army, Navy, Maritime Commission, War Shipping Administration or Lend-Lease Procurement Agency.

(o) *Appeals.* Any appeal from the provisions of this order shall be filed on Form WPB 3770 in quadruplicate.

(p) *Reports.* Any person affected by this order shall file such reports and questionnaires as the War Production Board may request from time to time, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

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

(r) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Container Division, Washington 25, D. C., Ref: L-197.

(s) *Effective date of this order.* This order as amended March 31, 1945, shall take effect on April 1, 1945. Until that date, the edition of this order issued on January 18, 1945 shall remain in effect.

Issued this 31st day of March 1945.

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

#### SCHEDULE A

As provided in paragraph (g) above, column 1 below lists all classes of products, and column 2 below lists the permitted packing quotas of new drums for the respective classes of products. The word, "Unlimited," means that a person may use in any calendar quarter an unlimited tonnage of new drums to pack the class of products appearing opposite such word. The words, "90%, 1944", mean that no person may use in any calendar quarter to pack the respective class of products a greater tonnage of new drums than 90% of the tonnage of new drums used by him for packing that class of products in the corresponding quarter of 1944, or 90% of his average quarterly usage of tonnage of new drums for packing that class of products during 1944. The other quotas, such as "20%, 1941" and "90%, 1941" shall be computed in a manner similar to the above. Commencing with April 1, 1945, a person may not change his method of computing his packing quota (either for the corresponding quarter of 1944 or the average quarter of 1944 method) for any class of products in the course of any calendar year. New drums used for packing products for any of the agencies listed in paragraph (n) shall be exempt from the specified quotas, and when determining the quotas for packing such



classes of products, all new drums packed during the specified base period for these agencies shall be excluded.

NOTE: Numbers in parenthesis in column (1) refer to item numbers of former commodity classes and are included for convenience in determining the new consolidated product class in which former commodity class is included.

Product class & number (1)	Packing quota (2)
<i>Chemical products</i>	
1. Brake fluid (6)-----	90%, 1944
2. Calcium Carbide (7)-----	Unlimited
3. Caustic Soda, including caustic potash, dry (10)-----	Unlimited
4. Cements and adhesives (11); including rubber cements (32)-----	90%, 1944
5. Desiccants, limited to silica gel, activated bentonite and activated bauxite-----	Unlimited
6. Explosives (16)-----	90%, 1944
7. Medicinals and related products, including disinfectants and germicides, (13); insecticides and fungicides, except petroleum base (18); medicinals, human (21); medicinals, animal (22); vitamins (40)-----	90%, 1944
8. Naval Stores, including but not limited to dipentene, pine oil, turpentine (23); rosin (31)-----	90%, 1944
9. Organic chemical products miscellaneous, including: Alcohol and solvents, including but not limited to: Specially denatured alcohol and chlorinated solvents (3); anti-freeze (5); additives, oil and gasoline (2); dyestuffs, dry (14); dyestuffs, vat (15); dyestuffs, paste; plasticizers, other than rubber (29); rubber processing chemicals, including but not limited to plasticizers (33); intermediates, organic compounds not elsewhere listed, including Armines, Ethers, Ketones, Esters, Aromatics, alcohols, aldehydes and acids-----	90%, 1944
10. Pitch or tar, including mineral-filled, cut-backs, emulsions and road oils (27); Coal tar solvents (12)-----	90%, 1944
11. Printing ink (30)-----	90%, 1944
12. Protective coatings, and related products, including: Caulking compounds, and sealers, including but not limited to: glazing material, putty and fillers, (9); paints, enamels and lacquers in clear, pigmented, semi-paste, paste or liquid form, including lead oxides in oil, colors in oil and oil stain, floor wax, (24); varnish and varnish stain, (39); roof coating and roof cements; paint thinner-----	90%, 1944
13. Synthetic resins (35); plastic molding compounds (28)-----	90%, 1944
14. Other chemicals (99), including but not limited to: acids, dry (1); aluminum chloride, anhydrous (4); catalysts, phosphoric acid type (8); fire extinguisher liquid and powder (17); leather auxiliaries and processing compounds (20); peroxygen chemicals, including chlo-	

Product class & number (1)	Packing quota (2)
<i>Chemical products</i>	
rates, perchlorates, permanganates, solid peroxides (25); chemical rust preventatives (34); sodium and zinc hydrosulfite (36); sulfides, including but not limited to sodium, potassium and carbon bisulfide (37); textile auxiliaries and processing compounds (38); zinc chloride (41)-----	90%, 1944

<i>Food products</i>	
(The following packing quotas marked (*) may be used for drums of over 12 gallons capacity only)	
15. Compounds, solid and semi-solid with a melting point of 65 degrees F. or above, used in cooking, including but not limited to mixtures of lard and hydrogenated oils. (B-26)-----	20%, 1941*
16. Dairy products. (B-29)-----	90%, 1941*
17. Food products, cold pack and frozen. (B-32)-----	90%, 1941*
18. Greases, animal and vegetable. (A-101)-----	90%, 1944
19. Hydrogenated oils with a melting point of 65 degrees F. or above, including but not limited to shortening. (B-42)-----	20%, 1941*
20. Jellies, jams and preserves. (B-44)-----	90%, 1941*
21. Lard. (B-47)-----	20%, 1941*
22. Molasses. (B-54)-----	90%, 1941*
23. Oils, animal, fish, marine animal, vegetable and vitamin oils or any blend thereof. (A-102)-----	90%, 1944
24. Syrup, mixed and unmixed. (B-89 and 90)-----	90%, 1941*
25. Other food products. (A-199)-----	90%, 1944

<i>Petroleum products</i>	
26. Liquid petroleum products, packed in bung opening drums, including but not limited to lubricating oil, liquid insecticides (fly spray, stock spray and agricultural spray) more than 50% petroleum, petroleum solvents and naphtha, liquid rust preventatives, more than 50% petroleum or petroleum derivatives, gasoline, kerosene, fuel oil.-----	90%, 1944
27. Non-fluid petroleum products, packed in open-head drums, including but not limited to greases and lubricants, petrolatum, rust preventatives, not liquid, petroleum sulphonates, cutting, drawing and grinding compounds-----	90%, 1944
28. Hard petroleum products, packed in stripper drums, including but not limited to asphalt, microcrystalline wax, petroleum resins-----	90%, 1944
29. Miscellaneous products (A-304)-----	90%, 1944

#### SCHEDULE B

As provided in paragraph (f) above, the products listed below, with or without an asterisk, may not be packed in new steel drums. As provided in paragraph (k) above, the products listed below, without an asterisk, may not be packed in used steel drums.

1. Acid, succinic
2. Aluminum sulphate
3. Ammonia alum

4. Ammonium bicarbonate	
5. Ammonium chloride	
6. Ammonium nitrate, dry	
7. Ammonium phosphates	
8. Balsam copaiba	
9. Bath salts	
10. Bird seed	
11. Boiler compounds, dry	
12. Borax	
13. Boric acid	
14. Calcimine	
15. Calcium carbonate	
16. Calcium chloride	
17. Calcium hydroxide	
18. Calcium oxide	
19. Calcium phosphates	
20. Casein paints, dry	
21. Cement paint, dry	
22. Charcoal	
23. Citric acid	
24. Colors, inorganic dry	
25. Cupric oxide	
26. Copper sulphate, basic	
27. *Fatty acids (having a melting point of higher than 42 degrees C.)	
28. Flour	
29. Fruit juices	
30. Fruits—brine	
31. Fruits and peels, glaze	
32. *Furniture polish	
33. *Garbage, trash and ashes	
34. Gelatin	
35. Glue, dry (animal and vegetable)	
36. Hexamethylenetetramine	
37. Kraut	
38. *Lanolin and wool grease	
39. Lime, except for smelting and abrasive purposes	
40. *Linseed oil meal	
41. Lithopone	
42. Magnesium chloride 6H2O	
43. Magnesium oxide	
44. Meats	
45. Meta silicate of soda	
46. Olives	
47. Paints, dry powder, including but not limited to those bound with glue, soya protein casein and cement	
48. Paradichlorobenzene	
49. Paste, wall paper	
50. Patching plaster	
51. Pectin	
52. Pickles	
53. *Pine tar	
54. Potash alum	
55. Potassium bicarbonate	
56. Potassium carbonate	
57. Sand	
58. Scouring cakes and powder	
59. Shellac	
60. Soap, dry	
61. Soda alum	
62. Soda ash	
63. Sodium aluminate	
64. Sodium bicarbonate	
65. Sodium bisulfate	
66. Sodium chloride	
67. *Sodium lactate	
68. Sodium metaborate	
69. Sodium nitrate	
70. Sodium nitrite	
71. Sodium perborate	
72. Sodium phosphates	
73. Sodium sesquicarbonate	
74. Starches, dry	
75. *Sweeping compounds	
76. *Tallow	
77. Vegetables—brine	
78. Vinegar	
79. Water	
80. *Wax, except floor wax and microcrystalline wax	
81. Zeolite	

#### INTERPRETATION 1

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

Authorization by the War Production Board was required for delivery and acceptance of delivery of new drums under Order L-197 prior to May 27, 1944, but is no longer required



under the order as amended on that date. Paragraph (d) (7) declaring all authorizations null and void after May 27, 1944 does not invalidate appeals granted before that date. An appeal is a request for permission to use a new or used drum for packing a product listed without an asterisk in Schedule A of the old order or to use a new drum to pack a product listed with a single asterisk. [Issued June 19, 1944.]

[F. R. Doc. 45-5179; Filed, Mar. 31, 1945; 11:32 a. m.]

#### PART 3270—CONTAINERS

[Limitation Order L-232, as Amended Mar. 31, 1945]

##### WOODEN SHIPPING CONTAINERS

§ 3270.56 *Limitation Order L-232—*  
(a) *Definitions.* For the purposes of this order:

(1) "Wooden shipping container" means any new shipping container made wholly or partially of wood which is used for the shipment and delivery of commodities. The term does not include trunks, luggage, military locker boxes, field picking boxes, wooden inner containers, or boxes consisting of more than 50% of corrugated or solid fibre (by area).

(2) A "new shipping container" is one which has never been used for packing any product. The replacement of parts in a used container shall not cause it to become a new one unless new parts are added to replace three or more faces of the container. If three or more faces are replaced with new parts, it becomes a new shipping container subject to the provisions of this order.

##### General Restrictions

(b) *Restrictions—(1) Manufacture, sale or delivery of containers.* No person shall manufacture, sell or deliver any wooden shipping containers or parts which he knows or has reason to believe will be used or accepted in violation of any provision of this order.

(2) *Manufacture and assembly of containers.* No person shall commercially manufacture or assemble any wooden shipping container or any container (even though it is an inner container) defined in paragraph (d) of Table I of Schedule A of this order, for the purposes described in the several tables of Schedule A, which does not meet the specifications contained in those tables. The restrictions of this paragraph shall not apply to barrels, drums, kegs, kits or pails.

(3) *Manufacture of container parts.* No person shall commercially manufacture any wooden parts designed for any wooden shipping container described in the several tables of Schedule A (including those inner containers defined in paragraph (d) of Table I of Schedule A which, when assembled, will not conform with the specifications of those tables. The restrictions of this paragraph shall not apply to barrels, drums, kegs, kits or pails.

(4) *Coloring.* No manufacturer, dealer in, or commercial user of wooden shipping containers or parts shall dye, stain, or otherwise color containers or parts which are described in Schedule A.

The restrictions of this paragraph shall not apply to barrels, drums, kegs, kits or pails.

(5) *Printing.* All stamping, printing and labeling, unless otherwise required by law, shall be placed on only one outside surface of any container covered by the several tables of Schedule A of this order, whether it be an end, a side, bottom, top or cover. The restrictions of this paragraph (b) (5) shall not apply to barrels, drums, kegs, kits or pails or to paper, labels or markings which only:

(i) State the capacity of the container in terms of whole or fractional pints, quarts, pecks, or bushels; or

(ii) in the case of baskets and hampers are identifying markings provided for in regulations of the Secretary of Agriculture issued under the United States Standard Container Act of 1928; or

(iii) are designed for the purpose of encouraging salvage and reuse of the container, provided the label or printing does not include the name, brand, trade-mark or other reference to any person, firm, partnership or corporation.

##### Restrictions on Packing and Shipping

(c) *Restrictions—(1) Commodities for which wooden shipping containers are forbidden.* No person shall commercially pack or ship in wooden shipping containers any of the commodities listed in Table I of Schedule B. This shall not, however, restrict the shipment of any commodity listed which has already been packed on the date it was included in this table or the shipment of any listed commodity in wooden shipping containers which were in the shipper's inventory or in transit to him on the date it was included in this table, but only for a period of sixty days thereafter.

(2) *Quota restriction on packing.* Packers of a commodity listed in Table II of Schedule B, are restricted in the quantity of that commodity which they may pack in wooden shipping containers in each calendar quarter to a percentage of the quantity that they packed in wooden shipping containers in the same quarter of the base period. The percentage and base period for each commodity are shown in the table.

##### Exceptions

(d) *Containers made from waste materials or second hand lumber.* None of the restrictions of this order shall apply to a container made by a container user for his own use from waste material referred to as edgings, trim, or off-fall and excluded from the definition of lumber in Order L-335, or from second-hand lumber, provided the container is not made in a box factory or woodworking establishment which sells its product to other users. Second-hand lumber is lumber which has been previously used, as in building construction, or as dunnage in bracing, blocking or shoring, or in the construction of shipping containers.

##### Miscellaneous

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

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

(g) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to War Production Board, Containers Division, Washington 25, D. C., Ref.: L-232.

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

Issued this 31st day of March 1945.

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

##### SCHEDULE A—SPECIFICATIONS FOR WOODEN SHIPPING CONTAINERS

TABLE I—HAMPERS, BASKETS, BERRY CUPS FOR FRESH FRUITS AND VEGETABLES

(a) Specifications for the types and dry capacities of permitted hampers, baskets, and berry cups are as follows:

Type—(1)	Dry capacity (2)
1. Hampers.....	$\frac{1}{2}$ , $\frac{3}{4}$ , 1 bu.
2. Round stave baskets.....	$\frac{1}{2}$ , 1 bu.
3. Splint baskets.....	8, 12, 16, 24, 32 qts.
4. Climax baskets.....	4, 12 qts.
5. Till baskets.....	1, 2, 3, 4 qts.
6. Berry cup.....	$\frac{1}{2}$ , 1 pt., 1 qt.

(b) *Exceptions.* The restrictions of paragraphs (b) (2), (3), (4) and (5) of this order and of paragraph (a) of this table shall not apply to:

(1) The manufacture or assembly of wooden shipping containers referred to in this Table by any person from wooden parts cut to size by him before March 4, 1943, provided such manufacture or assembly is completed by August 31, 1943;

(2) The assembly of wooden shipping containers referred to in this table by any person from cut-to-size wooden parts bought and received by him before April 1, 1943, provided such assembly is completed by August 31, 1943.

(3) The assembly of containers purchased in flat or knock-down form from the surplus stocks of government agencies, or the coloring, printing, or labeling of such containers.

(c) *Exemption for banana hampers.* The restrictions of this Table I shall not apply to hampers used for the shipment of bananas.

(d) "Hamper", "round stave basket", and "splint basket" have the same meanings as in rules and regulations<sup>1</sup> of The Secretary of Agriculture issued under the United States Standard Container Act of 1928.<sup>2</sup> "Climax basket", "till basket", and "berry cup" mean baskets and containers of the type subject to rules and regulations<sup>3</sup> of The Secretary of Agriculture issued under the United States Standard Container Act of 1916,<sup>4</sup> as amended.<sup>5</sup>

<sup>1</sup> U. S. Department of Agriculture Service and Regulatory Announcements No. 116, as amended.

<sup>2</sup> 45 Stat. 685; 15 U.S.C. 257.

<sup>3</sup> U. S. Department of Agriculture Service and Regulatory Announcements No. 104, revised.

<sup>4</sup> 39 Stat. 673; 15 U.S.C. 251.

<sup>5</sup> 45 Stat. 930; 15 U.S.C. 251.



TABLE II—WOODEN SHIPPING CONTAINERS FOR FRESH FRUIT AND VEGETABLES

NOTE: Table II amended Mar. 31, 1945.

Usual name (1)	Inside depth (inches) (2)	Inside width (inches) (3)	Inside length (inches) (4)
1. Apple box.....	10½ <sup>1</sup>	11½	18.
2. Apple box.....	11.	12½	18.
3. Apple box.....	11.	13.	17.
4. Apricot lug.....	4½	12½	16.
5. Artichoke box.....	9½	11.	20½.
6. Asparagus crate.....	10½	9 to 9½ top, 11 bottom	17½ or 18.
7. Asparagus crate.....	12½	9½ top, 10½ bottom	17½.
8. Asparagus crate.....	11.	9½ top, 12 bottom	16½.
9. Avocado box.....	4½	13½	16.
10. Berry crate.....	2½	16½	21½.
11. Berry crate.....	2½	13½	18.
12. Berry crate.....	3½ or 3¾	13½	18.
13. Berry crate.....	9 or 9½	9.	18.
14. Berry crate.....	7½	11.	22.
15. Berry crate.....	11.	11.	21½ to 22.
16. Berry crate.....	12.	12.	15.
17. Bushel crate.....	12.	12.	22.
18. Cantaloupe pony crate.....	12.	12.	22.
19. Cantaloupe standard crate.....	12.	12.	22.
20. Cantaloupe jumbo crate.....	13.	12.	22.
21. Cauliflower crate.....	8½	18.	21½ to 22.
22. Cauliflower crate.....	12½	14½	23.
23. Celery crate.....	20.	11.	20½.
24. Celery crate.....	9½	16.	19½ to 20.
24a. Celery crate.....	10.	16.	22.
25. Celery crate.....	5¾	18.	12½.
26. Celery crate.....	8.	8.	12½.
26a. Celery crates.....	12.	18.	14.
26b. Celery crates.....	20.	10.	22.
26c. Celery crates.....	5½	10½	17.
26d. Celery crates.....	8.	8.	10¾.
26e. Celery crates.....	22.	10.	22.
27. Cherry, apricot, prune lug.....	3¾	11½	14.
28. Cherry, apricot, prune lug.....	3¾	10½	14.
29. Cherry, apricot, prune lug.....	3¾	10½	15.
30. Cranberry box.....	9½	10½	15.
31. Cranberry box.....	9½	11.	13½ to 15.
31a. Date box.....	2½	13½	16.
32. Fig box.....	1½	11.	16.
33. Fruit box.....	8.	11½	16.
34. Fruit box.....	4.	11½	16.
35. Fruit box.....	4½	11½	16.
36. Fruit box.....	5.	11½	16.
37. Four-basket crate.....	4½	16.	16.
38. Four-basket crate.....	4½	16.	16.
39. Four-basket crate.....	4½	16.	16.
40. Four-basket crate.....	5.	16.	16.
41. Honey dew standard crate.....	6¾	16.	22.
42. Honey dew jumbo crate.....	7¾	16.	22.
43. Lemon box.....	9¾	13.	28.
44. Lettuce crate.....	13¾	17½	21½ to 22.
45. Lime box.....	6.	12.	12.
46. Lug box.....	6¾	13½	16.
47. Lug box.....	4¾	13½	16.
48. Lug box.....	3¾	13½	16.
49. Melon crate.....	6¾	12.	22.
50. Melon crate.....	7¾	14.	22.
51. Orange and grapefruit box.....	11½	11½	24.
52. Orange and grapefruit box.....	12.	12.	24.
53. Half orange and grapefruit box.....	9½	9½	19.
54. Pear box.....	8½	11½	18.
55. Half pear box.....	5½	11½	18.
56. Pear lug.....	6½	13½	20½.
57. Pepper crate.....	13¾	11.	22.
58. Produce box (1 bushel).....	7½	17½	17½.
59. Produce box (½ bushel).....	7½	12½	12½.
60. Pineapple crate.....	10½	12.	33.
61. Rhubarb box.....	9.	11½	24½.
62. Rhubarb box.....	3½	11½	24½.
63. Sweetpotato crate.....	12½	12½ top 13½ bottom	15 top. 16 bottom.
64. Sweetpotato crate.....	12.	12.	16½.
65. Vegetable crate.....	13.	17½	21½ to 22.
66. Vegetable crate.....	9.	13.	21½ to 22.
67. Vegetable crate.....	8.	12.	22.
68. Vegetable crate.....	7½	15 or 15½	18¾.

<sup>1</sup> The inside depth of this box may be increased up to 11½", either by the addition of cleats of any thickness or by the use of a solid end.

<sup>2</sup> The inside depth of this box may be increased up to 7½" by the addition of cleats of any thickness or by the use of a solid end.

<sup>3</sup> The inside depth of this box may be increased up to 5½" by the addition of cleats of any thickness or by the use of a solid end.

\* Wherever an asterisk appears, cleats may be used for such items, as provided for in paragraph (c) of the text of Table II.

(a) The designation in column (1) of Table II is merely for identification and shall not be construed as restricting usage. 'Inside width' and 'Inside depth' of the container are the width and length, respectively, of the end pieces or end frames, exclusive of any cleats. 'Inside length' of the container shall be its outside length minus the combined thickness of both ends and of the center piece (if any).

(b) An optional variation of up to ½" under or up to ¼" over the specified inside lengths is allowed. A tolerance of up to ½", plus or minus, in the specified inside depths

and inside width is allowed for shrinkage and manufacture.

(c) No cleats may be so used as to increase inside dimensions except where an asterisk appears in Column (1) of Table II or where, and as, specified in any footnote after that table. Where an asterisk appears in Column (1) of Table II, one or more cleats of ¼", ⅜", ½", ⅝", ¾", 1½", or 3¼" thickness may be attached to the top of each end piece, or end frame, provided such cleat or cleats do not increase the inside dimensions of the container by more than the specified thickness of the cleat or cleats.

(d) *Exceptions.* (1) The restrictions of paragraphs (b) (2), (3), (4) and (5) of this order and of this Table II shall not apply to:

(i) The manufacture or assembly of wooden shipping containers by any person from wooden parts cut to size by him before April 1, 1943; provided, such manufacture or assembly is completed by August 31, 1943:

(ii) The assembly of wooden shipping containers by any person from cut-to-size wooden parts bought and received by him before April 1, 1943; provided, such assembly is completed by August 31, 1943;

(iii) The assembly of containers purchased in flat or knock-down form from the surplus stocks of government agencies, or the coloring, printing, or labeling of such containers.

(2) The restrictions of this Table II shall not apply to the manufacture or assembly of wooden shipping containers, or the manufacture of wooden parts for wooden shipping containers, to be delivered:

(i) To or for the account of the Army, the Navy, the Coast Guard, the Maritime Commission, the War Shipping Administration, the Veterans Administration, or the Department of Agriculture (for Lend-Lease purposes), provided, the government agency's specifications require wooden shipping containers which do not comply with Table II.

(ii) To any person for use in packing fresh fruits or vegetables for delivery to or for the account of such government agencies; provided, the government agency's specifications require wooden shipping containers which do not comply with Table II; and provided further, such person furnishes the container or container-parts supplier with a written certification in substantially the following form, signed by an authorized official, either manually or as provided in Priorities Regulation No. 7:

"This is to certify that specifications of orders received by the undersigned from (designate government agency) require wooden containers not conforming with Order L-232. The material ordered herewith is for that purpose only.

Company.....  
By.....  
Title..... Date....."

Such certification shall constitute a representation to the supplier and to the War Production Board as to the truth of the facts stated therein. The supplier may rely upon such representation unless he has knowledge or reason to believe that it is not true.

TABLE III—WOODEN SHIPPING CONTAINERS FOR DRESSED CHICKENS &amp; TURKEYS

Chicken boxes (approximate weight)	Inside length (inches)	Inside width (inches)	Inside depth (inches)
(1)	(2)	(3)	(4)
101. 36 lbs.....	18	14	7¼
102. 42 lbs.....	19	14½	7¼
103. 48 lbs.....	20	15½	7¼
104. 54 lbs.....	21	16½	7¼
105. 60 lbs.....	22	17	8
106. 72 lbs.....	24	18	8½
TURKEY BOXES			
111. Small.....	28	24	6¼
112. Large.....	32	28	7¼
113. Very large.....	31	19	8
114. West Coast.....	30	22	8¼

(a) *Exceptions.* The restrictions of paragraph (b) (2), (3), (4) and (5) of this order and of this Table III shall not apply to:

(1) The manufacture or assembly of wooden chicken and turkey boxes by any person from wooden parts cut to size by him before July 30, 1943, provided such manufacture or assembly is completed by September 30, 1943;

(2) The assembly of wooden chicken and turkey boxes by any person from cut-to-size wooden parts bought and received by him



before August 15, 1943, provided such assembly is completed by September 30, 1943

(3) The assembly of containers purchased in flat or knock-down form from the surplus stocks of government agencies, or the coloring, printing, or labeling of such containers.

#### SCHEDULE B—RESTRICTIONS IN USE OF WOODEN SHIPPING CONTAINERS

TABLE I—COMMODITIES WHICH MAY NOT BE SHIPPED IN WOODEN SHIPPING CONTAINERS

(a) The restrictions of this Table I shall not apply to (1) shipments to or for the account of the Army or Navy of the United States, or shipments to military exchanges (as defined in Priorities Regulation No. 17) located outside the 48 states, the District of Columbia and Canada, (2) shipments to be delivered ultimately outside the 48 states of the United States, the District of Columbia and Canada, (3) shipments of stores for shipboard use on ocean-going vessels, (4) shipments to or for the account of the Veterans Administration, (5) shipments in wooden barrels, kegs, drums, kits or pails, except in the case of soda ash, bicarbonate of soda, and salt.

(b) Whenever the letter "b" appears after a commodity in this list, the restriction applies to this commodity only when packaged in glass, textile, metal or paper.

(c) Soda ash and bicarbonate of soda were included in Table I on July 23, 1943 and all the other commodities were added on October 25, 1943.

(d) The headings used in this table are only for the purpose of separating the items into groups of similar commodities.

##### Building Materials

1. Asphalt roofing (rolls or shingles), siding and tiles
2. Brick, except fire and glass
3. Cement<sup>b</sup>
4. Cork (except pipe covering and slabs)
5. Mineral wool, except slabs, blocks, batts and insulation (formed, metal encased)
6. Plaster, cement lime, gypsum (this does not include dental, orthopedic and industrial mold grades)
7. Roof coatings and cements<sup>b</sup>
8. Steel sash and windows

##### Foods (Fresh Vegetables Are Listed as Items 38-43 and Animal Foods, Item 101)

9. Bakery goods, except in multiple trip returnable containers
10. Baking powder
11. Candy or confectionery
12. Canned and glassed foods or food products
13. Cereals, prepared
14. Chocolate
15. Cocoa
16. Coffee
17. Condiments<sup>b</sup>
18. Corn starch<sup>b</sup>
19. Dessert powders
20. Flours, prepared products
21. Food seasoning, coloring and related products<sup>b</sup>
22. Fruit and vegetable juices<sup>b</sup>
23. Gelatins<sup>b</sup>
24. Horseradish products<sup>b</sup>
25. Ice cream cones
26. Macaroni<sup>b</sup>
27. Mayonnaise and salad dressing<sup>b</sup>
28. Noodles<sup>b</sup>
29. Nuts, edible
30. Peanut butter and peanuts<sup>b</sup>
31. Popcorn
32. Potato chips
33. Rice
34. Salt
35. Spaghetti<sup>b</sup>

36. Spices (except mustard flour, ground cloves, ground mace and ground nutmeg)

##### 37. Tea

##### Fresh Vegetables

38. Cabbage
39. Corn, green
40. Onions, dry
41. Potatoes, white
42. Rutabagas
43. Turnips, root

##### Glass Products

44. Jars, home canning
45. Ornaments and decorations

##### Hardware

46. Buckets and pails (wood or metal)
47. Handles, wooden, for hand tools
48. Wash tubs, wood or metal

##### Horticultural Items

49. Flowers, flower seeds, and flower plants
50. Shrubs, ornamental or cuttings
51. Trees, ornamental or cuttings

##### Leather Products

52. Belting butts
53. Bridles
54. Harnesses
55. Horse collars
56. Novelties
57. Pocketbooks
58. Saddles
59. Suitcases
60. Traveling bags—all kinds
61. Trunks
62. Whips and crops

##### Paper Products

63. Advertising displays—counter, window or floor
64. Albums
65. Announcements
66. Calendars
67. Catalogues
68. Greeting cards
69. Illustrated post cards
70. Magazines, including house organs
71. Novelties
72. Posters
73. Punch boards

##### Textiles (Except Clothing)

74. Awnings
75. Blankets
76. Comforters
77. Mattresses
78. Rope, string and twine
79. Tents

##### Miscellaneous

80. Adhesives or cements, household
81. Appliances, electric, domestic (except stoves, refrigerators, washing machines and mangles)
82. Art supplies
83. Ash trays
84. Baskets
85. Bed springs
86. Beverages, carbonated, malt or alcoholic and concentrates, except in multiple trip returnable containers.
87. Bicarbonate of soda
88. Brushes and brooms
89. [Deleted Jan. 3, 1944]
90. Candles, except for religious purposes
91. Ceramics, ornamental
92. Charcoal, except activated carbon
93. Cigars and cigarettes
94. Combs
95. Cosmetics
96. Dentifrices
97. Depilatories
98. Dry cleaning preparations, household
99. Electric light bulbs
100. Fertilizers
101. Food, animal and pet
102. [Deleted Jan. 6, 1944]

103. Hair, dressing and dyes, shampoos and tonics
104. Hats, millinery
105. Heels and soles, footwear
106. Hose, rubber and fabric except wire imbedded
107. Jewelry
108. Mops
109. Ornaments, made of glass, plastic, pottery, china, metal, wood, paper or leather
110. Paint and paint products<sup>b</sup>
111. Peat moss
112. Pens and pencils
113. Perfumes and toiletries
114. Polishes<sup>b</sup>
115. Scouring and cleaning compounds and detergents (does not include liquid acidic materials shipped in carboys with a capacity of 5 gallons or more)
116. Shoes
117. Soap<sup>b</sup>
118. Soda ash
119. Sporting goods
120. Starch<sup>b</sup>
121. Tobacco<sup>b</sup>
122. Toys and games
123. Varnishes<sup>b</sup>
124. Waxes<sup>b</sup>

TABLE II—COMMODITIES WHOSE PACKING AND SHIPPING IN WOODEN SHIPPING CONTAINERS IS RESTRICTED

##### Miscellaneous Products

Commodity:	Quota based on 1942 Calendar year (percent)
10. Animal proprietary drug remedies...	65
11. Books .....	80
12. Carpets .....	80
13. China and glassware (except vitrified for commercial use) .....	80
14. Clothing, except shoes .....	80
15. Glass tableware and glass kitchen articles .....	80
16. Hooks and eyes, slide and snap fasteners, buckles, buttons, and miscellaneous metal apparel bindings .....	80
16a. Leather, restricted to goat, kid, cabretta and kangaroo and limited to processed hides, skins and splits which have not been incorporated into any product .....	70
16b. Leather, all other, limited to processed hides, skins and splits which have not been incorporated into any product .....	50
17. Linoleum .....	80
18. Musical instruments .....	80
19. Pottery products, household (except ornamental) .....	80
20. Printing and publishing products, except those listed elsewhere .....	80
21. Rugs .....	80
22. Tile (floor, wall, facing, glazed or unglazed) .....	80

NOTE: Notes 1 and 2 deleted June 30, 1944.

NOTE 3. The base period and quota period quantities of a commodity shall be determined by weight, volume or count of that commodity packed for shipment or shipped in wooden shipping containers, or by the board footage content of the wooden shipping containers required. The same measure shall be used in both the base period and quota period quantities for any commodity.

NOTE 4. Exceptions. No person shall be bound by quota restrictions contained in paragraph (c) (2) applicable to any commodity during any calendar year or seasonal year, whichever is specified, during which he neither packs nor ships more than one carload or 30,000 pounds of that commodity, whichever is the lesser.

[F. R. Doc. 45-5180; Filed, Mar. 31, 1945; 11:32 a. m.]



**PART 3285—LUMBER AND LUMBER PRODUCTS**  
[Order L-335, Direction 1 as Amended Mar. 31, 1945]

**SAWMILLS' SHIPMENTS OF DOUGLAS FIR, WHITE FIR, NOBLE FIR, SITKA SPRUCE (EXCEPT AIRCRAFT GRADE) AND WEST COAST HEMLOCK**

The following amended direction is issued pursuant to Order L-335:

(a) *What sawmills are covered by this direction.* This direction applies only to sawmills located in the States of Oregon and Washington west of the crest of the Cascade mountain range which produce the following species of lumber: Douglas fir (*pseudotsuga taxifolia*), Noble fir, White fir, Sitka spruce, (except aircraft grades of Sitka spruce and Noble fir which are specifically allocated either directly or indirectly to manufacturers of aircraft) and West coast hemlock.

(b) *Military orders placed with sawmills that take precedence over other orders.* This paragraph applies to every sawmill mentioned in paragraph (a) above which currently produces 25,000 or more board feet of lumber (whether one of the named species or not) per average day of eight hours of continuous operation or which produced an average of 25,000 or more board feet of lumber per day during the days from June 3, 1943 to December 3, 1943 on which it was in operation. Starting with the month of August 1944, sawmills that receive orders of the types described in paragraph (c) below must accept and ship such orders in preference to all other orders (except orders rated AAA) to the extent that such orders do not require more than 35 percent of the sawmill's anticipated monthly shipments of all species listed in paragraph (a) above. Such an order may not be accepted by a sawmill after the beginning of the month preceding the month of shipment if the acceptance of the order would result in displacing other certified and rated orders amounting to more than 10 percent of the sawmill's anticipated monthly shipments. A sawmill's shipment on such orders shall be in the sizes required by the agency or person placing the order.

(c) *Military orders.* The following types of certified and rated orders placed with a sawmill shall be accorded the treatment provided for in paragraph (b) above and shipments made on such orders may be credited against the percentage that a sawmill is required to ship under that paragraph in preference to other orders:

(1) Orders for the account of the United States Government placed by the U. S. Army, U. S. Navy, U. S. Marine Corps, U. S. Coast Guard, U. S. Maritime Commission, and War Shipping Administration;

(2) Orders for the account of the United States Government placed by the Treasury Department, Procurement Division on behalf of the Foreign Economic Administration bearing the symbol DA-TPS;

(3) Orders placed by any other person which bear a certification of the Central Procuring Agency, Procurement Division of the United States Corps of Engineers to the effect that the order is a military order and as such is entitled to the preferential treatment prescribed by this direction. A person who receives such a certification from the Central Procuring Agency may extend that certification in placing orders with his supplier to the extent necessary to obtain lumber required for delivery on the order bearing the original certification of the Central Procuring Agency. If a distributor sells lumber out of inventory on an order bear-

ing a certification of the Central Procuring Agency to the effect that the order is a military order and as such is entitled to the preferential treatment prescribed by this direction, the distributor may not extend the certification of the Central Procuring Agency to replace the lumber in inventory. If the distributor wants his order to be identified as a military order he must send it to the nearest office of the Central Procuring Agency for certification and placement by that agency. If a distributor does not wish to have the Central Procuring Agency certify his order or the Central Procuring Agency refuses to certify it, then the distributor may place his order with his lumber supplier, but it may not bear any other certification than that described in paragraph (q) (3) of Order L-335.

(4) Orders placed for the account of the United States Government by the Veterans Administration or orders placed by any other person bearing a certification of the Director of Construction of the Veterans Administration to the effect that the lumber purchased thereby is for use on construction work done for the Veterans Administration.

For the purposes of this direction "orders" shall be deemed to include the memorandum of purchase issued by the Central Procuring Agency on ED Form 526 commonly known as a "purchase allocation." A "purchase allocation" order is not to receive the preferential treatment to be accorded military orders under paragraph (b) above unless it is one of the types of orders described above.

(d) *Other military orders.* The amount of lumber that must be made available to the military on orders receiving the preferential treatment described in paragraph (b) is the minimum and a sawmill must continue to accept other orders coming from the same sources for lumber in excess of the required percentage mentioned in paragraph (b) in accordance with paragraphs (x) (1) and (x) (2) of Order L-335, but orders placed with a sawmill over and above the required 35 percent shall be treated like any other order and they will not take precedence over other orders which are equally or higher rated.

(e) [Deleted Mar. 31, 1945.]

Issued this 31st day of March 1945.

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

[F. R. Doc. 45-5181; Filed, Mar. 31, 1945; 11:32 a. m.]

**PART 3285—LUMBER AND LUMBER PRODUCTS**

[Order L-335, Direction 2 as Amended Mar. 31, 1945]

**SAWMILLS' SHIPMENTS FROM WESTERN PINE REGION**

The following amended direction is issued pursuant to Order L-335:

(a) *What sawmills are covered by this direction.* This direction applies only to sawmills located in the States of Washington, Oregon, California, Idaho, Montana, Wyoming, Nevada, Utah, Colorado, Arizona, New Mexico, and South Dakota which produce the following species of lumber: Ponderosa pine, sugar pine, lodgepole pine, Idaho White pine and white fir (except Idaho White pine and white fir produced west of the crest of the Cascade mountain range in the States of Oregon and Washington), Western white spruce, and Engelmann spruce.

(b) *Military orders placed with sawmills that take precedence over other orders.* This paragraph applies to every sawmill mentioned in paragraph (a) above which currently produces 5,000 or more board feet of lumber (whether one of the named species or not) per average day of eight hours of continuous operation or which produced an average of 5,000 or more board feet of lumber per day during the days from June 3, 1943 to December 3, 1943 on which it was in operation. Starting with the month of August, 1944, sawmills that receive orders of the types described in paragraph (c) below must accept and ship such orders in preference to all other orders (except orders rated AAA) to the extent that such orders do not require more than 20 percent of the sawmill's anticipated monthly shipments of all species listed in paragraph (a) above. Such an order may not be accepted by a sawmill after the beginning of the month preceding the month of shipment if the acceptance of the order would result in displacing other certified and rated orders amounting to more than 10 percent of the sawmill's anticipated monthly shipments. A sawmill's shipment on such orders shall be in the sizes required by the agency or person placing the order.

(c) *Military orders.* The following types of certified and rated orders placed with a sawmill shall be accorded the treatment provided for in paragraph (b) above and shipments made on such orders may be credited against the percentage that a sawmill is required to ship under that paragraph in preference to other orders:

(1) Orders for the account of the United States Government placed by the U. S. Army, U. S. Navy, U. S. Marine Corps, U. S. Coast Guard, U. S. Maritime Commission, and War Shipping Administration;

(2) Orders for the account of the United States Government placed by the Treasury Department, Procurement Division on behalf of the Foreign Economic Administration bearing the symbol DA-TPS;

(3) Orders placed by any other person which bear a certification of the Central Procuring Agency, Procurement Division of the United States Corps of Engineers to the effect that the order is a military order and as such is entitled to the preferential treatment prescribed by this direction. A person who receives such a certification from the Central Procuring Agency may extend that certification in placing orders with his supplier to the extent necessary to obtain lumber required for delivery on the order bearing the original certification of the Central Procuring Agency. If a distributor sells lumber out of inventory on an order bearing a certification of the Central Procuring Agency to the effect that the order is a military order and as such is entitled to the preferential treatment prescribed by this direction, the distributor may not extend the certification of the Central Procuring Agency to replace the lumber in inventory. If the distributor wants his order to be identified as a military order he must send it to the nearest office of the Central Procuring Agency for certification and placement by that Agency. If a distributor does not wish to have the Central Procuring Agency certify his order or the Central Procuring Agency refuses to certify it, then the distributor may place his order with his lumber supplier, but it may not bear any other certification than that described in paragraph (q) (3) of Order L-335.

(4) Orders placed for the account of the United States Government by the Veterans Administration or orders placed by any other person bearing a certification of the Director of Construction of the Veterans Admin-



istration to the effect that the lumber purchased thereby is for use on construction work done for the Veterans Administration.

For the purposes of this direction "orders" shall be deemed to include the memorandum of purchase issued by the Central Procuring Agency on ED Form 526 commonly known as a "purchase allocation". A "purchase allocation" order is not to receive the preferential treatment to be accorded military orders under paragraph (b) above unless it is one of the types of orders described above.

(d) *Other military orders.* The amount of lumber that must be made available to the military on orders receiving the preferential treatment described in paragraph (b) is the minimum and a sawmill must continue to accept other orders coming from the same sources for lumber in excess of the required percentage mentioned in paragraph (b) in accordance with paragraphs (x) (1) and (x) (2) of Order L-335, but orders placed with a sawmill over and above the required 20 percent shall be treated like any other order and they will not take precedence over other orders which are equally or higher rated.

(e) [Deleted Mar. 31, 1945.]

Issued this 31st day of March 1945.

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

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#### PART 3285—LUMBER AND LUMBER PRODUCTS

[Order L-335, Direction 3 as Amended  
Mar. 31, 1945]

##### SAWMILLS' SHIPMENTS OF REDWOOD

The following amended direction is issued pursuant to Order L-335:

(a) *What sawmills are covered by this direction.* This direction applies only to sawmills located in the State of California which produce redwood lumber.

(b) *Military orders placed with sawmills that take precedence over other orders.* This paragraph applies to every sawmill mentioned in paragraph (a) above which currently produces 25,000 or more board feet of lumber (whether redwood or not) per average day of eight hours of continuous operation or which produced an average of 25,000 or more board feet of lumber per day during the days from June 3, 1943 to December 3, 1943 on which it was in operation. Starting with the month of August 1944, sawmills that receive orders of the types described in paragraph (c) below must accept and ship such orders in preference to all other orders (except orders rated AAA) to the extent that such orders do not require more than 40 percent of the sawmill's anticipated monthly shipments of redwood lumber. Such an order may not be accepted by a sawmill after the beginning of the month preceding the month of shipment if the acceptance of the order would result in displacing other certified and rated orders amounting to more than 10 percent of the sawmill's anticipated monthly shipments. A sawmill's shipment on such orders shall be in the sizes required by the agency or person placing the order.

(c) *Military orders.* The following types of certified and rated orders placed with a sawmill shall be accorded the treatment provided for in paragraph (b) above and shipments made on such orders may be credited against the percentage that a sawmill is required to ship under that paragraph in preference to other orders:

(1) Orders for the account of the United States Government placed by the U. S. Army, U. S. Navy, U. S. Marine Corps, U. S. Coast Guard, U. S. Maritime Commission, and War Shipping Administration.

(2) Orders for the account of the United States Government placed by the Treasury Department, Procurement Division on behalf of the Foreign Economic Administration bearing the symbol DA-TPS;

(3) Orders placed by any other person which bear a certification of the Central Procuring Agency, Procurement Division of the United States Corps of Engineers to the effect that the order is a military order and as such is entitled to the preferential treatment prescribed by this direction. A person who receives such a certification from the Central Procuring Agency may extend that certification in placing orders with his supplier to the extent necessary to obtain lumber required for delivery on the order bearing the original certification of the Central Procuring Agency. If a distributor sells lumber out of inventory on an order bearing a certification of the Central Procuring Agency to the effect that the order is a military order and as such is entitled to the preferential treatment prescribed by this direction, the distributor may not extend the certification of the Central Procuring Agency to replace the lumber in inventory. If the distributor wants his order to be identified as a military order he must send it to the nearest office of the Central Procuring Agency for certification and placement by that agency. If a distributor does not wish to have the Central Procuring Agency certify his order or the Central Procuring Agency refuses to certify it, then the distributor may place his order with his lumber supplier, but it may not bear any other certification than that described in paragraph (q) (3) of Order L-335.

(4) Orders placed for the account of the United States Government by the Veterans Administration or orders placed by any other person bearing a certification of the Director of Construction of the Veterans Administration to the effect that the lumber purchased thereby is for use on construction work done for the Veterans Administration.

For the purposes of this direction "orders" shall be deemed to include the memorandum of purchase issued by the Central Procuring Agency on ED Form 526 commonly known as a "purchase allocation". A "purchase allocation" order is not to receive the preferential treatment to be accorded military orders under paragraph (b) above unless it is one of the types of orders described above.

(d) *Other military orders.* The amount of lumber that must be made available to the military on orders receiving the preferential treatment described in paragraph (b) is the minimum and a sawmill must continue to accept other orders coming from the same sources for lumber in excess of the required percentage mentioned in paragraph (b) in accordance with paragraphs (x) (1) and (x) (2) of Order L-335, but orders placed with a sawmill over and above the required 40 percent shall be treated like any other order and they will not take precedence over other orders which are equally or higher rated.

(e) [Deleted Mar. 31, 1945.]

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

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#### PART 3285—LUMBER AND LUMBER PRODUCTS

[Order L-335, Direction 4, as Amended  
Mar. 31, 1945]

##### SAWMILLS' SHIPMENTS OF SOUTHERN YELLOW PINE

The following amended direction is issued pursuant to Order L-335:

(a) *What sawmills are covered by this direction.* This direction applies only to sawmills located in the United States which produce Southern yellow pine lumber.

(b) *Military orders placed with sawmills that take precedence over other orders.* This paragraph applies to every sawmill mentioned in paragraph (a) above which currently produces 5,000 or more board feet of lumber (whether Southern yellow pine or not) per average day of eight hours of continuous operation or which produced an average of 5,000 or more board feet of lumber per day during the days from June 3, 1943 to December 3, 1943 on which it was in operation. Starting with the month of August, 1944, sawmills that receive orders of the types described in paragraph (c) below must accept and ship such orders in preference to all other orders (except orders rated AAA) to the extent that such orders do not require more than 35 percent of the sawmill's anticipated monthly shipments of southern yellow pine lumber. Such an order may not be accepted by a sawmill after the beginning of the month preceding the month of shipment if the acceptance of the order would result in displacing other certified and rated orders amounting to more than 10 percent of the sawmill's anticipated monthly shipments. A sawmill's shipment on such orders shall be in the sizes required by the agency or person placing the order.

(c) *Military orders.* The following types of certified and rated orders placed with a sawmill shall be accorded the treatment provided for in paragraph (b) above and shipments made on such orders may be credited against the percentage that a sawmill is required to ship under that paragraph in preference to other orders:

(1) Orders for the account of the United States Government placed by the U. S. Army, U. S. Navy, U. S. Marine Corps, U. S. Coast Guard, U. S. Maritime Commission, and War Shipping Administration;

(2) Orders for the account of the United States Government placed by the Treasury Department, Procurement Division on behalf of the Foreign Economic Administration bearing the symbol DA-TPS;

(3) Orders placed by any other person which bear a certification of the Central Procuring Agency, Procurement Division of the United States Corps of Engineers to the effect that the order is a military order and as such is entitled to the preferential treatment prescribed by this direction. A person who receives such a certification from the Central Procuring Agency may extend that certification in placing orders with his supplier to the extent necessary to obtain lumber required for delivery on the order bearing the original certification of the Central Procuring Agency. If a distributor sells lumber out of inventory on an order bearing a certification of the Central Procuring Agency to the effect that the order is a military order and as such is entitled to the preferential treatment prescribed by this direction, the distributor may not extend the certification of the Central Procuring Agency to replace the lumber in inventory. If the distributor wants his order to be identified as a military order he must send it to the nearest office of the Central Procuring Agency for certification.



tion and placement by that agency. If a distributor does not wish to have the Central Procuring Agency certify his order or the Central Procuring Agency refuses to certify it, then the distributor may place his order with his lumber supplier, but it may not bear any other certification than that described in paragraph (q) (3) of Order L-335.

(4) Orders placed for the account of the United States Government by the Veterans Administration or orders placed by any other person bearing a certification of the Director of Construction of the Veterans Administration to the effect that the lumber purchased thereby is for use on construction work done for the Veterans Administration.

For the purposes of this direction "orders" shall be deemed to include the memorandum of purchase issued by the Central Procuring Agency on ED Form 526 commonly known as a "purchase allocation". A "purchase allocation" order is not to receive the preferential treatment to be accorded military orders under paragraph (b) above unless it is one of the types of orders described above.

(d) *Other military orders.* The amount of lumber that must be made available to the military on orders receiving the preferential treatment described in paragraph (b) is the minimum and a sawmill must continue to accept other orders coming from the same sources for lumber in excess of the required percentage mentioned in paragraph (b) in accordance with paragraphs (x) (1) and (x) (2) of Order L-335, but orders placed with a sawmill over and above the required 35 percent shall be treated like any other order and they will not take precedence over other orders which are equally or higher rated.

(e) [Deleted Mar. 31, 1945.]

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

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**PART 3285—LUMBER AND LUMBER PRODUCTS**  
[Order L-335, Direction 5, as Amended Mar. 31, 1945]

**SAWMILLS' SHIPMENTS OF CYPRESS (RED OR YELLOW) LUMBER**

The following amended direction is issued pursuant to Order L-335:

(a) *What sawmills are covered by this direction.* This direction applies only to sawmills located in the United States which produce cypress (red or yellow) lumber.

(b) *Military orders placed with sawmills that take precedence over other orders.* This paragraph applies to every sawmill mentioned in paragraph (a) above which currently produces 5,000 or more board feet of lumber (whether one of the named species or not) per average day of eight hours of continuous operation or which produced an average of 5,000 or more board feet of lumber per day during the days from June 3, 1943 to December 3, 1943 on which it was in operation. Starting with the month of August, 1944, sawmills that receive orders of the types described in paragraph (c) below must accept and ship such orders in preference to all other orders (except orders rated AAA) to the extent that such orders do not require more than 30 percent of the sawmill's anticipated monthly shipments of red or yellow cypress lumber. Such an order may not be accepted by a sawmill after the beginning of the month preceding the month of shipment if the acceptance of the order would result in displacing other certified and rated orders

amounting to more than 10 percent of the sawmill's anticipated monthly shipments. A sawmill's shipment on such orders shall be in the sizes required by the agency or person placing the order.

(c) *Military orders.* The following types of certified and rated orders placed with a sawmill shall be accorded the treatment provided for in paragraph (b) above and shipments made on such orders may be credited against the percentage that a sawmill is required to ship under that paragraph in preference to other orders:

(1) Orders for the account of the United States Government placed by the U. S. Army, U. S. Navy, U. S. Marine Corps, U. S. Coast Guard, U. S. Maritime Commission, and War Shipping Administration;

(2) Orders for the account of the United States Government placed by the Treasury Department, Procurement Division on behalf of the Foreign Economic Administration bearing the symbol DA-TPS;

(3) Orders placed by any other person which bear a certification of the Central Procuring Agency, Procurement Division of the United States Corps of Engineers to the effect that the order is a military order and as such is entitled to the preferential treatment prescribed by this direction. A person who receives such a certification from the Central Procuring Agency may extend that certification in placing orders with his supplier to the extent necessary to obtain lumber required for delivery on the order bearing the original certification of the Central Procuring Agency. If a distributor sells lumber out of inventory on an order bearing a certification of the Central Procuring Agency to the effect that the order is a military order and as such is entitled to the preferential treatment prescribed by this direction, the distributor may not extend the certification of the Central Procuring Agency to replace the lumber in inventory. If the distributor wants his order to be identified as a military order he must send it to the nearest office of the Central Procuring Agency for certification and placement by that agency. If a distributor does not wish to have the Central Procuring Agency certify his order or the Central Procuring Agency refuses to certify it, then the distributor may place his order with his lumber supplier, but it may not bear any other certification than that described in paragraph (q) (3) of Order L-335.

(4) Orders placed for the account of the United States Government by the Veterans Administration or orders placed by any person bearing a certification of the Director of Construction of the Veterans Administration to the effect that the lumber purchased thereby is for use on construction work done for the Veterans Administration.

For the purposes of this direction "orders" shall be deemed to include the memorandum of purchase issued by the Central Procuring Agency on ED Form 526 commonly known as a "purchase allocation". A "purchase allocation" order is not to receive the preferential treatment to be accorded military orders under paragraph (b) above unless it is one of the types of orders described above.

(d) *Other military orders.* The amount of lumber that must be made available to the military on orders receiving the preferential treatment described in paragraph (b) is the minimum and a sawmill must continue to accept other orders coming from the same sources for lumber in excess of the required percentage mentioned in paragraph (b) in accordance with paragraphs (x) (1) and (x) (2) of Order L-335, but orders placed with a sawmill over and above the required 30 per-

cent shall be treated like any other order and they will not take precedence over other orders which are equally or higher rated.

(e) [Deleted Mar. 31, 1945.]

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

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**PART 3290—TEXTILE, CLOTHING, AND LEATHER**

[Conservation Order M-328, as Amended Mar. 31, 1945]

**PROVISIONS APPLICABLE TO TEXTILES, CLOTHING AND RELATED PRODUCTS**

The fulfillment of requirements for the defense of the United States has created shortages in the supplies of textiles, clothing, leather and related products for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3290.118 *Conservation Order M-328—(a) Restrictions on preference ratings for textiles, clothing, leather, etc.* (This paragraph states conditions which must be met to make ratings for items on Schedule A valid. However, even though a rating is not valid for the items, this does not prevent anyone from filling a purchase order if he can do so without disregarding valid ratings on other purchase orders or disregarding other orders or directions of the War Production Board.)

No person shall apply, extend or give any effect to any preference rating heretofore or hereafter assigned, applied, or extended to the delivery of any item on Schedule A unless:

(1) The rating has been assigned by a preference rating form or letter issued by or under the authority of the War Production Board to a named applicant and the form or letter specifically describes the item and specifies the quantity, description and type which may be obtained by the rating. No rating assigned by any L, M, P or other order, by any regulation (such as CMP-5 or CMP-5A), or on Form CMPL-150, CMPL-200 or CMPL-201 shall be valid for any item on Schedule A, except as permitted by paragraph (a) (2), (a) (3) or (a) (4). For example, the rating for any fabric to comply with this subparagraph must be assigned on a War Production Board form or letter naming the person to whom the rating is assigned and stating the yardage, type and construction of the fabric for which the rating is assigned.

(2) The rating has been assigned by or pursuant to a form, order or regulation of the War Production Board and is used to obtain the item for direct or ultimate delivery to, or for incorporation into any material for ultimate delivery to the Army or Navy of the United States (including U. S. Army and Marine Corps Post Exchanges, U. S. Navy and Coast Guard Ship's Service Departments, and



War Shipping Administration Training Organization Ship's Service activities), the Maritime Commission or War Shipping Administration, (including marine distributors pursuant to authorization by the Maritime Commission on Form WPB-646). A delivery to an establishment or ship operated under contract with one of those agencies is not in itself a direct or ultimate delivery to the Army, Navy, Maritime Commission or War Shipping Administration.

(3) The rating has been assigned by or pursuant to any supplement to this order or the particular order specified after the item on Schedule A.

(4) The material to be delivered is actually required as, or is required for incorporation in, a functioning part of industrial machinery and is one of the following numbered items on Schedule A: 1, 3 (except Seine cord, hawser cord and other cabled cord), 4, 12.

**SCHEDULE A—MATERIALS AND PRODUCTS COVERED BY CONSERVATION ORDER M-328**

1. Animal bristles and hair.  
2. Clothing, footwear (including safety shoes, hats, gloves, and all other outer or under garments or apparel, if made in whole or in part of leather or textile yarn, staple fiber or fabrics. However, this order does not apply to rubber footwear, professional rubber gloves, or to the following items when such items are specifically designed and used to furnish protection against occupational hazards (other than weather).

Asbestos clothing.  
Gauntlet type welders' leather gloves and mittens, and electricians' leather protector or cover gloves.

Metal mesh gloves, aprons and sleeves.  
Other safety leather gloves or mittens, but only if steel-stitched or steel-reinforced.  
Plastic and fiber safety helmets.  
Safety belts and harnesses.  
Safety clothing impregnated or coated for the purposes of making the same resistant against fire, acids or other chemicals or abrasives.

Safety industrial leather clothing other than gloves or mittens.

Safety industrial rubber gloves and hoods, and linemen's rubber gloves and sleeves.

3. Cotton, wool and synthetic yarns and blends of the foregoing. L-282, M-317, M-317A, M-317B, M-385, M-388, M-388A, M-388B and M-388C.

4. Woven, felted, knitted and braided fabrics of cotton, wool or synthetic yarns and blends of the foregoing (M-166, M-317, M-317A, M-317B, M-385, M-388, M-388A, M-388B, M-388C and P-116), including but not limited to:

Bedsheets.  
Pillow cases.  
Blankets.  
Towels.  
Diapers.  
Face cloths.  
Table "linens."

5. Dyestuffs (defined in Conservation Order M-103).

6. The following metal shoe findings:

Arch supports.  
Box toes and caps.  
Heel rims and plates.  
Heel washers.  
Shoe shanks.  
Toe rims and plates.  
Steel wire shoe nails.

7. Hides, skins, furs and leather and products made primarily therefrom (subject to additional restrictions of M-310).

8. Manila, agave, istle, hemp (cannabis sativa), jute, coir yarn and other fibers, suitable for cordage (rope and twine), and cordage products made primarily therefrom. P-56, P-98-b, M-84.

9. Mops.

10. Slide fasteners.

11. Sponges, marine and loofa.

12. Textile fibers (animal, vegetable, or synthetic, including curled istle) and products made primarily from textile fibers or textiles. This order does not apply to fabrics after they have been coated, or impregnated, fire hose, fire hose jackets, sisal processors' mill waste or sisal bagasse. M-85, M-317.

13. Steel tacks (except thumb tacks).

14. Synthetic rubber thread and products made therefrom.

(b) *How ratings must be applied and extended.* (1) Priorities Regulation 3 states rules and restrictions on the use of all preference ratings. When a rating is used, the standard certification described in Priorities Regulation 7 or the certification described in Priorities Regulation 3 must be put on a purchase order for a Schedule A item. In addition, the purchaser must use one of the following applicable certifications (with the blanks properly filled in):

(i) If the rating is assigned by an order listed on Schedule A, the special certification, if any, required by that order shall be added.

(ii) If the rating is assigned by an order listed on Schedule A, but the listed order does not require a special certification, the following shall be added:

This rating is assigned by Order -----  
[Insert number of order listed opposite the item on Schedule A.]

(iii) If the rating is assigned through the Foreign Economic Administration, the following shall be added:

This rating is assigned in connection with Export License No. ----- or Release Certificate No. -----  
[Insert license or release certificate number.]

(iv) In all other cases the following shall be added:

This rating can be used under M-328.

(2) No rating permitted by paragraph (a) (1), (a) (3) or (a) (4) above, which is applied to get a Schedule A item, shall be extended for any other Schedule A item. However, in the case of ratings permitted by paragraph (a) (1), the rating may be extended if the form or letter specifically permits the extension of the rating for and fully describes the other Schedule A item. (For example, a rating which is applied to get fabric may not be extended to get yarn, except that in a case where the rating is permitted by paragraph (a) (1), the rating may be extended if the form or letter states that it may and also states the specific quantity, count, etc. The rating may also be extended for yarn if the fabric is for an Army, Navy, Maritime Commission or War Shipping Administration (including marine distributors pursuant to authorization by the Maritime Commission on Form WPB-646) order, as permitted by paragraph (a) (2). A rating permitted by paragraph (a) (3) may also be extended if the particular order specified after the item on Schedule A specifically permits extension. (For example,

Order M-388C specifically permits extension of the ratings assigned thereunder). This paragraph shall not prevent the extension of a rating for finished fabrics to get fabrics in the gray state.

(c) *Specific directives.* The war Production Board may issue specific directions to individual producers or processors of items listed in Schedule A, with respect to the production, fabrication, processing or delivery of items to meet particular military or civilian requirements, and no producer or processor shall produce, fabricate, process, deliver or accept delivery contrary to directions.

(d) *Equitable distribution.* (This paragraph does not apply to sales by retailers, inasmuch as the Fair Distribution Policy for retailers is defined in Declaration of Policy of July 15, 1943.) Preference ratings are given to certain orders to further the war program. It is the policy of the War Production Board that items listed in Schedule A not required to fill rated orders shall be distributed equitably. In making such distribution due regard should be given to essential civilian needs, and there should be no discrimination in the acceptance or filing of orders as between persons who meet the seller's regularly established prices and terms of sale or payment.

Under this policy every seller of the items, so far as practicable, should make available an equitable proportion of his merchandise to his customers periodically, without prejudice because of their size, location or relationship as affiliated outlets.

It is not the intention to interfere with established channels and methods of distribution unless necessary to meet war or essential civilian needs. If voluntary observance of the policy outlined is inadequate to achieve equitable distribution, the War Production Board may issue specific directions to named concerns. A failure to comply with a specific direction shall be deemed a violation.

(e) *Rejects, over-runs and seconds—*

(1) *Definitions.* "Reject" means a Schedule A item which was obtained with priorities assistance or a Schedule A item into which material obtained with priorities assistance has been incorporated and which cannot be used for the purpose for which the priorities assistance was given. The term includes seconds and over-runs, but does not include waste, scrap or cuttings normally generated in a manufacturing process.

"Priorities assistance" means a preference rating, allocation, specific direction, CMP allotment, or any other action of the War Production Board used to obtain a material or product.

(2) *No one may purposely make a reject.* No manufacturer, processor or converter shall manufacture, process or order any product on Schedule A which he knows or should know will be a reject. This paragraph does not prohibit the production of seconds, over-runs or by-products to the extent that they are unavoidable in the manufacturer's operations.



(3) *Restrictions on the disposition and use of rejects.* The following rules govern the disposition and use of rejects, regardless of Section 944.11 of Priorities Regulation 1:

(i) No manufacturer, processor or converter shall dispose of or use a reject listed on Schedule B, and no one shall accept delivery of such a reject, except as permitted by that schedule;

(ii) Subject to all restrictions contained in other orders of the War Production Board, any reject listed on Schedule A, but not listed on Schedule B, may be disposed of for use in the United States or to fill a rated order, or may be used for any purpose by the holder of the reject;

(iii) In any event, "special sales" (as defined in Priorities Regulation 13) of rejects may be made only in accordance with the provisions of Priorities Regulation 13."

(4) *How to get needed permission to dispose of a reject.* Any manufacturer who under the terms of this order needs specific permission to dispose of a reject may apply by letter to the War Production Board stating (where applicable) the number of the contract, the amount of material to be produced under it, the kinds of such material, a detailed statement of quantities and kinds of rejects, a copy of the rejection, and a statement of the efforts he has made to dispose of the rejects to the buyer. If the War Production Board decides he ought to be allowed to dispose of the reject, it will give him specific instructions.

(5) *Effect of specific instructions on disposition.* The War Production Board may issue specific instructions in writing to anyone respecting the use and disposition of rejects. These instructions may relate to rejects not yet manufactured on the date of their issuance. They must be obeyed even if they conflict with other provisions of this order.

(6) *Reports.* Manufacturers of textile, clothing and leather products shall report their rejects at such times and in such manner as the War Production Board may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(7) *Records.* All persons affected by this order shall keep for at least two (2) years records showing the quantities and kinds of rejects produced by them and the disposition thereof.

**SCHEDULE B—REJECTS WHICH MAY BE DELIVERED ONLY ON SPECIFIC AUTHORIZATION OF THE WAR PRODUCTION BOARD**

The following types of rejects may be sold or used by the holder of the reject on an order bearing a rating as high as or higher than the one on which the material or product was acquired or with which it was produced; otherwise the holder must apply for specific authorization of the War Production Board to sell or use the reject:

Cotton, wool and synthetic yarn, and blends of the foregoing.

Manila, agave, istle, hemp, raffia, jute, coir, and other fibers suitable for cordage; and cordage products made primarily therefrom.

Materials obtained with priorities assistance assigned by or under Conservation Orders M-317, M-317A, M-317B, M-328B, M-385, M-388, M-388A, M-388B, and M-388C, or directions or supplements thereto.

Sponges, marine and loofa.

Synthetic rubber thread and products made therefrom.

Textile fibers and fabrics (except cotton duck as defined in M-91) made primarily from textile fibers or of textiles (Note: for disposition of cotton duck, including rejects, see M-91).

Woven, felted, knitted and braided fabrics of cotton, wool, or synthetic yarns and blends of the foregoing.

The following types of rejects may be sold or used by the holder of the reject only on specific authorization of the War Production Board:

Equipment: Military luggage and sleeping bags.

Feathers, waterfowl, new.

Kapok.

Tanning materials, vegetable.

NOTE: Regarding the disposition of reject hides, skins, furs and leather and products made primarily therefrom, see paragraphs (b) (3), (b) (4), and (b) (5) of Conservation Order M-310. Regarding the disposition of cotton duck, including rejects, see paragraph (b) of Conservation Order M-91.

[Schedule C deleted Jan. 4, 1945.]

(f) *Exceptions from restrictions on "cutbacks" or terminations.* The War Production Board in any case where it finds that, by reason of cut-backs or terminations of Government contracts or subcontracts, compliance with any restriction on the manufacture, use, sale or delivery of any item on Schedule A would cause a loss of production or interfere with the filling of civilian orders, may grant temporary exceptions from such restriction.

(g) *Miscellaneous provisions—(1) Applicability of regulations.* Except as otherwise provided herein, this order and all transactions affected thereby are subject to all applicable regulations of the War Production Board as amended from time to time.

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

(3) *Communications.* All reports to be filed hereunder and communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., Ref: M-328.

(4) *Appeals.* (i) Any appeal from the provision of paragraphs (c), (d) or (e) of this order shall be made by filing a

letter in triplicate, referring to the particular provision appealed from, and stating fully the grounds of the appeal.

(ii) An appeal for suspension of a production direction dealing with an item on Schedule A may be made (whether or not such direction is issued under this order) on the ground that compliance with the action will result in production at a loss: *Provided*, That an application for price relief on that ground is first filed with the Secretary of the Office of Price Administration, Washington, D. C., and a copy is filed with the WPB appeal. If the WPB appeal is granted, requirements of a direction for increases above current production will be suspended until the decision of the Office of Price Administration upon the application for price relief. This paragraph does not indicate or limit the extent or kind of price relief, if any, which may be granted by the Office of Price Administration.

(iii) No direction or order relating to items on Schedule A (whether or not it refers to M-328) shall be deemed to require the furnishing of materials or facilities to the War Production Board. If a direction requires the furnishing of materials or facilities to a contracting agency or to a war contractor, or the production of a specified amount of a material or product, or restricts all or a part of a person's production or inventory to specified purposes, and if the person affected cannot get firm orders to cover the materials, facilities, production or inventory involved, he may appeal, and the War Production Board will grant appropriate relief.

(5) *Reports.* Every person shall execute and file with the War Production Board such reports and questionnaires as it shall from time to time request with respect to items listed on Schedule A, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 31st day of March 1945.

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

**INTERPRETATION I**

**RATINGS FOR TWINE AND WRAPPING MATERIALS**

Ratings for twine and other materials on Schedule A of M-328 used for wrapping must conform to the conditions specified in paragraph (a) of the order to be valid.

Such materials used to wrap products are not incorporated into the product which is wrapped. Therefore, a rating which can be used to get material to be incorporated into a product cannot be used to get twine with which to wrap the product even though the product is going to be delivered to one of the Government agencies mentioned in paragraph (a) (2). (Issued March 23, 1944)

[F. R. Doc. 45-5190; Filed, Mar. 31, 1945; 11:33 a. m.]

**PART 3293—CHEMICALS**

[General Allocation Order M-300, Schedule 101]

**HYDROQUINONE**

§ 3293.10101 *Schedule 101 to General Allocation Order M-300—(a) Definition.* "Hydroquinone" means 1,4 dihydroxy-



benzene or p-dihydroxybenzene, in dry or solution form, and of any grade. The term shall not include mixtures of hydroquinone with other materials, except water.

(b) *General provisions.* Hydroquinone is subject to allocation under General Allocation Order M-300 as an Appendix A material. The initial allocation date is May 1, 1945. The allocation period is the calendar month and, the small order exemption is 400 pounds per person per month.

(c) *Suppliers' applications on WPB-2946.* Each supplier seeking authorization to deliver shall file application on Form WPB-2946. Filing date is the 25th day of the month before the requested allocation month. File separate sets of forms for technical grade and for photographic grade. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-101. The unit of measure is pounds. An aggregate quantity may be requested, without specifying customers' names, for delivery on exempt small orders. Fill in Table II.

(d) *Customers' applications on Form WPB-2945.* Each person seeking authorization to use or accept delivery shall file application on Form WPB-2945. Filing date is the 20th day of the month before the requested allocation month. File separate sets of forms for each supplier, and for technical grade and photographic grade, respectively. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-101, and one copy (reverse side blank) to the supplier. The unit of measure is pounds. Fill in Column 3 in terms of the following examples:

Primary products made from hydroquinone:

Gasoline gum inhibitors.  
Dyestuffs.  
Other rubber chemicals.  
Other photographic chemicals (including prepared developers for resale).  
Other primary products (specify).

Primary uses of hydroquinone as such:

Polymerization control (synthetic rubber).  
Photographic development.  
Stabilizer for plastics.  
Other primary use (specify).  
Export.  
Inventory.  
Resale.

Specify end use in Column 4 as required by paragraph (11-a) of Appendix E of Order M-300. Fill in other columns of Table I, and fill in Tables II and III, as indicated. Leave Table IV blank.

In Table V, list in Column 23, the primary products or primary end uses for which the hydroquinone was used during the previous month, and opposite each entry list in column 24 the quantity consumed for this purpose during that month.

(e) *One-time base period report.* Each person (including any supplier, but excluding governmental departments and agencies) when filing application for the first time pursuant to paragraph (d) above, shall file a one-time base period report on Form WPB-3442. In-

structions for filling out this form are as follows:

(1) A separate set of forms shall be prepared for each definite consuming point. One copy of each set shall be retained and one copy forwarded to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-101.

(2) In the heading, specify in space (1) Hydroquinone; in space (2) specify pounds; and in space (3) specify M-300-101. Fill in the rest of the heading as indicated.

(3) In section I, fill in column (a) as indicated and indicate in column (b) the grade or quality used, as "technical" or "photographic". In the heading of column (c) specify "Third Quarter, 1944"; in the heading of column (d) specify "Fourth Quarter, 1944"; and in the heading of column (e) specify "First Quarter, 1945". Fill in columns (c), (d) and (e) as indicated by the headings, and leave columns (f) and (g) blank. Fill in the last line as indicated.

(4) In section II, indicate in column (a) the appropriate grade or quality. Fill in columns (b) and (c) as of the last day of the previous and current months, respectively (specifying the month in the headings), and leave column (d) blank.

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

(g) *Communications to War Production Board.* Communications concerning this schedule shall be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref.: M-300-101.

Issued this 31st day of March 1945.

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

[F. R. Doc. 45-5189; Filed, Mar. 31, 1945;  
11:33 a. m.]

#### PART 1010—SUSPENSION ORDERS

[Suspension Order S-562, Reinstatement and Amdt.]

#### JACKSON UPHOLSTERY CO., INC.

Jackson Upholstery Co., Inc., a New York corporation located at 18 West 18th Street, New York, N. Y., engaged in the business of manufacturing furniture was suspended on July 1, 1944, by Suspension Order No. S-562. It appealed from the provisions of the suspension order and pending final determination of the appeal, the suspension order was stayed by the Chief Compliance Commissioner on July 25, 1944. The appeal was considered by the Chief Compliance Commissioner who concluded that the appeal should be dismissed, the stay terminated as of December 31, 1944, and the order reinstated as of January 1, 1945 to remain in effect until June 30, 1945.

On February 1, 1945, the respondent again appealed from the provisions of the suspension order and pending final determination of the appeal, the suspension order was again stayed by the Chief Com-

pliance Commissioner on February 5, 1945, subject to reinstatement or until further order by the Chief Compliance Commissioner. As a result of a further investigation the Chief Compliance Commissioner has directed that the order be reinstated as of April 1, 1945, to remain in effect until June 30, 1945, and that the stay be revoked as of March 31, 1945, and that paragraph (a) of the suspension order be amended. In view of the foregoing: It is hereby ordered, That: § 1010.562, *Suspension Order No. S-562* be and hereby is reinstated as of April 1, 1945; the stay directed by the Chief Compliance Commissioner on February 5, 1945, be and hereby is revoked as of March 31, 1945; and the suspension order be and hereby is amended by substituting the following paragraph (a) for the present paragraph (a):

(a) Jackson Upholstery Co., Inc., its successors or assigns, during the three months' period beginning April 1, 1945, and ending June 30, 1945, shall not use in the production of upholstered furniture more metal upholstery springs than five per cent by weight of the total weight of metal upholstery springs used by it during the year 1941.

Issued this 26th day of March 1945.

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

[F. R. Doc. 45-5191; Filed, Mar. 31, 1945;  
11:31 a. m.]

#### PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Conservation Order M-28, as Amended Apr. 2, 1945]

#### DICHLORODIFLUOROMETHANE

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

§ 1226.27 *Conservation Order M-28—*  
(a) *Definitions.* For the purpose of this order:

(1) "F-12 gas" means dichlorodifluoromethane (sometimes called "freon-12").

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

(3) "Producer" means any person engaged in the production of F-12 gas.

(4) "Supplier" means any person to the extent that he is engaged in the business of distributing F-12 gas to persons using the same for installation in refrigerating or air conditioning systems. The term shall include an equipment manufacturer to the extent that he engages in the sale of F-12 gas which has not been installed in such systems. "System" means any "system" as defined in General Limitation Order L-38.

(5) "Equipment manufacturer" means any person to the extent that he uses F-12 gas for charging new refrigerating



or air conditioning systems or parts of systems manufactured by him. It does not include affiliates, subsidiaries, branches, divisions or sections or an enterprise, if not actually engaged in the manufacture of systems or refrigerant containing parts of systems.

(6) "Insecticide manufacturer" means any person to the extent that he uses F-12 gas in the production of insecticide.

(7) "User" means any person who installs F-12 gas in a refrigerating or air-conditioning system, other than an equipment manufacturer. It includes suppliers, service agencies, owners or lessees, to the extent that they engage in installing F-12 gas in any system.

(8) "Contract agent" means any person to whom or for whose account F-12 gas is delivered by a producer for distribution to suppliers.

(If the same person, or two or more branches, divisions or sections of the same enterprise, acts in two or more capacities as contract agent, supplier, equipment manufacturer, or insecticide manufacturer, the particular provisions of this order which apply to the respective activities must be followed, to the extent to which the various provisions are applicable to each activity.)

(b) Deliveries for systems on List A.

(1) F-12 gas may be delivered and accepted for use in any new or used system of a type referred to in List A. However, precedence shall be given to orders for F-12 gas for installation in systems not on List A over orders for systems on List A, by any service agency or other user who sells F-12 gas to the owners or operators of systems (or installs it for them).

(2) [Revoked Jan. 29, 1945.]

(3) Attention is called to paragraph (c) (2), which prohibits a supplier from delivering F-12 gas except on certified orders.

(c) Deliveries by suppliers. (1) No supplier or any other person (except a producer) shall deliver any F-12 gas for export outside of the continental United States, or for use by any of the following non-retail users (or to any ship yard or other person for use in a system to be delivered to any of them), namely: The Army, Navy, Maritime Commission, War Shipping Administration, post exchanges, ships service departments and activities, equipment and insecticide manufacturers, for new or used systems, or for use in insecticide, without specific authorization from the War Production Board.

No person shall accept from a supplier or other person any delivery of F-12 gas which is prohibited by the restriction in this order.

(2) Whenever the owner of a system or any other user wishes to obtain F-12 gas for installation in a system or systems, he may place his order for the minimum quantity which the available cylinder or cylinders permit, necessary to bring the charge in the system or systems up to a normal operating charge; and any per-

son wishing to secure such gas for ultimate uses (such as testing coaxial cable for leaks) other than the charging of a system, may place his order for the minimum quantity which the available cylinder or cylinders permit, necessary to give him a practicable minimum working inventory or such other use. He must certify his order, or the vendor's delivery receipt, by a certificate endorsed on or attached to it, showing that the F-12 gas is to be used for such purposes only, and that he is not holding any empty cylinders not owned by him, which shall be in substantially the following form:

The undersigned purchaser certifies to the seller and the War Production Board that he does not have any F-12 gas cylinders not owned by him, which have been empty for more than 15 days; and that the F-12 gas covered by this order will not be used or resold for any purposes not permitted by Order M-28.

The standard certification in the form described in Priorities Regulation 7 cannot be used instead of that described above. Such certificate, which must be signed by the purchaser or his authorized official, will constitute a representation that what is stated in it is true. A supplier must not deliver any F-12 gas except under certified orders; and he must not make delivery under any order which is certified if he knows, or has any reason to believe that the certificate furnished with such order is untrue, incomplete, or inaccurate. In such a case the supplier must reject the order, and should explain why he is doing so, so that the prospective purchaser can comply with this order. Each supplier must keep all accepted orders and certificates which he receives, for a period of two years, for inspection by the War Production Board. Cylinders must be emptied and returned to the supplier as promptly as practicable (unless the cylinder is owned by the person buying the F-12 gas). In general, this should be done in less than 30 days from the date the cylinder is received.

This restriction shall not prevent a person who services several systems for which deliveries are permitted by this order from purchasing a cylinder of F-12 gas from a supplier, if the amount purchased is the smallest quantity practicable considering the sizes of the standard commercial cylinders and the amount needed in his current operations.

(3) No "standby charge" or any other quantity of F-12 gas, over and above that needed to bring the total charge in a system or systems up to the normal operating charge, shall be delivered to or accepted by any person for use in a system which he owns, leases, or operates (except the Army, Navy, Maritime Commission or War Shipping Administration): except, however, that a "standby charge" may be maintained for a system which is operated primarily for one of the following purposes: air conditioning or refrigeration for the production and storage of penicillin, or blood serum; or refrigeration for the storage of blood for plasma, or the production or storage of blood plasma.

(d) Deliveries by producers. Each producer shall hold his entire inventory of F-12 gas, together with all additional quantities produced or otherwise obtained by him from time to time, for delivery for such uses as may be authorized or directed from time to time by the War Production Board. No deliveries of F-12 gas shall be made by a producer except pursuant to specific authorizations or directions heretofore or hereafter issued by the War Production Board.

(e) The provisions of this order shall be followed by every producer, contract agent, supplier, user, equipment manufacturer, insecticide manufacturer, and any other person buying, selling or delivering F-12 gas, without any regard to any preference ratings which have been assigned or which may hereafter be assigned to particular contracts or orders.

(f) Miscellaneous provisions—(1) Applicability of regulations. This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as issued and amended from time to time.

(2) Reports. (i) Each equipment manufacturer who wishes to secure delivery of F-12 gas during any month for charging systems or parts produced by him, or for factory repair and charging of sealed or hermetic condensing units, shall file with the War Production Board, on or before the 15th day of the preceding month a report on Form WPB-3326, prepared in accordance with the instructions for such form.

(ii) [Deleted Apr. 2, 1945.]

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

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

(5) Communications. All reports to be filed and other communications concerning this order should be addressed to: War Production Board, General Industrial Equipment Division, Washington 25, D. C., Ref. M-28.

Issued this 2d day of April 1945.

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

#### LIST A

Air conditioning systems. Any system, of any size operated or installed for the purpose of lowering the temperature and/or humidity of air in any building, room or other enclosure used as, or located in any of the following:



Amusement parks.  
Animal hospitals.  
Auditoriums.  
Ballrooms, dancing studios and dance halls.  
Bank and loan associations.  
Bars, cocktail lounges, and beer parlors.  
Bowling alleys.  
Concert halls.  
Funeral parlors.  
Golf clubs, country clubs, athletic clubs, and all other clubs and club houses.  
Hotels and apartment houses.  
Moving picture houses.  
Night clubs.  
Office buildings and offices, public or private.  
Railway, streetcar and bus stations and terminals.  
Residential buildings and dwellings of all kinds.  
Restaurants, cafeterias, and other places selling meats, food or beverages.  
Schools.  
Service establishments, such as laundries, cleaners and dyers, tailor shops, barber shops, "beauty" parlors, automobile sales and service shops, and repair shops of all kinds.  
Skating rinks.  
Stores, selling any kind of products, material or merchandise, at retail or wholesale (excluding manufacturing establishments).  
Studios of all kinds.  
Theaters.

This list does not include (1) any such system used primarily to air condition a building, room or other enclosure used chiefly for purposes not listed above, or (2) any system designed, necessary and used, in substantial part, for the refrigeration and storage or processing of food, ice, or other materials or products, necessary to life or health, or to be delivered to the Army, Navy, Maritime Commission or War Shipping Administration, and requiring refrigeration temperature control, or freedom from dust or other impurities.

#### Refrigeration systems.

Skating rink systems.  
Refrigeration systems solely for storing or dispensing carbonated or malt beverages.

#### INTERPRETATION 1

INTERPRETATION 1: REVOKED NOVEMBER 12, 1943.

[F. R. Doc. 45-5286; Filed, Apr. 2, 1945; 11:53 a. m.]

#### PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Conservation Order M-28, Interpretation 2 as Amended Apr. 2, 1945]

The following interpretation is issued with respect to Conservation Order M-28:

(a) Quantities which may be obtained by system owner. Subparagraphs (c) (2) permits the owner (or lessee) of a refrigerating or air conditioning system who does his own installation of F-12 gas, to place his order for the minimum quantity "which the available cylinder or cylinders permit" necessary to bring the charge in his system up to a normal operating charge.

The standard commercial cylinders are generally available in sizes which contain four

pounds, ten pounds, twenty-five pounds, and one hundred forty-five pounds of the gas, and a particular supplier may not have all four sizes in stock at all times. Questions will therefore arise as to the number and sizes of cylinders which the owner of a system is permitted to obtain if the particular supplier with whom his purchase order is first placed should not happen to have the sizes of cylinder from which the minimum quantity needed by the system can be furnished the owner.

In such a case, the owner of the system should make a reasonable effort to obtain the minimum quantity which he needs, from some other supplier in his locality, rather than purchase an excessive quantity from the first supplier upon whom he calls. While the order does not prescribe rigid rules as to exactly what effort the purchaser should make in every case, it is required that he do whatever is practicable, under his particular conditions, to obtain the minimum quantity which he needs, and no more.

Where he is located in a large community in which there are a number of suppliers, he should contact several, if necessary in order to obtain the quantity needed. If he happens to be located in a small community where there is only one supplier who cannot furnish the exact quantity needed and the F-12 gas must be obtained immediately in order to avoid spoilage of a substantial quantity of food, the restriction would not prevent him from obtaining a larger amount, if that is unavoidable without letting his food spoil.

As a guide to the number and size of cylinders which should normally be obtained, for the different quantities of F-12 gas which may be needed in different cases, the following table is furnished:

Pounds of F-12 gas required	Amounts which should be ordered			
	Number of cylinders			
	4 pounds	10 pounds	25 pounds	145 pounds
0-4	1			
5-9		1		
10-14	1			
15-24		2 or	1	
25-29	1		1	
30-39	1	1	1	
40-49	1	2	1	
50-59		1	2	
60-69		2	2	
70-79	1		3	
80-89	1	1	3	
90-110		1	4	
111-145				1
146-170			1	1
171-195			2	1
196-220			3	1
221-245			4	1
246-290				2
291-315			1	2
316-340			2	2
341-365			3	2
366-390			4	2
391-435				3

The above interpretation applies only where the system owner buys his F-12 gas from a supplier, and installs it himself. If he has a service shop install the gas, the shop will always be able to furnish no more than the amount actually needed, from its service cylinders, and there will be no problem.

(b) [Revoked Apr. 2, 1945.]

Issued this 2d day of April 1945.

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

[F. R. Doc. 45-5287; Filed, Apr. 2, 1945; 11:53 a. m.]

#### PART 3270—CONTAINERS

[Supplementary Order L-103-b, Direction 2]

#### SECOND QUARTER 1945 CMP ALUMINUM ALLOTMENTS FOR CLOSURES

The following direction is issued pursuant to Supplementary Order L-103-b:

Notwithstanding the provisions of Order L-103-b, no person shall use any aluminum that he has received against his CMP allotment for the second calendar quarter of 1945 to manufacture closures, except closures designed for packing one or more of the products listed in Schedule B of the order. However, this prohibition shall not apply to a person's use of his second quarter CMP aluminum foil allotment for manufacturing liners for closures to pack any products.

Issued this 30th day of March 1945.

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

[F. R. Doc. 45-5173; Filed, Mar. 30, 1945; 5:04 p. m.]

#### PART 3133—PRINTING AND PUBLISHING

[Limitation Order L-240, Supp. 1, as Amended Apr. 2, 1945]

#### NEWSPAPERS

§ 3133.6a General Limitation Order L-240, Supplement No. 1—(a) Purpose of appeal clause. The serious shortage in the supply of print paper available for newspapers makes it necessary for publishers to reduce their consumption substantially, as provided in Order L-240. Such reductions may create serious hardships which, however, are unavoidable in time of war. Appeals are not granted to ameliorate, in individual cases, hardships applicable to an entire industry. They are granted only to provide relief, subject to the provisions of paragraphs (b) to (g), from certain undue and excessive hardships which would be created if the order were applied without modification to an exceptional set of circumstances. Appeals which do not establish such hardships shall be denied.

(b) No automatic adjustments. Paragraph (f) of this supplement describes the types of hardships for which quota adjustments shall be made by the War Production Board on appeal. These adjustments, however, are not automatic. A publisher who believes that his case is covered by one of the subparagraphs of paragraph (f) may not make his own adjustment of his consumption quota. No publisher may use any paper in excess of his consumption quota, computed in accordance with paragraphs (j) to (m) of Order L-240, unless he files an appeal for such relief and a grant is made in writing signed by the Recording Secretary of the War Production Board.

(c) Adjustments of base tonnages. Wherever appropriate, grants on appeal shall be made in the form of adjustments of a publisher's base tonnage which shall continue to be effective in future quarters, subject to re-examination and modification at any time by the War Production Board.



(d) *Effective date of base tonnage adjustments.* Adjustments of base tonnages are not retroactive. A publisher whose base tonnage is adjusted, on appeal, does not receive, by virtue of such adjustment, a "carry-over of unused tonnage" from any quarter before the issuance of the appeal grant.

(e) *Application of curtailments.* Constructive base tonnages granted on appeal are subject to the curtailments required by paragraph (k) of Order L-240 as amended from time to time.

(f) *Types of hardship for which relief shall be granted.* In passing upon appeals under Order L-240 the following standards shall govern:

(1) *Extraordinary population increase accompanied by circulation increase.* Where there has been an extraordinary growth of population in a newspaper's trading area since December 31, 1942, its consumption quota shall be increased as follows:

(i) Ascertain the percentage of population growth in the newspaper's trading area since December 31, 1942. Census Bureau figures shall be controlling in those areas where there has been a more recent enumeration than the 1940 Decennial Census. In other areas the percentage of population growth shall be determined on the basis of public utility company records of customers for domestic electric service.

(ii) Ascertain the percentage of the newspaper's net paid circulation increase in its trading area. This shall be measured by the average net paid circulation in its trading area for the first quarter of 1945 over the average net paid circulation in its trading area for the year 1942. Increased circulation resulting from promotional sales efforts shall not be included.

(iii) Subtract  $7\frac{1}{2}$  from the lower of the percentage figures determined under paragraphs (i) and (ii).

(iv) Apply the resulting percentage to that portion of the newspaper's adjusted base tonnage which corresponds to the ratio of its trading area net paid circulation to its total net paid circulation for the last two quarters of 1944.

(v) The resulting tonnage shall be added to the newspaper's consumption quota.

(vi) *Example.* Assume that there was a 10% population growth in a newspaper's trading area (computed in accordance with paragraph (i) above) and that the increase in the newspaper's trading area circulation was 9% (computed in accordance with paragraph (ii) above). Subtracting  $7\frac{1}{2}$  from the lower of these two percentage figures, in accordance with paragraph (iii), gives an adjustment factor of  $1\frac{1}{2}\%$ . Assume that the newspaper's adjusted base tonnage was 1,000 tons and that its total circulation in the last two quarters of

1944 was 100,000 of which 80,000 was within its trading area. The ratio of trading area circulation to total circulation is therefore 80%. This percentage of 1,000 tons is 800 tons. Applying the adjustment factor of  $1\frac{1}{2}\%$  to 800 tons results in an addition of 12 tons to newspaper's consumption quota.

Additional adjustments shall be made for newspapers in trading areas whose population has increased more than 50% since the 1940 Decennial Census, in order to maintain adequate newspaper service in the trading area.

Tonnage under this paragraph (f) (1) is granted to provide circulation service for the additional population in the newspaper's trading area. If a newspaper which has received additional tonnage under this paragraph does not use it for that purpose, any grant to which it would be entitled under this paragraph in the succeeding quarter shall be reduced accordingly. Increased circulation resulting from promotional sales efforts shall not be a factor for grant of additional tonnage.

(2) *Extraordinary circulation increase.* Where a newspaper's average net paid circulation in its trading area for the second quarter of 1943 exceeds its average net paid circulation in the trading area for the year 1942 by more than 10%, that portion of the newspaper's adjusted base tonnage which corresponds to the ratio of its trading area net paid circulation to its total net paid circulation for the last two quarters of 1944 shall be increased to the extent of such circulation increase in excess of 10%, without the necessity of establishing any population growth, provided such circulation increase has been maintained. Increased circulation resulting from promotional sales efforts shall not be included.

(3) *Discontinuance or merger of newspapers.* Adjustments in consumption quota shall be made in order to maintain adequate newspaper service in a community where there has been a discontinuance or merger of newspapers.

(4) *Supplements added in 1941 or 1942.* Adjustments in consumption quota shall be made for newspapers which added supplements in 1941 or 1942. Such adjustments shall be made only to the extent that the newspaper's total content was increased by the addition of the supplements and such increase was not reflected in its base tonnage and only to the extent it appears that because of contractual relationships undue hardship would be caused by a failure to make such adjustments.

NOTE: Paragraphs (5), (6), (7) and (8) formerly (6), (7), (8) and (9). Former paragraph (5) deleted Aug. 12, 1944.

(5) *Temporary suspension.* Newspapers which were forced to suspend publication temporarily during 1941 because of strikes, fires, or similar conditions shall

be granted compensatory increases in their base tonnages, to the extent that it was impracticable to continue operations at another plant.

(6) *Change in roll size.* Publishers who reduced the width of their newspaper rolls in 1941 shall be granted compensatory increases in their base tonnages.

(7) *Increased frequency of issuance.* Publishers who increased the frequency of issuance of their newspapers in 1941 and 1942 shall be granted adjustments of their base tonnages to permit continued publication at the frequency of issuance established before Order L-240 was issued, on December 31, 1942.

(8) *Extraordinary hardships.* Appeal tonnage shall not be recommended by either the administrator or the Division Appeals Committee or granted by the Appeals Board for causes other than those enumerated in subparagraphs (1) to (7) of this paragraph (f) except where unforeseen, unusual, extraordinary or emergency conditions constituting undue and excessive hardship are proved. Certain factors which shall not be recognized as grounds for the granting of appeal tonnage are described in paragraph (g).

(g) *Factors which shall not be considered as grounds for granting appeals.* The following is a list of some of the factors which shall not be considered as grounds for the granting of tonnage on appeal. This list is not exclusive.

- (1) The nature of a newspaper's contents.
- (2) Diminished base period consumption because of financial conditions.
- (3) Suspension of publication in 1941 or 1942 except as provided in paragraph (f) (5).
- (4) Population or circulation increase, except as provided in paragraph (k) (2) of Order L-240 or paragraphs (f) (1) or (f) (2) of this supplement.
- (5) Retarded circulation growth caused by a price increase in 1941 or 1942.
- (6) Conservation of paper at any time except as provided in paragraph (f) (6).

[NOTE: Paragraphs (7) through (13) formerly (8) through (14). Former paragraph (7) deleted Aug. 12, 1944.]

(7) Change in number of advertising lines at any time, except as provided in paragraphs (f) (3) and (f) (4).

(8) Unsold copies or circulation returns.

(9) Special events such as war bond drives, recruiting drives, war news, political news, etc.

(10) Inability to maintain or increase advertising lines under existing quotas.

(11) The fact that additional tonnage was granted on appeal to a competitor.

(12) Request to use in a newspaper started since December 31, 1942, more tonnage than that permitted in paragraph (m) of Order L-240.

(13) Consumption of print paper in violation of Order L-240, whether or not such violation was wilful.

#### Procedure

(h) *How appeals are submitted.* Appeals from Order L-240 may be filed by addressing a letter in duplicate to the War Production Board, Printing and Publishing Division, Washington 25, D. C. Ref: L-240.

(i) *Form of appeals.* The letter of appeal need not follow any particular form. It should state informally, but complete-



ly, the particular provision appealed from, the precise relief desired, the subdivision of paragraph (f) upon which the appellant relies, and the reasons why denial of the appeal would result in undue and excessive hardship.

(j) *Denials by administrator.* Appeals may be denied in the first instance by the administrator of the order.

(k) *Re-appeal from denial by administrator.* When an appeal has been denied by the administrator of the order, the appellant may re-appeal, within 15 days after the letter of denial is mailed, by addressing a letter to the War Production Board, Printing and Publishing Division, Washington 25, D. C. Ref: L-240. This letter may contain simply a request that the case be forwarded to the Appeals Board of the War Production Board. Any additional information which the appellant cares to submit at this time will also be forwarded to the Appeals Board.

(l) *Grant of appeals.* Although the administrator of the order may deny an appeal in the first instance, only the Appeals Board has the power to grant relief in individual cases from the provisions of the order.

(m) *Recommendation of grant by the administrator.* The administrator of the order may recommend that an appeal be granted in whole or in part. In that event the case shall be forwarded to the Appeals Board with the written recommendation of the administrator and the written concurrence or non-concurrence of each member of the Division Appeals Committee, consisting of himself, the administrators of Orders L-241, L-244, and L-245, the Assistant Director of the Printing and Publishing Division for Labor, and representatives of the Office of Civilian Requirements and the Conservation Division.

(n) *Optional reference to Appeals Board by administrator.* The administrator of the order may, if he desires, refer a case to the Appeals Board with a recommendation of denial or with no recommendation at all.

(o) *Hearings by Appeals Board.* If the Appeals Board desires to obtain additional facts not contained in the file it may, in its discretion, hold a public hearing on any appeal. To the extent consistent with the necessity for emergency relief, a schedule of hearings shall be made up in advance. Information concerning the time and place of any scheduled hearing shall be available at the office of the Appeals Board at any time during business hours.

(p) *Conduct of hearing.* Hearings by the Appeals Board are open to the public. All interested parties may attend and, in the discretion of the Board, may be heard. The hearings are informal and the Board is not bound by legal rules of evidence. It is not necessary for an appellant to be represented by counsel although he may do so if he wishes.

(q) *Decision by Appeals Board.* The Appeals Board may grant or deny an appeal in whole or in part. It may also attach conditions to a grant.

(r) *Finality of decisions.* The decisions of the Appeals Board shall be final, unless that Board elects to reopen the case.

(s) *Publication of grants.* Grants on appeals shall be announced publicly at least every two weeks.

(t) *Announcement of grounds of decision.* Whenever a grant is made for "unforeseen, unusual, extraordinary or emergency conditions" under paragraph (f) (8), a brief memorandum of the basis of the decision shall be made public by the Appeals Board within two weeks, and the decision shall be treated as a precedent in future situations of an identical character.

(u) *Amendment of supplement.* Whenever a new standard is developed, the supplement shall be amended to set forth that standard.

(v) *Public files.* Public files shall be set up in all cases, including those filed before as well as after October 7, 1943, whether or not they resulted in a grant. They shall be available for public inspection at any time during the business hours of the War Production Board. The public files shall include:

1. All papers filed by the appellant in support of the appeal except those portions which contain confidential data.
2. All memoranda by War Production Board officials containing recommendations for or against the allowance of the appeal.
3. Copy of all letters of grant or denial.
4. A transcript of the record of any public hearing (or if the stenographic notes of the hearing have not been transcribed, a memorandum referring to the notes and stating how a transcript may be obtained).

(w) *False representations.* All grants on appeal are conditional upon the validity of the statements submitted in support thereof. Any person who willfully conceals a material fact or furnishes false information in connection with an appeal, whether orally or in writing, is guilty of a crime and upon conviction may be punished by fine or imprisonment or both, as provided in section (35) (A) of the United States Criminal Code.

Issued this 2d day of April 1945.

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

[F. R. Doc. 45-5290; Filed, Apr. 2, 1945;  
11:53 a. m.]

#### PART 3270—CONTAINERS

[Limitation Order L-336, as Amended Apr. 2, 1945]

#### SANITARY FOOD CONTAINERS

Section 3270.61 *Limitation Order L-336* 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 sanitary food containers for defense, for private account and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3270.61 *Limitation Order L-336*—(a) *What this order does.* This order places limitations on the manufacture, delivery, and use of various types of sanitary food containers. Among other restrictions, liquid tight paper containers may only be sold to package food for human consumption, and paper milk containers

may only be sold to package fluid milk, other dairy products, or fruits and vegetable juices. The use of hot drink cups is limited and a monthly quota is placed on the use of such cups. A one-time certificate is required for delivery of hot drink cups, cold drink cups, flat bottom dishes, liquid tight paper containers, and paper milk containers. The use of MRO ratings is restricted.

(b) *Definitions.* Wherever used in this order: (1) "Sanitary food containers" mean paper food containers, paper cups, paper milk containers and liquid tight paper containers.

(2) "Paper food containers" mean all empty round nested containers, with or without lids, made of paper or paperboard but excluding wedge-shaped food pails and nested paper plates.

(3) "Paper cups" mean all empty open nested cups, with or without lids, made of paper, including but not limited to hot drink cups, cold drink cups, hot food cups, dishes (including flat bottom dishes), water cups, and portion control cups. The term shall not include cups of the flat envelope type.

(4) "Hot drink cups" mean all cups made directly from moulded pulp, or all untreated tall cups, double-wrapped or single-wrapped of comparable weight, which are suitable for dispensing hot beverages. The term shall include all cups which at any stage of their manufacture fall within this definition of "hot drink cups."

(5) "Cold drink cups" mean all one or two-piece cups, treated or untreated, of 6-ounce size or larger, which are not suitable for dispensing hot beverages.

(6) "Hot food cups" mean all untreated squat cups, 8 to 16 ounce inclusive, double-wrapped or single-wrapped of comparable weight, which are suitable for dispensing hot foods. The term shall include all cups which at any stage of their manufacture fall within the definition of "hot food cups."

(7) "Flat-bottom paper dishes" mean all four to seven ounce shallow, flat-bottom cups, pleated or two-piece nested, having a minimum taper of fifteen degrees.

(8) "Paper milk containers" mean all treated paper containers, blank or folded cartons, which are commonly used to package fluid milk or fluid milk products.

(9) "Liquid tight paper containers" mean all spiral or convolute wound containers, made of paperboard, with a slip-on cover, which are commonly known in the trade as liquid tight containers.

(10) "Primary feeding" means the feeding of either food or hot beverages to persons, except feeding at gatherings of a purely social nature as at teas, parties or dances.

#### Restrictions on Manufacturers

(c) *General restriction on manufacture, sale or delivery.* No person shall manufacture, sell or deliver any sanitary food containers which he knows or has reason to believe will be accepted or used in violation of the terms of this order.

(d) *Restrictions on poundage of sanitary food container stock to be processed.* No manufacturer of sanitary food containers shall accept delivery of any



sanitary food container stock except as authorized by the War Production Board pursuant to Appendix B in Order M-241. A manufacturer may use the stock allocated to him only for the purpose for which it was allocated.

(e) *Maintenance of production of certain paper cups.* Commencing April 1, 1945, each manufacturer of hot drink cups, flat bottom cold drink cups or flat bottom dishes, shall maintain during each calendar quarter a production of each of these items equivalent to the highest quarterly production of that item attained during any calendar quarter beginning on or after October 1, 1943 to the extent permitted by paragraph (d) above and subject to contingencies beyond his control.

(f) *Distribution of production between military and civilian requirements.* (1) Regardless of preference ratings on other orders, each manufacturer of paper cups must set aside the following percentages of his production of paper cups in each month for delivery to the Army and the Navy (excluding domestic post exchanges and ship's service stores, but including those located outside of continental United States) in the sizes ordered by them: 35 per cent of his monthly production of 6 to 9-ounce hot drink cups inclusive (not more than 60 per cent of the total production of any one size to be produced need be included in the set-aside); 70 per cent of his monthly production of 6 to 9-ounce flat bottom cold drink cups inclusive; 100 per cent of his monthly production of 10 to 24-ounce flat bottom cold drink cups inclusive; 75 per cent of his monthly production of all flat bottom dishes. He must make this set-aside in the following proportion to the Army and the Navy: 70 per cent of each of the above specified four classes of cups to be set aside shall be reserved exclusively to fill Army orders received on or before the 15th day of the preceding month, and the remaining 30 per cent shall be similarly reserved for the Navy. Any unordered portion of the Army set-aside shall be further reserved exclusively to fill Navy orders received on or before the 22nd day of the preceding month, and any unordered portion of the Navy set-aside shall be similarly reserved for the Army. In the event that on the 23rd day of any month, any portion of either the Army's or the Navy's set-aside remains unordered, such portion must be sold as provided in paragraph (f) (2). Set-asides under this paragraph shall be computed on the basis of number of cups.

(2) The balance of each manufacturer's production of hot drink cups, flat bottom cold drink cups and flat bottom dishes shall be used exclusively to fill orders other than Army and Navy orders (excluding domestic post exchanges and ship's service stores, but including those located outside the continental United States) in accordance with Priorities Regulation 1 and the provisions of this order.

(3) The above set-aside provisions shall not apply to the April 1945 production of flat bottom dishes.

(g) *Prohibited manufacture, sale or delivery.* No person shall manufacture, sell or deliver the following types of sani-

tary food containers if he knows or has reason to believe that they will be used for the purposes stated: (1) Liquid tight paper containers to package other than food for human consumption; but this restriction shall not apply to containers which were ordered for other purposes and which were in process of manufacture on or before April 2, 1945; (2) Paper milk containers for purposes other than packaging dairy products (including fluid milk), fruits and vegetable juices; but this restriction shall not apply to containers which were ordered for other purposes and which were in process of manufacture on or before April 2, 1945; (3) Packages of paper cups for retail sales, except that this restriction shall not apply to stocks of cups made up for retail sales which were on hand January 29, 1944; (4) Portion control or soufflé cups for retail sales or for party favors.

#### *Restrictions on Delivery and Use of Paper Cups*

(h) *One-time certificate for delivery of hot drink cups, cold drink cups, flat bottom dishes, liquid tight paper containers or paper milk containers.* No manufacturer, wholesaler or jobber shall sell or deliver any hot drink cups, cold drink cups, flat bottom dishes, liquid tight paper containers or paper milk containers after April 2, 1945, unless he has received from the purchaser a certification signed manually or as provided in Priorities Regulation 7. This certification shall be in substantially the following form and, once filed by a purchaser with a supplier, covers all future deliveries of any of such cups from the supplier to that purchaser:

The undersigned purchaser certifies, subject to criminal penalties for misrepresentation, that he is familiar with Order L-336 of the War Production Board, and that all purchases from you of items regulated by that order, and the use of the same by the undersigned will be in compliance with the order, as amended from time to time.

The standard certificate provided for in paragraph (d) of Priorities Regulation 7 cannot be used in place of the above certificate; nor may the certificate provided by this order be waived in accordance with paragraph (f) of Priorities Regulation 7.

(i) *Restrictions on use of MRO preference ratings.*—(1) *Paper cups.* Only the persons described in paragraph (j) (2) below shall be permitted to use blanket MRO ratings assigned to them by any regulation or order of the War Production Board (including CMP Regulation 5, CMP Regulation 5A, and orders in the P or U series) to buy paper cups. However, hot drink cups purchased on MRO ratings may only be used as prescribed in paragraph (j) (2) below. Paper cups (other than hot drink cups) may be used for any purpose, except in the following two cases: (1) The persons described in paragraph (j) (2) (viii) may only use such cups for the same purposes for which they may use hot drink cups. (2) The persons described in paragraph (j) (2) (iv) may only use such cups for the same purposes for which they may use hot drink cups except that they may also use them for serving cold beverages. Caterers or con-

cessionnaires, as described in paragraph (j) (2) (iv) below may also use their customer's MRO ratings to buy paper cups provided that such cups are only used for the purposes for which they may use cups purchased on their own MRO rating. Furthermore, such customer may distribute to such caterer or concessionnaire for feeding the customer's employees, any paper cups obtained by the customer upon his MRO rating. Except as permitted for caterers and concessionnaires, blanket MRO ratings may not be used by any person to get paper cups for commercially packaging food or other products for shipment or delivery. None of the persons described in paragraph (j) (2) below may use their blanket MRO ratings to buy paper cups which are to be sent to a commercial food packer to be filled and returned to them for use in feeding.

(2) *Other sanitary food containers.* No MRO ratings may be used by any person to buy paper food containers, paper milk containers and liquid tight containers.

(j) *Restrictions on acceptance of delivery, or use of hot drink cups.*—(1) *Use quota.* Except in the case of an individual for his personal use, no person permitted to use hot drink cups as provided in paragraph (j) (2) below shall use in any calendar month, beginning with April 1945, more hot drink cups than 75 percent of his average monthly consumption of hot drink cups during the months of January through March 1944. All authorizations for adjustment of quota made prior to April 1, 1945, shall not be affected by this restriction. Furthermore, this restriction shall not apply to the Army or Navy.

(2) *Persons permitted to use.* No person shall use hot drink cups except the following persons for the purposes indicated:

(i) Army and Navy (excluding domestic post exchanges and ship's service stores but including those located outside of continental United States) for any purpose.

(ii) Army post exchanges and Navy ship's service stores, located within the Continental United States, for a primary feeding purpose only.

(iii) Industrial establishments for primary feeding to their employees on their premises.

(iv) Caterers or concessionnaires for primary feeding of employees of one of the persons described in (iii) above, on such person's premises, and pursuant to a written agreement with such person.

(v) Veterans' Administration hospitals and all other hospitals for any purpose.

(vi) Red Cross for serving food or hot beverages at blood banks or for primary feeding purposes only.

(vii) USO for primary feeding purposes only.

(viii) Persons when engaged in serving food or drink in planes and trains.

(ix) Educational institutions for primary feeding only to their students and personnel.

(x) Any individual for his personal use.

(k) *Application to increase quota for use of hot drink cups.* The War Production Board may authorize an increase in



quota provided under paragraph (j) (1) above to any person where there has been an installation of new feeding facilities, or where there has been an increase in the number of workers in his establishment using such facilities, but only when there are no substitutes reasonably available for hot drink cups. Application for such an increase in quota shall be made by letter, in triplicate, to the field office of the War Production Board for the district in which is located the plant of the applicant to which the application relates. The following information shall be included in such letter:

(1) State approximate number of workers employed as of pay-roll period in:

(i) January, 1944;  
(ii) The month previous to the date of this application. (However, if in-plant feeding facilities are not under plant management, or contract, furnish other evidence of increased requirements such as number of servings).

(2) The method of feeding and approximate number of workers fed by Mobile Unit, Canteen or Cafeteria feeding.

(3) The number of servings of hot foods (including coffee), requiring use of hot drink cups:

(i) With regular meals;  
(ii) For between meal feeding.  
(4) Whether food service is operated by concessionaire, food contractor, or by plant management. (If not operated by plant management, furnish name and address of outside operator).

(5) Present inventory (at plant or being held by concessionaire) of hot drink cups.

(6) Number of hot drink cups received or set aside for his account during the period of January through March of 1944 from any source, such as manufacturer, paper distributor, or concessionaire, etc.

(7) Estimated 45-day inventory of hot drink cups.

(8) Whether all chinaware and dish-washing facilities are in use.

#### General Provisions

(1) *Inventory.* No person shall accept, have set aside or held for his account, any quantity of sanitary food containers which will increase his inventory for such containers to more than his reasonably anticipated requirements for the next 45 days, except that, whenever his inventory is less than a 45-days' supply, he may accept the minimum delivery required by his supplier under a published price list or sales policy in effect on October 29, 1943. No person shall order any quantity of sanitary food containers for delivery to him or for his account on any date, if receipt thereof on that date would increase his inventory of such containers to more than the amount permitted in the first sentence of this paragraph. This provision does not apply to the Armed Forces, Post Exchanges and Ship's Service Stores.

(m) *Appeals.* Appeals from Order L-336 shall be filed by addressing a letter, in triplicate, to the appropriate field office of the War Production Board. The letter of appeal need not follow any particular form. It should state informally,

but completely, the particular provisions appealed from, the precise relief desired, the reasons why denial of the appeal would result in excessive and individual hardship, and such other statistical and narrative information as may be pertinent.

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

(o) *Reports.* All paper food container or paper cup manufacturers shall file Form WPB-3366 in accordance with the instructions in that form. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. All persons affected by this order shall file such other reports and questionnaires as the War Production Board may request from time to time subject to the approval of the Bureau of the Budget.

(p) *Communications.* All inquiries relating to this order other than requests for authorization or appeals shall be addressed to the War Production Board, Containers Division, Washington 25, D. C., reference Order L-336.

Issued this 2d day of April 1945.

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

[F. R. Doc. 45-5292; Filed, Apr. 2, 1945;  
11:53 a. m.]

#### PART 3270—CONTAINERS

[Conservation Order M-115, Direction 1]

#### SECOND QUARTER 1945 LEAD QUOTAS FOR COLLAPSIBLE TUBES

The following direction is issued pursuant to Conservation Order M-115:

Notwithstanding the provisions of Order M-115, no person may during the month of April, 1945 accept delivery of collapsible tubes requiring more than one-third of the lead quota assigned to him by that order for the second calendar quarter of 1945.

Issued this 31st day of March 1945.

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

[F. R. Doc. 45-5188; Filed, Mar. 31, 1945;  
11:31 a. m.]

#### PART 3285—LUMBER AND LUMBER PRODUCTS [Order L-335, Direction 17]

#### SOUTHERN YELLOW PINE WHOLESALERS AND COMMISSION-MEN

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

(a) *To whom this direction applies.* This direction applies to every wholesaler and

commission-man who handles Southern Yellow Pine lumber. For the purposes of this direction, a "wholesaler" is any person who, in the normal course of his business, buys and resells Southern Yellow Pine lumber which at no time becomes a part of his yard inventory, or any person who, in the normal course of his business, buys Southern Yellow Pine lumber for or sells Southern Yellow Pine lumber to two or more distribution yards, one or more of which is not his own. It does not include a person who only operates a sawmill or concentration yard and who sells Southern Yellow Pine lumber as an incident thereto. A "commission-man" is a person who customarily represents and sells Southern Yellow Pine lumber for sawmills or concentration yards, receives his compensation in the form of commissions based on the amount of lumber sold, and is independent of both the buyer and the seller.

(b) *Wholesalers and commission-men must report on Form WPB-4207.* Starting with the month of April, every wholesaler and commission-man must file a monthly report with the War Production Board on Form WPB-4207. This report must be filled out in accordance with the instructions contained on the form. For the month of April this report must be mailed to the War Production Board not later than the 15th of April. Each month thereafter it must be mailed not later than the 10th day of the month for which the report is required. A wholesaler or commission-man, who does not file his report with the War Production Board for a particular month, is forbidden, during the period that the report would cover, to deliver, order for delivery, or sell, either for himself or for any other person, any Southern Yellow Pine lumber even though he has received certified orders for such lumber or has certified orders that he would be entitled to extend to get such lumber but for this direction.

(c) *Wholesalers and commission-men who have filed Form WPB-4207.* Unless otherwise notified by the War Production Board, any wholesaler or commission-man, who has filed his report on Form WPB-4207 as required by this direction, may order and sell Southern Yellow Pine lumber to the extent authorized by Order L-335 or one of the directions issued under that order. However, the War Production Board may, pursuant to paragraph (y) (2) of Order L-335, direct a wholesaler or commission-man to accept other orders either in addition to or in place of orders that are included in his report on WPB-4207.

(d) *Restrictions on delivery.* No person shall sell, ship, or deliver, or cause to be sold, shipped, or delivered, any Southern Yellow Pine lumber which he knows or has reason to believe will be accepted or sold in violation of the provisions of this direction.

(e) *Reports.* The above reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Any person shall execute and file with the War Production Board such other reports and questionnaires as the War Production Board may, from time to time, require subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(f) *Appeals.* Any appeal from the provisions of this direction shall be made by mailing a letter to the Lumber and Lumber Products Division, War Production Board, Washington 25, D. C., Ref.: L-335, Direction 17, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(g) *Applications and communications.* Form WPB-4207 for use in reporting under this direction may be obtained at any War Production Board district office. All communications, unless otherwise directed, must be addressed as follows: Lumber and Lumber Products Division, War Production Board,



Washington 25, D. C., Ref.: L-335, Direction 17.

Issued this 2d day of April 1945.

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

[F. R. Doc. 45-5293; Filed, Apr. 2, 1945;  
11:54 a. m.]

PART 3290—TEXTILE, CLOTHING AND  
LEATHER

[General Conservation Order M-310, Gen.  
Direction 16]

REQUIRED PROCESSING, DELIVERY AND USE OF  
INDIA TANNED GOATSKINS

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

(a) After April 2, 1945 any person processing or causing to be processed for his account, any India tanned goatskins shall process, or cause to be processed, into footwear leather, or set aside in the half tanned state for processing into footwear leather, or both, a quantity of goatskins at least equal to the square footage put into process for leather for other than footwear purposes.

(b) Each tanner or converter delivering or causing to be delivered for his account finished leather made from India tanned goatskins shall in each three calendar months period beginning with May, 1945, deliver for footwear at least 50% of the total square footage of India tanned goatskins delivered, in addition to complying with the provisions of paragraph (b) (8) of Order M-310.

(c) No person receiving India tanned goat-skin leather delivered or set aside for footwear purposes shall incorporate such leather in any product other than footwear.

(d) The restrictions of this direction shall not apply to India tanned goatskins or leather made therefrom which is processed and delivered to fill a specific military order (as defined in paragraph (a) (5) of Order M-310) which has actually been received and accepted.

(e) For the purpose of this direction "India tanned goatskins" means goatskins tanned in India.

Issued this 2d day of April 1945.

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

[F. R. Doc. 45-5291; Filed, Apr. 2, 1945;  
11:53 a. m.]

PART 3290—TEXTILE, CLOTHING & LEATHER

[Conservation Order M-317, Direction 13]

BANDAGE CLOTH

The following direction is issued pursuant to Conservation Order M-317:

(a) During the period beginning April 1, 1945, and ending April 30, 1945, no producer or intermediate processor shall deliver 38½" 44 x 36 8.60 bandage cloth on an order bearing a rating assigned under Group 6 of the AA-2X Preference Rating Schedule of Order M-317A unless the order bears a certification stating that the yardage will be used only for the manufacture of surgical dressings for delivery to the Army or Navy of the United States.

(b) Appeals from this direction may be filed under paragraph (g) (4) of Order M-328.

Issued this 30th day of March 1945.

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

[F. R. Doc. 45-5172; Filed, Mar. 30, 1945;  
5:04 p. m.]

PART 3290—TEXTILE, CLOTHING AND  
LEATHER

[Conservation Order M-328B, Supp. XIII to  
Schedule A]

The following Supplement XIII to  
Schedule A is issued pursuant to Con-  
servation Order M-328B § 3290.120a:

CHILDREN'S SNOW SUIT PROGRAM NO. 2

Item No.		Sizes	Table I prices	Table II prices
1	Snow or Ski Suits—(Toddlers)	1 to 4	\$4.75	\$7.75
2	Snow or Ski Suits—(Children's)	2 to 6X	6.75	10.75
3	Snow or Ski Suits—(Children's)	3 to 8	6.75	10.75
4	Snow or Ski Suits—(Children's)	7 to 14	8.75	12.75
5	Legging Sets or Coat and Ski Pants Sets—(Toddlers)	1 to 4	6.75	9.75
6	Legging Sets or Coat and Ski Pants Sets—(Children's)	2 to 6X	8.75	12.75
7	Legging Sets or Coat and Ski Pants Sets—(Children's)	3 to 8	8.75	12.75
8	Legging Sets or Coat and Ski Pants Sets—(Children's)	7 to 14	10.00	14.75
9	Separate Ski Pants—(Children's)	2 to 6X	2.50	3.75
10	Separate Ski Pants—(Children's)	3 to 8	2.50	3.75
11	Separate Ski Pants—(Children's)	7 to 14	3.25	4.75

FABRICS AND COMPONENTS FOR CHILDREN'S SNOW  
SUIT PROGRAM NO. 2

1. Melton type fleeces or napped fabrics (woven), 19 to 26 ounces. (54 inches to 60 inches width), 25 percent or more of wool by weight.
2. Knitted fleeces or knitted napped fabrics. (54 inches to 60 inches width).
3. Rayon taffeta or twill, for coat linings only in legging sets.
4. Broad woven cotton flannel in plaids, stripes and plain shades.
5. Soft filled sheeting for interlining to be used with rayon linings only.
6. Wristlets and anklets for items 1, 2, 3 and 4.
7. Anklets only for Items 5 to 11 inclusive, if needed.
8. Two zippers for each legging set, snow or ski suit. Zippers to be used only at the anklets of the leggings or ski pants. (5 inches through 9 inches inclusive).
9. ¼ yard buckram or canvas for each garment.
10. ¼ inch or ⅜ inch of #17 unbleached tape not more than 2 yards.
11. ¾-inch bias binding for bottoms of coats of legging set or coat and ski pants if made as open bottoms up to 1½ yards per garment.
12. ¼-inch elastic for belt of ski pants or leggings. Not more than 8 inches per garment.

FILING OF APPLICATIONS AND STANDARDS FOR  
PROCESSING THEM

(a) Application on Form WPB-3732 (set forth separately and identify in column (f) of Form: (1), 1944 production on your facilities for your own account; (2), 1944 pro-

duction on your facilities for the account of others; (3), 1944 production of others for your account).

(b) Application must be filed on or before April 15, 1945.

(c) These items will be required to be produced during the second, third and fourth quarters of 1945 in as near equal installments as deliveries of the fabric will permit.

(d) Applications will be considered only for the fabrics and components specified above. Applications calling for other fabrics or components will be denied.

(e) Applicants should base their estimated production on their present labor and machinery. If the quantity applied for is greater than that produced in 1944, a statement must be submitted describing facilities which are available now and were not used for this purpose in 1944.

(f) Priorities assistance will be granted to the extent of 60 percent of the fabric available for this program to persons producing these items at or below prices indicated in Table I above, and the remaining 40 percent will be allocated to those producing these items in prices at or below those indicated in Table II above. This does not, of course, authorize any person to exceed his OPA ceiling price for any item in this program. (For example: Item (1), Snow Suits or Ski Suits (Toddlers), sizes 1 to 4, at least 60 percent will be allocated to persons producing at \$4.75 or below and the remaining 40 percent will be allocated to those producing from \$4.76 up to and including \$7.75).

(g) Applicants when filing Form WPB-3732 must provide the following information:

(1) The item he wishes to produce, such as snow or ski suit, legging set or coat and ski pants set, or ski pants. Also identify the item by number—for example, snow or ski suit in size range 1 to 4 is #1—leggings set or coat and ski pants set in size range 1 to 4 is #5, etc.

(2) The size range.

(3) Price at which sold.

(4) Quantity in units of each item in each size range and in each price range.

(5) Type of materials used (such as melton type woven fleece or knit back fleeces). In addition to the information enumerated herein all other questions required by Form WPB-3732 must be answered.

(h) Each applicant who produced during the base period (1944) items listed in this program, must in producing such items from materials obtained with a rating under this program, meet the same specifications, including standards of quality, workmanship, inspection, pressing, folding, and all other operations pertinent to the preparation of the completed garments for marketing, used by the applicant in producing such items sold at the same or nearest higher price during the year 1944.

(i) Each applicant who did not, during the base period, produce the items for which he makes application, shall file with his application the specifications (including the proposed sales price) of the item he proposes to manufacture and, if required by the WPB, a sample. If his application is granted, the applicant must meet the specifications filed. These specifications shall include, but not be limited to, specifications as to dimensions, type of fabric, and stitches per inch, as well as such other essential points as may insure a quality garment, and the price at which the applicant proposed to sell each such item.

(j) Each applicant must include a statement under "remarks" on Form WPB-3732 stating which of the prices he has included in columns (d) and (e) of the form are approved OPA ceiling prices. If any of the prices included in columns (d) and (e) are not approved OPA prices, an explanation of the steps taken to obtain approved OPA ceiling prices must be included; in such cases priority assistance will not be given.



until notice of approval by OPA of a ceiling price is received by the War Production Board from the applicant.

(k) Applicants desiring to participate in the Children's Snow Suit Program No. 2 who did not produce such items during 1944 shall not sell more than 10 percent of the quantity of items produced with priority assistance granted under this program to any purchaser. Purchasers who are subject to common control shall be deemed a single purchaser.

(l) Application of any person able to produce the particular items in this program will be entertained.

(m) If the applications exceed the quantity of production of a particular item required under this program, grants of priority assistance will be apportioned equitably on the basis of production during 1944. However, any person who did not produce the item in 1944 and who wants to make it or whose facilities for the production of the item have increased since 1944 or who wants to increase the production of the item may apply for priorities assistance under the program, but his application will not be entertained unless it is accompanied by a signed statement setting forth the facilities or increased facilities he owns or has under contract for his exclusive use to produce the item(s) applied for within the program period. Where facilities or increased facilities are available because of a change from the production of other items, he must state whether production will be reduced on any other items and specify the items. Such applications will be granted on an equitable basis.

(n) Paragraphs (d) (1) and (d) (2) of Conservation Order M-328B do not apply to this program.

(o) Applications which do not provide completely and accurately the information required may be denied.

Issued this 2d day of April 1945.

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

[F. R. Doc. 45-5288; Filed, Apr. 2, 1945;  
11:53 a. m.]

#### PART 3290—TEXTILES, CLOTHING AND LEATHER

[Conservation Order M-328B, Supp. XIV to Schedule A]

The following Supplement XIV to Schedule A is issued pursuant to Conservation Order M-328B (§ 3290.120a):

MACKINAW, PEA COAT, AND COSSACK JACKET PROGRAM No. 1

Item No.		Price range	
		Table I	Table II
	<i>Mackinaws and pea coats</i>		
1	Men's, sizes 34-48.....	\$9.00	\$12.50
2	Boys', sizes 8-18.....	7.00	9.75
3	Juveniles', sizes 4-10.....	5.50	7.75
	<i>Cossack jackets</i>		
4	Men's, sizes 34-48.....	6.00	8.50
5	Boys', sizes 8-18.....	4.75	6.50
6	Juveniles', sizes 4-10.....	3.50	5.00

#### Types of material

1. "Mackinaw cloths" means: woven meltons and melton type and fleece fabrics of all widths weighing 26 oz. and over per linear

yard on a 56-inch width basis; and similar fabrics (of equivalent weights) suitable for men's and boys' utility jackets and mackinaws, including all fabrics of the kind reported by each woolen fabric manufacturer for any calendar quarter of 1944 on Form WPB-1420 on line 38.0 entitled "Melton, Mackinaw Jacket" and similar cloths weighing 26 oz. and over, or on line 36.5 under women's and children's top fabrics weighing 20 oz. and over. It includes only woven fabrics containing 25 percent or more by weight of wool fibre.

#### 2. "Linings:

Body lining in cotton plaids and napped fabrics for Items 2 and 3, only;  
Sleeve and pocket flap lining, 3 leaf twills, for Items 1, 2 and 3, only;

Pocket lining, Class "B", 40 inch—48 x 40—3.75 sheeting, for all items, 1 through 6 inclusive."

#### 3. Separating type slide fasteners to be used on cossack jackets only.

Application on Form WPB-3732 (set forth separately and identify in column (f) of form: (1), 1944 production on your facilities for your own account; (2), 1944 production on your facilities for the account of others; (3), 1944 production by others for your account).

Filing date: April 18, 1945.

(a) These items must be produced during the second, third and fourth calendar quarters of 1945 in as near equal proportions as deliveries of the fabric will permit.

(b) Priority assistance will be given only for the materials specified above. Applications requesting other fabrics will be denied.

(c) Priority assistance will be granted to the extent of 60 percent of the fabric available for this program to persons producing these items at or below prices indicated in Table I above, and the remaining 40 percent will be allocated to those producing these items in prices at or below those indicated in Table II above. This does not, of course, authorize any person to exceed his OPA ceiling price for any item in this program. (For example: Item (1) men's mackinaws and pea coats, sizes 34-48, at least 60 percent will be allocated to persons producing at \$9.00 or below, and the remaining 40 percent will be allocated to those producing from \$9.01 up to and including \$12.50.)

(d) Applicants must base their estimated production on their present labor and machinery. If the quantity applied for is greater than that produced in 1944, a statement must be submitted describing the facilities that are available now and were not used for this purpose in 1944.

(e) Applicants must provide the following information on Form WPB-3732:

(1) The item he wishes to produce, (such as men's mackinaws and pea coats) identified by the item number; for example, men's mackinaws and pea coats in size range 34 to 48 is Item No. 1; men's cossack jackets in size range 34 to 48 is Item No. 4, etc.

(2) Size range.

(3) The price at which sold.

(4) Quantity in units of each item in each size range and in each price range.

(5) Type of material used (such as mackinaw cloth, melton type or similar fabrics). In addition to the information enumerated herein, all other questions required on Form WPB-3732 must be observed.

(f) Each applicant who produced during the base period (1944) items listed in this program, must in producing such items from materials obtained with a rating under this program, meet the same specifications, including standards of quality, workmanship, inspection, pressing, folding, and all other operations pertinent to the preparation of the completed garments for marketing, used by the applicant in producing such items sold at the same or nearest higher price during the year 1944.

(g) Each applicant who did not, during the base period, produce the items for which

he makes application, shall file with his application the specifications (including the proposed sales price) of the item he proposes to manufacture and, if required by the WPB, a sample. If his application is granted, the applicant must meet the specifications filed. These specifications shall include, but not be limited to, specifications as to dimensions, type of fabric, and stitches per inch, as well as such other essential points as may insure a quality garment, and the price at which the applicant proposes to sell each such item.

(h) Each applicant must include a statement under "remarks" on Form WPB-3732 stating which of the prices he has included in columns (d) and (e) of the form are approved OPA ceiling prices. If any of the prices included in columns (d) and (e) are not approved OPA prices, an explanation of the steps taken to obtain approved OPA ceiling prices must be included; in such cases priority assistance will not be given until notice of approval by OPA of a ceiling price is received by the War Production Board from the applicant.

(i) Applicants desiring to participate in the Mackinaw, Pea Coat and Cossack Jacket Program No. 1 who did not produce such items during 1944 shall not sell more than ten percent of the quantity of items produced with priority assistance granted under this program to any purchaser. Purchasers who are subject to common control shall be deemed a single purchaser.

(j) Applications of any person able to produce the particular items in this program will be entertained.

(k) If the applications exceed the quantity of production of a particular item required under this program, grants of priority assistance will be apportioned equitably on the basis of production during 1944. However, any person who did not produce the item in 1944 and who wants to make it or whose facilities for the production of the item have increased since 1944 or who wants to increase the production of the item may apply for priorities assistance under the program, but his application will not be entertained unless it is accompanied by a signed statement setting forth the facilities or increased facilities he owns or has under contract for his exclusive use to produce the item(s) applied for within the program period. Where facilities or increased facilities are available because of a change from the production of other items, he must state whether production will be reduced on any other items and specify the items. Such applications will be granted on an equitable basis.

(l) Paragraphs (d) (1) and (d) (2) of Conservation Order M-328B do not apply to this program.

(m) Applications which do not provide completely and accurately the information required may be denied.

Issued this 2d day of April 1945.

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

[F. R. Doc. 45-5289; Filed, Apr. 2, 1945;  
11:53 a. m.]

#### PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Preference Order M-388,  
Direction 2]

EXTENSION OF TIME TO APRIL 15, 1945 FOR MANDATORY ACCEPTANCE OF AA-4 ORDERS

The following direction is issued pursuant to General Preference Order M-388:

The time until which producers, intermediate processors or importers may reject AA-4



rated orders for delivery in May and June, 1945 (as explained in paragraph (d) of M-388), is extended until April 15, 1945. Likewise, the reservation of set-asides and rated delivery quotas for 1943 customers under paragraph (d) (2) shall continue until April 15 with respect to deliveries to be made in May and June.

Issued this 30th day of March 1945.

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

[F. R. Doc. 45-5170; Filed, Mar. 30, 1945;  
5:04 p. m.]

#### PART 3305—PAPERBOARD

[Conservation Order M-378, Direction 1]

#### INCREASE MONTHLY RESERVE PRODUCTION TO 50 PERCENT COMMENCING APRIL, 1945

The following direction is issued pursuant to Conservation Order M-378:

Pursuant to the provisions of paragraph (c) of Order M-378, the designated amount of the monthly reserve production, commencing with April, 1945, shall be fifty percent of the average monthly finished production of paperboard which each manufacturer reported to the War Production Board on Form WPB-514 for the most recent three calendar quarters.

Issued this 31st day of March 1945.

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

[F. R. Doc. 45-5231; Filed, Mar. 31, 1945;  
4:00 p. m.]

#### PART 4500—POWER, WATER, GAS AND CENTRAL STEAM (NATURAL GAS)

[Utilities Order U-7, Special Directive C]

Whereas, upon investigation, it has been determined that:

(1) A critical shortage of natural gas exists on the system of Ohio Fuel Gas Company ("Ohio") which threatens gas deliveries to war producers and essential civilian services being served by Ohio;

(2) Additional supplies of natural gas can be transmitted into the system of Ohio through the facilities of the Panhandle Eastern Pipe Line Company ("Panhandle");

(3) Panhandle will have available during the months of April through October, 1945, varying amounts of gas in excess of its firm commitments to other utility systems and the requirements of its own consumers;

(4) Delivery of the aforementioned excess gas by Panhandle to Ohio will be in the public interest and will promote the national defense;

Therefore, it is ordered and directed pursuant to paragraphs (b) (3) and (b) (4) of Utilities Order U-7:

(a) Commencing April 1, 1945, and continuing until October 31, 1945, unless otherwise ordered by the War Production Board, Panhandle shall each day deliver to Ohio all the natural gas available on its system over and above the requirements of its utility customers and the requirements of all con-

sumers supplied with natural gas directly from the Panhandle System, including such additional requirements as may hereafter be authorized by the War Production Board under Utilities Order U-7: *Provided*, That the total amount of gas delivered hereunder during the period April 1, 1945, to October 31, 1945, shall not exceed 9 billion cubic feet.

(b) Ohio shall accept all deliveries tendered by Panhandle pursuant to the provisions of paragraph (a) above.

(c) Each week during the effective period of this Directive, Panhandle shall mail to the Office of War Utilities of the War Production Board, Washington, D. C., (Ref: U-7) a report setting forth:

Deliveries made each day at each main delivery point to Michigan Consolidated Gas Company, Consumers Power Company, East Ohio Gas Company and Ohio.

Issued this 31st day of March 1945.

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

[F. R. Doc. 45-5192; Filed, Mar. 31, 1945;  
11:31 a. m.]

#### Chapter XI—Office of Price Administration

##### PART 1351—FOOD AND FOOD PRODUCTS

[2d RMFR 319]

##### CERTAIN BAKERY PRODUCTS

This revised regulation supersedes Revised Maximum Price Regulation 319 insofar as it establishes maximum prices for the sale of certain bakery products as that term is defined herein.

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

##### Sec.

- 1 Applicability.
- 2 Sales at other than maximum prices.
- 3 Definitions.
- 4 Maximum prices of producers must be calculated and reported.
- 5 Maximum prices of producers who made at least twenty-five percent of their total net sales to retailers during base period.
- 6 Maximum prices of producers who sold to ultimate consumers, and made less than twenty-five percent of their total net sales to retailers during base period.
- 7 Maximum prices of producers who sold to wholesalers and routesellers and made less than twenty-five percent of their total net sales to retailers during base period.
- 8 Maximum prices of producers who made no sales during base period.
- 9 Maximum prices of wholesalers, routesellers and retailers.
- 10 Recalculation and reporting of maximum prices.
- 11 Optional method of recalculating maximum prices on sales of pies.
- 12 Price changes may be reflected in unit weight changes.
- 13 Modification of maximum prices.
- 14 Maximum prices for new products.
- 15 Additions to maximum prices for wrapping and packaging.
- 16 Prices to ultimate consumers on packaged items must be shown.

##### Sec.

- 17 Posting requirements for sales at retail.
- 18 Notice of retailer's maximum prices.
- 19 Records and reports.
- 20 Evasion.
- 21 Licensing.
- 22 Enforcement.
- 23 Interpretations, protests and petitions for amendment.
- 24 Reasonable tolerance permitted.

Appendix A: Bakery products covered by this regulation and appropriate base period for calculating maximum prices.

AUTHORITY: § 1351.1901 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

SECTION 1. *Applicability*—(a) *Commodities covered by this regulation*. This regulation sets up rules for determining maximum prices for the sale of certain bakery products. It is not intended to cover every item which might be considered a bakery product, but is limited to pastries, doughnuts, sweet yeast raised goods, pies, fruit cakes and all other cakes except cookies. It continues the pattern laid down by Maximum Price Regulation 319 and Revised Maximum Price Regulation 319 under which maximum prices for these products have heretofore been determined.

(b) Except as otherwise provided in paragraph (c) of this section, this revised regulation shall apply to all sales of commodities covered hereby within the 48 states and the District of Columbia.

(c) *Exempt sales*. (1) The maximum prices for export sales shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation issued by the Office of Price Administration.

(2) Sales or deliveries of any commodity covered by this regulation to the War Department or the Department of the Navy of the United States shall be exempt from this regulation, but sales or deliveries of any such commodity to post exchanges or ships' stores shall be subject to this regulation.

(3) Whenever circumstances of emergency make the purchase of any commodity subject to this regulation by the United States or any of its agencies imperative, and it is impossible to secure or unfair to require immediate delivery at the maximum price which would otherwise be applicable, such purchases and deliveries may be made pursuant to the provisions of section 4.3 (f) of Revised Supplementary Regulation No. 1 to the General Maximum Price Regulation, as amended: *Provided, however*, That the Administrator may, by order, waive the reporting of any part of the information required by section 4.3 (f) in connection with a particular purchase or group of purchases upon determining that such information may not reasonably be required under all the circumstances, and he may, in lieu thereof, require the reporting of other information more suitable to the circumstances.

(4) On sales and deliveries of any commodity subject to this regulation to a procurement agency of the United States involving extra packing expenses, the seller or any subcontractor under the seller's contract with the United States may add to the maximum prices



specified herein the appropriate amounts for special packing as provided in Revised Supplementary Order No. 34.

**SEC. 2. Sales at other than maximum prices.** (a) Regardless of any contract or obligation, no person shall sell or deliver, and no person shall in the course of trade or business buy or receive, any of the commodities covered by this regulation at prices above the maximum prices established by this regulation, nor shall any person agree, solicit, offer or attempt to do any of the foregoing.

(b) Prices lower than the maximum prices established by this regulation may, of course, be charged or paid.

**SEC. 3. Definitions.** When used in this regulation, the following terms shall have the following meanings:

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

(b) "Producer" means with respect to any lot of the commodities covered by this regulation the person who baked, manufactured, produced or processed the same in the operation of a producing plant.

(c) "Wholesaler" means with respect to any lot of bakery products any person, other than a routeseller, who purchases a commodity covered by this regulation for resale to any person other than an ultimate consumer.

(d) "Retailer" means with respect to any lot of bakery products any person, other than a routeseller, who purchases a commodity covered by this regulation for resale to ultimate consumers. It includes restaurants, cafes, cafeterias, hotels and all other eating places purchasing a commodity covered by this regulation for resale or distribution to their customers and all institutions, public or private, purchasing the same for resale or distribution to their customers or inmates, except that maximum prices established by section 9 hereof shall not apply to sales by eating places for consumption on the premises.

(e) "Routeseller" means with respect to any lot of bakery products any person who purchases a commodity covered by this regulation for resale from a vehicle operated by him over a regular route.

(f) "Direct labor costs" means with respect to any lot of bakery products the labor costs involved in the manufacturing, packing, and preparation for shipment, but shall not include the labor involved in the purchase of ingredients and supplies, plant and machinery maintenance, or distribution, selling, advertising and administrative expenses. Direct labor costs are those costs per unit of the commodity to be priced determined by the producer's actual costs thereof as reported in April 1943 but calculated at a rate not higher than the highest wage rate paid by him in March 1942 for each class of labor involved in the production of the commodity. If the producer employs a class of labor included in "direct labor costs" which he did not employ during March 1942,

he shall take the highest wage rate paid in March 1942 by a producer of the same or a comparable commodity, operating under the most nearly comparable conditions, who did employ that class of labor during March 1942.

(g) "Labor costs previously reported" means the direct labor costs which were calculated and reported in April 1943 under Maximum Price Regulation 319 based on the highest wage rate paid during March 1942, or which have since been reported under the provisions of Revised Maximum Price Regulation 319 or this regulation.

(h) "Cost of ingredients and packaging materials" means the cost of ingredients and packaging materials to the producer, not exceeding the maximum price thereof, when purchased at his usual source of supply and in quantities normally purchased by him.

(i) "Markup" means the markup established on the particular commodity in question for a sale to a particular class of purchaser pursuant to the provisions of Maximum Price Regulation 319, Revised Maximum Price Regulation 319 or this regulation.

(j) "Bakery products" means pastries, doughnuts, sweet yeast raised goods, pies, fruit cakes and all other cakes except cookies.

**SEC. 4. Maximum prices of producers must be calculated and reported.** If you are a producer making any bakery product covered by this regulation, you cannot sell such commodity until you have calculated and reported your maximum price to the Office of Price Administration. If you have previously filed such report under Revised Maximum Price Regulation 319, or if you are the transferee of a bakery plant and your transferor has filed such report, it shall satisfy the requirements of this regulation until a further report is required to be made.

**SEC. 5. Maximum prices of producers who made at least twenty-five percent of their total net sales to retailers during base period.** If you are a producer of bakery products and made at least twenty-five percent of your total net sales of such products to retailers during the applicable base period referred to in Appendix A, you have already calculated and reported your maximum prices for such sales under Revised Maximum Price Regulation 319. This regulation continues such maximum prices without change, subject to recalculation as provided in section 10 of this regulation.

(a) *On sales to ultimate consumers.* Your maximum price on sales of bakery products to ultimate consumers shall be the maximum price which you were last required to report for your sales to retailers, multiplied by one hundred twenty-five (125) percent.

(b) *On sales to wholesalers and routesellers.* Your maximum price on sales of bakery products to wholesalers and routesellers shall be the maximum price which you were last required to report for your sales to retailers, less twenty (20) percent.

**SEC. 6. Maximum prices of producers who sold to ultimate consumers, and made less than twenty-five percent of**

*their total net sales to retailers during base period.* If you are a producer of bakery products and sold such products to ultimate consumers and made less than twenty-five percent of your total net sales of such products to retailers during the applicable base period referred to in Appendix A, you have already calculated and reported your maximum prices for such sales under Revised Maximum Price Regulation 319. This regulation continues such maximum prices without change, subject to recalculation as provided in section 10 of this regulation.

(a) *On sales to retailers.* Your maximum price on sales of bakery products to retailers shall be the maximum price which you were last required to report for your sales to ultimate consumers, less twenty (20) percent.

(b) *On sales to wholesalers and routesellers.* Your maximum price on sales of bakery products to wholesalers and routesellers shall be the maximum price which you were last required to report for your sales to ultimate consumers, less thirty-six (36) percent.

**SEC. 7. Maximum prices of producers who sold to wholesalers and routesellers and made less than twenty-five percent of their total net sales to retailers during base period.** If you are a producer of bakery products and sold such products to wholesalers and routesellers and made less than twenty-five percent of your total net sales to retailers during the applicable base period referred to in Appendix A, you have already calculated your maximum prices for such sales under Revised Maximum Price Regulation 319. This regulation continues such maximum prices without change, subject to recalculation as provided in section 10 of this regulation.

(a) *On sales to retailers.* Your maximum price on sales of bakery products to retailers shall be the maximum price which you were last required to report for your sales to wholesalers and routesellers multiplied by one hundred twenty-five (125) percent.

(b) *On sales to ultimate consumers.* Your maximum price on sales of bakery products to ultimate consumers shall be the maximum price which you were last required to report for your sales to wholesalers and routesellers, multiplied by one hundred fifty-six (156) percent.

**SEC. 8. Maximum prices of producers who made no sales during base period.** If you are a producer of bakery products and made no sales of such products during the base period, you will not be able to classify yourself for the purpose of determining, recalculating and reporting your maximum prices under this regulation because you will not have had any "total net sales during the base period". In such case, and for the above purposes, you shall substitute your "total net sales during your first month of operations" for "total net sales during the base period" wherever the latter is specified in any provision of this regulation.

**SEC. 9. Maximum prices of wholesalers, routesellers and retailers.** The maximum prices of wholesalers, routesellers and retailers of bakery products shall be the maximum prices which their producers could charge for a sale to the



same class of purchaser, except that in the case of fruit cake the wholesaler or retailer may add the actual transportation cost incurred by him to such maximum price if he purchased such fruit cake f. o. b. the producer's plant and the producer's markup during the base period did not include the cost of delivery.

**SEC. 10. Recalculation and reporting of maximum prices—(a) Recalculation.** If you are a producer of bakery products covered by this regulation, you must recalculate your maximum prices for the sale of such products during the months of April and October of each year in the following manner:

(1) *Producers who made at least twenty-five percent of their total net sales to retailers during base period.* If you made at least twenty-five percent of your total net sales to retailers during the base period, you shall first refigure your maximum prices on sales of bakery products to retailers by taking the ingredient and packaging cost per unit at the time of such recalculation, and adding to this figure, the direct labor costs and markup previously reported by you. If the resulting figure is lower than the price last reported by you, you must report this recalculated price as your maximum price. If the resulting figure is equal to or higher than the maximum price you last reported, you need not report such recalculated figure if you are going to continue to use the same maximum price previously reported by you. If you desire to establish such higher price as your maximum price, you must report it as your new maximum price.

In order to figure your maximum prices on your sales to wholesalers, routesellers and ultimate consumers, you apply the same markups and discounts to your maximum price on sales to retailers which you used in paragraphs (a) and (b) of section 5.

(2) *Producers who sold to ultimate consumers, and made less than twenty-five percent of their total net sales to retailers during base period.* If you sold to ultimate consumers and made less than twenty-five percent of your total net sales to retailers during the base period, you shall first refigure your maximum prices on sales of bakery products to ultimate consumers by taking the ingredient and packaging cost per unit at the time of such recalculation and adding to this figure, the direct labor costs and markup previously reported by you. If the resulting figure is lower than the price last reported by you, you must report this recalculated price as your maximum price. If the resulting figure is equal to or higher than the maximum price you last reported, you need not report such recalculated figure if you are going to continue to use the same maximum price previously reported by you. If you desire to establish such higher price as your maximum price, you must report it as your new maximum price.

In order to figure your maximum prices on your sales to wholesalers, routesellers and retailers, you apply the same discounts to your maximum price on sales to ultimate consumers which you used in paragraphs (a) and (b) of section 6.

(3) *Producers who sold to wholesalers and routesellers and made less than twenty-five percent of their total net sales to retailers during base period.* If you sold to wholesalers and routesellers and made less than twenty-five percent of your total net sales to retailers during the base period, you shall first refigure your maximum prices on sales of bakery products to wholesalers and routesellers by taking the ingredient and packaging cost per unit at the time of such recalculation and adding to this figure, the direct labor costs and markup previously reported by you. If the resulting figure is lower than the price last reported by you, you must report this recalculated price as your maximum price. If the resulting figure is equal to or higher than the maximum price you last reported, you need not report such recalculated figure if you are going to continue to use the same maximum price previously reported by you. If you desire to establish such higher price as your maximum price, you must report it as your new maximum price.

In order to figure your maximum prices on your sales to ultimate consumers and retailers, you apply the same markups to your maximum price on sales to wholesalers and routesellers which you used in paragraphs (a) and (b) of section 7.

(b) *Reporting.* After you have recalculated your maximum prices as provided in paragraph (a) above, you shall file such prices with the appropriate office of the Office of Price Administration as indicated below within ten days after the expiration of the specified month for which such prices are recalculated:

(1) If you sold to ultimate consumers and made less than twenty-five percent of your total net sales to retailers during the base period, you must report your maximum prices for sales to ultimate consumers on OPA FORM NO. 634-2248<sup>1</sup> to the district office of the Office of Price Administration for the district in which you produced such product.

(2) If you sold to any other class of purchaser during the base period, you must report your maximum prices for sales to retailers or wholesalers and routesellers on such form to the Office of Price Administration at Washington, D. C. If you sold to ultimate consumers in addition to retailers, wholesalers or routesellers, you must file such report in duplicate with the Office of Price Administration at Washington, D. C.

(c) *Determination of direct labor costs and markup when unknown to producer.* If you are unable to determine your direct labor costs or markup for any product separately during the applicable base period set forth in Appendix A, or if you did not manufacture such product during the base period, you may use a combined figure for both your direct labor costs and markup. To determine this figure for a product which you produced during the base period, you must subtract the average ingredient and packaging costs from the price which you charged for the

product during the base period. For a product which you did not manufacture during the base period, you must subtract the ingredient and packaging costs from the maximum price first established for the sale of such product. In either case the resulting figure may be used by you in place of your direct labor costs and markup under this section and under section 11.

(d) *Adjustments of fraction of a cent.* If the figure resulting from the calculation of any maximum price contains a fraction of one-half cent or more, it shall be adjusted to the next higher cent and if it contains a fraction of less than one-half cent, it shall be adjusted to the next lower cent.

**SEC. 11. Optional method of recalculating maximum prices on sales of pies.** If you are a producer of pies, you may recalculate maximum prices on individual varieties or you may recalculate one price for all varieties of a given size. To determine one price for all varieties of a given size, you must figure the weighted average markup for pies of this size during the base period, to which you shall add the average cost of ingredients and packaging materials as of the time of recalculation, by weighting the cost of ingredients and packaging materials of each individual variety of that size by the volume of that variety and size produced by you during the six months prior to such time of calculation, plus the weighted average of the direct labor costs last reported by you. If you choose to recalculate your prices by this method, you must include all varieties produced in the particular size.

You must report your maximum price on your sales of pies to the appropriate office in accordance with the provisions of section 10 (b).

**SEC. 12. Price changes may be reflected in unit weight changes.** (a) If you are a producer and are required to decrease or desire to increase your maximum prices as determined under section 10 or 11, you may instead make changes in package or unit net weight to reflect the change in maximum price by dividing your existing maximum price per unit of the commodity by your maximum price as recalculated and then multiply the existing package or unit net weight of the commodity by the percentage so determined. The resulting figure shall be the new package or unit net weight for sales at the maximum price prevailing prior to the recalculation in question. Such package or unit net weight changes together with the applicable maximum prices must be reported to the Office of Price Administration as provided in section 10 (b).

(b) If you are a producer and you desire to increase the weight of a product and sell it at a specified higher price, you may increase the weight of the product so that the cost of ingredients and packaging materials in the enlarged product plus the markup and direct labor costs previously reported for the original item equal the desired maximum price. You must report such changes to the Office of Price Administration as provided in section 10 (b).

<sup>1</sup>Copies may be obtained at any District Office of the Office of Price Administration or they may be reproduced.



**SEC. 13. Modification of maximum prices.** Whenever a maximum price calculated and reported under this regulation is apparently based upon a miscalculation or appears to be excessive, the Office of Price Administration may require the filing of data supporting the price as calculated and reported.

If the supporting data does not substantiate the price as calculated and reported the Office of Price Administration may establish such maximum price as is justified by the data submitted, or if insufficient data is submitted, it may establish a maximum price consistent with the maximum prices for similar products produced by other sellers of the same class. Whenever the Office of Price Administration disapproves a maximum price as calculated and reported and establishes a different maximum price, it shall notify the producer in writing of the maximum price established for the sale of such product, and the producer shall not thereafter sell such product at a higher price.

**SEC. 14. Maximum prices for new products.** If you desire to produce a bakery product not previously manufactured by you, you must calculate and report your maximum price for sales of such product to the appropriate office of the Office of Price Administration specified in section 10 before making any sales thereof.

(a) Your maximum price for such product shall be your cost of ingredients and packaging materials at the time of calculation, plus your direct labor costs and markup as computed for a similar commodity produced by you. For the purposes of this section a "similar commodity" is a commodity which has (1) substantially the same cost at the time of determination, (2) is made from the same basic type of dough or batter and (3) has the same weight when completely finished and ready for wrapping or when ready for sale if sold unwrapped. In the case of pies, the similar commodity must have the same kind of filler; or

(b) If you are unable to determine a maximum price in such manner, you may take the cost of ingredients and packaging materials at the time of calculation and add thereto your direct labor costs and markup on the product produced by you having a greater weight but having the same form, basic type of dough or batter, and icing, filling or topping characteristics, adjusted downward in accordance with the ratio of the weight of the new product to the weight of the old product; or

(c) If you cannot establish a maximum price under subparagraphs (a) or (b) above, you shall apply to the regional office of the Office of Price Administration for the region in which you produce such product, for a maximum price therefor. Such application shall set forth (1) the reason why you are unable to establish a maximum price under the foregoing provisions of this section, (2) a detailed description of the product, including the brand name, if any, (3) an itemized breakdown showing the cost of each ingredient and packaging material

of the new product, (4) if you produce comparable products an itemized breakdown for your most nearly comparable product, and (5) the specific price desired for each producing plant for sales to each type of purchaser, f. o. b. your producing plant and delivered. The Regional Administrator for such region shall approve or disapprove said maximum price and, in the event of a disapproval, he shall proceed to determine a reasonable maximum price for such sale.

**SEC. 15. Additions to maximum prices for wrapping or packing.** If you are a wholesaler, retailer or routeseller and receive any bakery product unwrapped or unpackaged, you may add to your maximum price of such product the cost, not to exceed the maximum price thereof, of the packaging materials furnished by you.

**SEC. 16. Prices to ultimate consumers on packaged items must be shown.** (a) If you are a producer of bakery products and sell them packaged, you must print the maximum price to ultimate consumers on the packaging materials or otherwise show such maximum price on the label or other device attached to or inserted in the package so as to be readily seen by the purchaser, except (1) on sales to restaurants, cafes, cafeterias, hotels and all other eating places, (2) on sales to any class of purchaser of fruit cake sold on an f. o. b. basis during the base period and for which your markup was determined on an f. o. b. basis, and (3) on sales to ultimate consumers if you furnish a list to the purchaser containing the names of and your maximum prices for each bakery product which you offer for sale to such purchaser: *Provided*, That no sale shall be made to any purchaser after the expiration of 14 days from the day upon which such a list is delivered to such a purchaser.

(b) No person shall sell any packaged bakery product without having the price printed on the label or other device attached to or inserted therein when required under paragraph (a) of this section.

**SEC. 17. Posting requirements for sales at retail.** If you sell a commodity covered by this regulation at retail which is unwrapped or unpackaged or fruit cake which was purchased on an f. o. b. basis, you shall, on and after May 1, 1945, post your current selling price for each such item at or near the place in the store where it is offered for sale and where it can readily be seen by the purchaser. This provision shall not apply to sales by routesellers.

**SEC. 18. Notice of retailer's maximum price.** When any unpackaged item of any commodity subject to this regulation is sold by a producer, wholesaler or routeseller to a retailer or by a producer to a wholesaler or routeseller for the first time after the maximum price for it has been established or a new and different maximum price for it has been recalculated under this regulation, the seller

shall supply his purchaser with a written notice as follows:

#### NOTICE OF RETAILER'S MAXIMUM PRICE

The Office of Price Administration has established a new maximum price for retailers for sales by them of (insert name of commodity) at (insert retailer's maximum price for this commodity). This price was determined by multiplying producer's maximum price for sales of this commodity to retailers by 125 percent. The Office of Price Administration requires you to keep this information for public examination.

When the retailer receives this notice he shall keep it and make it available for public examination upon request.

**SEC. 19. Records and reports.** Every seller, and every purchaser in the course of trade or business, shall keep the following records for inspection by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, and the Stabilization Act of 1942, as amended, remain in effect:

(a) *Records in connection with the calculation and recalculation of maximum prices by producers.* (1) Copies of all reports filed under sections 10, 11, 12 and 14 of this regulation;

(2) Copies of all calculations made in order to file reports of maximum prices under sections 10, 11, 12 and 14 of this regulation. For products manufactured during the base period, he shall keep records and invoices showing the cost of each ingredient and packaging material, cost of delivery on delivered sales, payroll records of March 1942, labor costs as of April 1943 computed at rates as of March 1942, markup, and selling price during base period. For products not manufactured during the base period, he shall keep records and invoices showing the cost of each ingredient and packaging material, payroll records and direct labor costs figured at rates no higher than those of March 1942.

(b) *Records in connection with sales.* (1) For sales by the producer to wholesalers and routesellers, he shall furnish an invoice for each sale, showing the name and address of the purchaser, the items sold, the f. o. b. plant price or the delivered price, as the case may be, and the discounts allowed and the delivery cost, if any. A copy of each such invoice shall be retained by the producer.

(2) For sales to ultimate consumers, the seller shall keep his customary and usual records, and in addition, upon the request of any purchaser, shall furnish an invoice of the sale whether or not he customarily furnished such invoice.

(3) For sales to retailers, the seller shall keep his customary and usual records, and shall furnish sales invoices showing the name and address of each purchaser, the items so sold and the price received for each, if that was his custom prior to March 1942. In addition, he shall furnish such invoice of the sale, upon the request of the purchaser, whether or not he customarily furnished the same.

**SEC. 20. Evasion.** The provisions of this regulation shall not be evaded



whether by direct or indirect methods in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of any commodity covered by this regulation alone or in conjunction with any other commodity or by way of commission, service, transportation or other charge, discount, premium or other privilege or by tying agreement or other trade understanding or by any other means.

**SEC. 21. Licensing.** The provisions of Licensing Order No. 1 licensing all persons who make sales under price control are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

**SEC. 22. Enforcement.** Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for suspension of licenses, provided for by the Emergency Price Control Act of 1942, as amended.

**SEC. 23. Interpretations, protests and petitions for amendment.** Any person seeking an interpretation or an amendment of, or desiring to file a protest against, any provision of this regulation may do so in accordance with the provisions of Revised Procedural Regulation No. 1, as amended, issued by the Office of Price Administration.

**SEC. 24. Reasonable tolerance permitted.** Each individual item of a commodity produced by a baker need not weigh as much as the weight reported for the commodity under section 10. A reasonable tolerance shall be permitted as to individual items but the producer must comply with the purpose of section 10 by maintaining average weights that conform to the weight reported under that section.

#### APPENDIX A—BAKERY PRODUCTS COVERED BY THIS REGULATION AND APPROPRIATE BASE PERIOD FOR CALCULATING MAXIMUM PRICES

Bakery products:	Base period
Pastries.....	March, 1942.
Doughnuts.....	March, 1942.
Sweet yeast raised goods.....	March, 1942.
Pies.....	Sept. 14 to Oct. 11, 1941.
Fruit cake.....	Oct. 1 to Dec. 31, 1942.
All other cakes except cookies..	March, 1942.

**NOTE:** The record keeping provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This regulation shall become effective March 30, 1945.

Issued this 30th day of March 1945.

JAMES G. ROGERS, JR.,  
Acting Administrator.

[F. R. Doc. 45-5164; Filed, Mar. 30, 1945; 4:26 p. m.]

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

[Rev. RO 13,<sup>1</sup> Amdt. 54 to 2d Rev. Supp. 1]

##### PROCESSED FOODS

Section 1407.1102 (a) is amended to read as follows:

(a) Processed foods shall have the point values set forth in the Official Table of Point Values (No. 24) (OPA Form R-1313) which is made a part hereof.

This amendment shall become effective 12:01 a. m., April 1, 1945.

Issued this 30th day of March 1945.

JAMES G. ROGERS, JR.,  
Acting Administrator.

[F. R. Doc. 45-5165; Filed, Mar. 30, 1945; 4:26 p. m.]

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

[Rev. RO 16,<sup>2</sup> Amdt. 37 to 2d Rev. Supp. 1]

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

Section 1407.3027 (a) is amended to read as follows:

(a) Foods covered by Revised Ration Order 16 shall have the point values set forth in the Official Tables of Consumer and Trade Point Values (OPA Form R-1313) No. 24, and in the Official Table of Consumer Point Values for Kosher Meats (OPA Form R-1611) No. 24, which are made a part hereof.

This amendment shall become effective 12:01 a. m., April 1, 1945.

Issued this 30th day of March 1945.

JAMES G. ROGERS, JR.,  
Acting Administrator.

[F. R. Doc. 45-5166; Filed, Mar. 30, 1945; 4:26 p. m.]

#### PART 1418—TERRITORIES AND POSSESSIONS

[MPR 183,<sup>3</sup> Amdt. 69]

##### GROCERY PRODUCTS IN PUERTO RICO

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 183 is amended in the following respects:

<sup>1</sup> 9 F.R. 173, 908, 1181, 2091, 2290, 2553, 2830, 2947, 3580, 3707, 4542, 4605, 4607, 4883, 5956, 6103, 6151, 6450, 7344, 7423, 7433, 9169, 9170, 9266, 9278, 9896, 10264, 10877, 10876, 11273, 11513, 11906, 11961, 12813, 12867, 14061, 14643, 15002, 15054; 10 F.R. 48, 776, 924.

<sup>2</sup> 9 F.R. 6772, 6825, 7262, 7438, 8147, 8931, 9266, 9278, 9785, 9896, 10425, 10875, 10876, 10777, 11426, 11513, 11906, 11955, 11961, 12814, 12867, 14287, 14645, 15056; 10 F.R. 48, 521, 857, 293, 294.

<sup>3</sup> 9 F.R. 9213, 9236, 9996, 10425, 10498, 10777, 11075, 11543, 12212, 12598, 13002, 13526, 13805, 14301, 14108, 14942, 15156; 10 F.R. 459, 670, 748, 1263, 1144, 1147, 1704, 1788, 2585, 2687.

1. Section 20 Table 3 is amended by deleting the price "to wholesaler" of Peaches, Yellow Cling (halves), Del Monte case of 24/#2½ cans, and by adding new items to read as follows:

Items and brand names	Unit: case of—	Price at whole-sale	Price at retail (per unit)
Air Mail: peaches, yellow cling (sliced).	24/#2½ can.....	\$5.75	\$0.30
Comstock: apples (sliced).	12/20 oz. jar.....	3.25	.34
Exquisite: peaches, yellow cling (halves).	6/#10 can.....	5.65	1.20
Heart's Delight: pears, Bartlett (diced).	24/#2½ can.....	7.55	.39
Hunt: prunes, fresh purple.	24/#2½ can.....	5.50	.29
Libby's: apricot, halves.	24/#2½ can.....	7.65	.41
Pacific Gold: fruit cocktail.	24/#2½ can.....	7.65	.40
Premier: Cherries, Royal Ann, fancy.	24/#2½ can.....	11.60	.62
Figs, Kadota.....	24/#2½ can.....	8.75	.45
Peaches, yellow cling (halves).	24/#2½ can.....	7.35	.39
Plums, green gage.	24/#2½ can.....	7.00	.37
Rosedale: Pears, Bartlett (halves).	24/#2½ can.....	7.30	.38
Savella: Peaches, yellow cling (halves).	24/#2½ can.....	7.50	.38
Sunbeam: Prunes, Fresh Purple.	6/#10 can.....	4.60	.95
Choice S & W: Figs, Delphi—extra large.	6/#10 can.....	7.60	1.50
Plums, whole green gage.	6/#10 can.....	6.00	1.30
	24/#2½ can.....	7.00	.37

2. Section 20 Table 3a is amended by adding new items to read as follows:

Items and brand names	Unit: case of—	Price at whole-sale	Price at retail (per unit)
Alice Foote McDougal: Peaches S & W: Plum jam.	24/1 lb. jar.....	\$5.20	\$0.29
Fruitcrest: Apricot.	24/1 lb. jar.....	6.50	.34
Pineapple.	24/1 lb. jar.....	5.90	.39
Peach.	24/1 lb. jar.....	5.35	.20
Raspberry.	24/1 lb. jar.....	5.55	.39
	24/1 lb. jar.....	7.35	.32

3. Section 21 Table 4 is amended by adding new items to read as follows:

Items and brand names	Unit: case of—	Price at whole-sale	Price at retail (per unit)
Cloverbrook: Apple juice.	24/12 oz. bottle..	\$2.60	\$0.14
Crystal: Apple juice.	24/12 oz. can.....	2.95	.15
	12/quart bottle..	2.85	.29
Ensueno: Pear nectar.	48/12 oz. can.....	5.05	.13
Here's Health: Apricot nectar.	12/28 oz. bottle..	3.35	.34
King's Cup: Pear nectar.	48/12 oz. can.....	5.05	.13
Log Cabin: Apple juice.	24/12 oz. bottle..	2.35	.13
	24/16 oz. bottle..	3.15	.17
Libby's: Apricot juice.	24/12 oz. can.....	3.05	.17 or 2 for 33¢
Miller: Apple juice.	48/6 oz. bottle..	4.50	.11
Pacific Gold: Peach nectar.	48/12 oz. can.....	4.75	.13 or 2 for 25¢
Popular: Pear nectar.	48/12 oz. can.....	5.05	.13
S & W: Orange juice.	24/#2 can.....	5.90	.31



4. Section 22 Table 5a is amended by adding a new item to read as follows:

Item and brand name	Unit: case of—	Price at whole-sale	Price at retail (per unit)
Star: Corned beef hash.	24/16 oz. can.....	\$5.50	\$0.28

5. Section 22 Table 6a is amended by adding a new item to read as follows:

Item and brand name	Unit: case of—	Price at whole-sale	Price at retail (per unit)
Smithfield: Deviled Ham.	24/3 oz jar.....	\$7.00	\$0.35

6. Section 23 Table 7 is amended by adding new items to read as follows:

Items and brand names	Unit: case of—	Price at whole-sale	Price at retail (per unit)
Campbell: Black bean.....	48/1 can.....	\$5.75	\$0.15
Beef Noodle.....	48/1 can.....	7.07	.18
Consomme.....	48/1 can.....	7.07	.18
Dorset: Cream Vichyssoise.	24/17½ oz. can....	6.40	.33
Heinz: Beef with vegetable.	36/1 can.....	6.20	.21

7. Section 24 Table 8 is amended by adding new items to read as follows:

Items and brand names	Unit: case of—	Price at whole-sale	Price at retail (per unit)
Cupboard: Tomato sauce.	72/8 oz can.....	\$4.60	\$0.08
Madonna: Tomato paste.	100/6 oz can.....	8.00	.10
Snider: Chili sauce.	24/11 oz bottle....	4.95	.27

10. Section 29 Table 14 is amended by adding new items to read as follows:

Items and brand names	Unit: case of—	Price at wholesale	Price at retail (per unit)
Burry: Horn of Plenty Valentine.....	12/2½ lb. pkg.....	\$17.45	\$1.81.
Loose Wiles: Dixie vanilla.....	4/5¼ lb. pkg.....	\$14.50 doz.	\$1.50.
Forsted cakes.....	4/7¼ lb. pkg.....	\$0.258 lb.	\$0.32 lb.

11. Section 32 Table 18 is amended by adding new items to read as follows:

Items and brand names	Unit: case of—	Price at whole-sale	Price at retail (per unit)
Wilson's Certified: Oleomargarine.	24/1 lb. print....	\$0.26	\$0.30
Wilson's Savory: Oleomargarine.	32/1 lb. print....	.24	.28
Filbert's: Oleomargarine.	30/1 lb. print....	.23	.27
Golmar (Standard Brands Inc.) Oleomargarine.	32/1 lb. print....	.26	.27

8. Section 24 Table 9 is amended by adding a new item to read as follows:

Items and brand name	Unit: case of—	Price at whole-sale	Price at retail (per unit)
Libby's: Tomato juice.	12/5 can (47 oz.)	\$3.80	\$0.40

9. Section 25 Table 10 is amended by adding new items to read as follows:

Items and brand names	Unit: case of—	Price at whole-sale	Price at retail (per unit)
Comstock: Beets, diced.	24/2 can.....	\$3.10	\$0.16
Daisee: Beets, diced.	24/2 can.....	3.70	.20
Evangelina: Stringless beans, cut green.	24/2 can.....	3.15	.17
Caraline: Corn cream style.	24/2 can.....	3.95	.20
Jory: Beets, diced.	24/2 can.....	3.70	.20
Kett's Kettle: Stringless beans, cut green.	24/2 can.....	3.30	.17
Lakeview: String-beans, cut.	24/2 can.....	3.40	.17
Maryland Chief: Beets, cut.	24/2 can.....	2.80	.15
Stringless beans, extra standard, cut green.	24/2 can.....	3.65	.19
Old Mission: Pimientos.	48/6 oz can.....	11.00	.28
Phillips: Lima beans, Run of Garden.	24/2 can.....	5.15	.27
Premier: Beets, sliced.	6/10 can.....	4.35	.91
Carrots, diced.	6/10 can.....	4.50	.96
Stringbeans, cut green refugé.	24/2 can.....	4.95	.25
Stringbeans, cut #3 Sieve.	6/10 can.....	5.25	1.08
Queen: Carrots, diced.	24/17 oz can.....	3.60	.19
Tomatoes, Standard Peeled.	24/2 can.....	3.50	.19
Red Moon: stringless beans, cut green.	24/2 can.....	3.10	.16
Snider: Peas, fancy ungraded.	24/2 can.....	4.40	.22
Spinach.	24/2 can.....	3.65	.20
Tomatoes, solid.	24/2 can.....	3.20	.17
Squaw: Stringless beans, cut green.	24/2 can.....	3.20	.17
Sweet Life: beets, sliced.	24/2 can.....	3.75	.20

16. Section 42 Table 33f is amended by adding new items to read as follows:

Items and brand names	Unit: case of—	Price at wholesale	Price at retail (per unit)
Dorset: Chicken à la king.....	24/14 oz. can.....	\$13.30	\$0.72.
Anheuser-Busch: Malt syrup.	24/16 oz. jar.....	\$14.90	\$0.80.
	60 lb. keg.....	\$0.13 lb.	
	230 lb. barrel.....	\$0.125 lb.	
	600 lb. barrel.....	\$0.1125 lb.	
Maxwell House Tea.....	24/16 tea bags.....	\$3.30	\$0.18 per pkg. of 16 tea bags.

12. Section 32 Table 18a is amended by adding new items to read as follows:

Items and brand names	Unit: Case of—	Price at whole-sale	Price at retail (per unit)
Mazola: Vegetable oil.	6/1 gal can.....	\$11.35	\$2.35
Wesson: Vegetable Oil.	12/quart bottle...	7.15	.73

13. Section 33a Table 19a is amended by adding new items to read as follows:

Items and brand names	Unit: case of—	Price at whole-sale	Price at retail (per unit)
Gulf Food Products: Shrimps, dried.	pkgs of 10/10 paper bags.	\$50.00	\$0.65 lb.
L. A. P.: Shrimps, small (wet pack).	48/7 oz. can.....	14.80	\$0.40.
Del Monte: Red Alaska Sockeye Salmon.	48/3½ flat can...	11.85	\$0.32.
Natural: Pilchards.	48/15oz. oval can.	5.90	\$0.16.
Ocean Fresh: Squids, natural.	48/15 oz. can.....	8.00	\$0.21.
Queen: Caviar, domestic.	48/4 oz. jar.....	12.50	\$0.32.
Sun: Shrimps, large (wet pack).	48/7 oz. can.....	19.00	\$0.50.
Three Star: Shrimp, dried.	50 lb. wooden container.	26.40	\$0.68 lb.
S & W: Tuna, white meat.	48/7 oz. can.....	20.50	\$0.55.

14. Section 36 Table 23 is amended by adding new items to read as follows:

Items and brand names	Unit: case of—	Price at whole-sale	Price at retail (per unit)
Cervato: Wheat flour.	Bales of 4/25 lb. bags.	\$4.70	\$1.52
	Bales of 50/2 lb. pkgs.	6.55	.17
Bewley: Best wheat flour.	Bales of 20/5 lb. bags.	6.00	.39
	Bales of 10/10 lb. bags.	5.60	.72
	Bales of 10/10 lb. bags.	5.60	.72
Crown Mills: Canaria wheat flour.	Bales of 20/5 lb. bags.	6.00	.39
Premier: 4X enriched fancy patent flour.	Bales of 10/5 lb. bags.	3.60	.46

15. Section 39 Table 27 is amended by adding new items to read as follows:

Items and brand names	Unit: case of—	Price at whole-sale	Price at retail (per unit)
Prince: Maruzzi.....	20/16 oz. pkgs....	\$2.60	\$0.17



17. Section 42 Table 33h is amended by adding new items to read as follows:

Items and brand names	Unit: case of—	Price at whole-sale	Price at retail (per unit)
Alameda:			
Plain olives (selected).	12/1 lb 4 oz net jar.	\$6.90	\$0.74
Olives and capers.	48/4 1/2 oz net.....	2.05 doz.	.21
Kaweah: Green cocktail olives.	48/2 1/2 oz net jar.	5.60	.15
La Andaluza: Capers.	24/3 1/2 oz net or 5 fluid oz.	3.45	.18
Lippincott:			
Plain olives (placed).	24/3 oz net jar.....	3.50	.19
Stuffed Queen olives (placed).	24/4 1/2 oz net jar.....	4.65	.25
	36/5 oz net jar.....	9.50	.34

18. Section 42 Table 33i is amended by adding new items to read as follows:

Items and brand names	Unit: case of—	Price at whole-sale	Price at retail (per unit)
Evendale:			
Prunes, dried 30/40.	25 lb.....	\$5.40	\$0.28
40/50.	25 lb.....	5.25	.27
50/60.	25 lb.....	5.05	.26
Lake View: Prunes 50/60.	25 lb.....	4.30	.23
Mytynice: Prunes, dried 30/40.	25 lb.....	4.70	.24
Pansy (They R) Raisins, seedless.	36/11 oz. pkg.	4.45	.16
S & W:			
Prunes, dried 20/30.	25 lb.....	6.00	.31
60/70.	25 lb.....	5.25	.27

19. Section 42 Table 33m is amended by adding new items to read as follows:

Items and brand names	Unit: case of—	Price at whole-sale	Price at retail (per unit)
Heinz:			
Dill pickles.	4/12 jar.....	\$5.10	\$1.65
India relish.	12/10 oz. jar.....	2.60	.28
Sour pickles.	4/10 jar.....	3.70	1.20
Sweet pickles.	4/10 jar.....	7.00	2.25
	12/23 oz. jar.....	5.05	.55
Del Monte:			
Sweet pickles (whole).	12/24 oz. jar.....	5.55	.60
Chow chow.	12/24 oz. jar.....	4.70	.50
Sweet gherkins.	12/24 oz. jar.....	5.80	.61
Libby's:			
Sweet relish.	24/12 oz. jar.....	7.00	.38
Sweet mustard pickles.	24/12 oz. jar.....	7.00	.38
Luxury: Spaghetti sauce with meat.	24/10 1/2 oz. can.....	3.70	.20
Sunbeam: Dill pickles.	24/5 oz. bottle.....	3.35	.18
Tu-Jack: Spaghetti sauce with meat.	24/10 1/2 oz. can.....	3.70	.20

20. Section 45 Table 37 is amended by adding a new item to read as follows:

Item and brand name	Unit: Case of—	Price at whole-sale	Price at retail (per unit)
Armour: Corned beef briskets.	Pound.....	\$0.2750	\$0.35

21. Section 46 Table 38 is amended by adding new items to read as follows:

Items and brand names	Unit: case of—	Price at whole-sale	Price at retail (per unit)
Premium: Cooked specialty semidried sausage.	Pound.....	\$0.4625	\$0.65
Thuringer: Semidried sausage.	Pound.....	.36	.50

22. Section 47 Table 39 is amended by adding new items to read as follows:

Items and brand names	Unit: Case of—	Price at whole-sale	Price at retail (per unit)
Gold Dust: Cleanser.	24/14 oz. pkg....	\$1.50	\$0.08 or 2 for 16¢.
Invincible: Cleanser.	100/10 1/2 oz. cakes.	4.00	.06.
Palco: Cleanser.	48/14 oz. pkg....	2.30	.06.

23. Section 56 Table 46 is amended by adding new items to read as follows:

Items and brand names	Unit: Case of—	Importer whole-saler	Price at retail (per unit)
Wines, table, foreign:			
Gran Vino Blanco:			
Coneha y Toro.	12/1.....	\$16.50	\$1.90
San Jose.	12/1.....	15.50	1.80
Vino Blanco del Rhin: Undurraga.	12/1.....	15.25	1.75
Whiskey, American, blended:			
Shenley International Corp.: Flamingo.	12/4 1/5 quart.....	27.50	3.20

This amendment shall become effective April 5, 1945.

Issued this 31st day of March 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-5194; Filed, Mar. 31, 1945; 12:09 p. m.]

#### PART 1499—COMMODITIES AND SERVICES [2d Rev. SR 14, Amdt. 5]

##### WOOD EXCELSIOR AND WOOD WOOL

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.

Second Revised Supplementary Regulation 14 to the General Maximum Price Regulation is amended in the following respects:

In Article III a new section 3.8 is hereby added to read as follows:

SEC. 3.8 Baled basswood or poplar wood excelsior and baled basswood or poplar wood wool, Lake State Region. This section covers baled basswood or poplar wood excelsior and baled basswood or poplar wood wool (referred to below as wood excelsior and wood wool, respectively throughout this entire sec-

tion) produced only in the States of Michigan, Wisconsin and Minnesota.

(a) Maximum price for sales by producers in carload lots. Subject to paragraph (d) of this section, the maximum price, f. o. b. mill, carload lots, for sales by producers of wood excelsior and wood wool under this section shall be as follows:

(1) Maximum price, f. o. b. mill, carload lots.

##### PER NET TON

Fine wood excelsior	Ribbon wood excelsior	Extra fine wood excelsior	Wood wool	Superfine wood wool
\$25.75	\$26.75	\$27.75	\$38.25	\$48.25

(b) Maximum price for sales by producers in less than carload lots. Subject to paragraph (d) of this section, the maximum price, f. o. b. mill, less than carload lots, for sales by producers of wood excelsior and wood wool under this section shall be as follows:

(1) Wood excelsior and wood wool produced and sold by mills located in Michigan and Wisconsin. Maximum price, f. o. b. mill, less than carload lots.

##### PER 100 LBS.

Quantity	Fine wood excelsior	Ribbon wood excelsior	Extra fine wood excelsior	Wood wool	Superfine wood wool
1-4 bales.....	\$1.90	\$2.00	\$2.10	\$3.05	\$3.55
5-10 bales.....	1.75	1.85	2.00	2.80	3.30
11-19 bales.....	1.60	1.70	1.85	2.50	3.00
20 or more bales.....	1.55	1.60	1.70	2.40	2.90

(2) Wood excelsior and wood wool produced and sold by mills located in Minnesota. Maximum price, f. o. b. mill, less than carload lots.

##### PER 100 LBS.

Quantity	Fine wood excelsior	Ribbon wood excelsior	Extra fine wood excelsior	Wood wool	Superfine wood wool
1-4 bales.....	\$2.15	\$2.25	\$2.35	\$3.65	\$4.15
5-10 bales.....	2.05	2.15	2.25	3.40	3.90
11-19 bales.....	1.95	2.05	2.15	2.90	3.40
20 or more bales.....	1.65	1.75	1.90	2.65	3.15

(3) Wood excelsior and wood wool produced and sold by mills located in Michigan and Wisconsin, f. o. b. mill warehouse in Chicago, Illinois. (See paragraph (f) below.) Maximum price, f. o. b. mill warehouse in Chicago, Illinois, less than carload lots.

##### PER 100 LBS.

Quantity	Fine wood excelsior	Ribbon wood excelsior	Extra fine wood excelsior	Wood wool	Superfine wood wool
1-4 bales.....	\$2.00	\$2.00	\$2.10	\$3.10	\$3.65
5-10 bales.....	1.85	1.85	2.00	2.90	3.50
11-19 bales.....	1.70	1.75	1.90	2.65	3.25
20 or more bales.....	1.65	1.70	1.75	2.55	3.00



(4) *Wood excelsior and wood wool produced and sold by mills located in Michigan and Wisconsin, f. o. b. mill warehouse in Detroit, Michigan.* (See paragraph (f) below.) Maximum price, f. o. b. mill warehouse in Detroit, Michigan, less than carload lots.

PER 100 POUNDS

Quantity	Fine excelsior	Wood wool
1-4 bales.....	\$2.55	\$3.55
5-10 bales.....	2.15	2.95
11-40 bales.....	1.95	2.55
50 or more bales.....	1.85	-----

(5) *Wood excelsior produced and sold by mills located in Michigan and Wisconsin, f. o. b. mill warehouse in Toledo, Ohio.* (See paragraph (f) below.) Maximum price, f. o. b. mill warehouse in Toledo, Ohio, less than carload lots.

PER 100 POUNDS

Quantity	Fine excelsior	Wood wool
1-4 bales.....	\$2.65	\$3.65
5-19 bales.....	2.10	3.15
20 or more bales.....	1.90	3.00

(c) *Transportation charges*—(1) *Mill shipments.* The maximum delivered price on direct-mill sales shall be either (i) a price no higher than the maximum f. o. b. mill price under paragraph (1) or (2) of paragraph (b) above plus the actual transportation charges paid to a common or contract carrier for transportation directly from the mill to the point of delivery required by the purchaser, or transportation expenses not to exceed the amount which would have been paid to a common or contract carrier if its services had been utilized for such delivery, or, (ii) a price no higher than the maximum f. o. b. mill price under subparagraph (1) or (2) of paragraph (b) above plus the transportation charges figured according to the established practice of the seller in effect on March 31, 1942.

(2) *Mill warehouse shipments.* The maximum delivered price on mill warehouse sales shall be the maximum f. o. b. mill warehouse price under subparagraphs (3) (4), or (5) of paragraph (b) above plus the actual transportation charges paid to a common or contract carrier for transportation directly from the mill warehouse to the point of delivery required by the purchaser or transportation expenses not to exceed the amount which would have been paid to a common or contract carrier if its services had been utilized for such delivery.

(d) *Prior orders.* Orders which have been duly issued by the Office of Price Administration establishing prices of the commodities specified in paragraphs (a) and (b) of this section shall remain in full force and effect notwithstanding this section.

(e) *Grades.* The grades used in this section refer to the standards and specifications set forth in Federal Specification No. NN-E-911 as generally understood in the trade.

(f) *Definition of mill warehouse.* A mill warehouse is a warehouse owned

by a mill which warehouse is located at some point other than where the mill is located and from which the mill distributes wood excelsior or wood wool in less than carload lots.

(g) *Maximum price for sales by sellers other than producers of wood excelsior and wood wool.* The maximum price for sales of wood excelsior and wood wool in both carload and less than carload lots by a seller other than a producer of these items shall be the seller's maximum price established under the General Maximum Price Regulation for the particular grade of excelsior and class of consumer plus a sum at the rate of \$3.25 per ton.

This amendment shall become effective April 5, 1945.

Issued this 31st day of March 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-5195; Filed, Mar. 31, 1945;  
12:09 p. m.]

#### PART 1305—ADMINISTRATION

[Supp. Order 94, Amdt. 4]

##### SALES BY GOVERNMENT AGENCIES AND RESALES BY CERTAIN BUYERS

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

Supplementary Order 94 is amended in the following respects:

1. Section 11 is amended by adding at the end thereof the following paragraph:

An order issued under this section shall, with respect to sales by Government agencies, supersede any other pricing or exemption provision of Supplementary Order 94, and shall, with respect to resales by private resellers, supersede any maximum price regulation otherwise applicable.

2. Section 19 (d) is added to read as follows:

(d) (1) All resellers, except retailers, subject to this Supplementary Order shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect, complete and accurate records of each sale. Such records shall include the date of the sale, the name and address of the buyer, a clear description or identification of the commodity, the quantity sold, and the price charged for such commodity.

(2) All retailers subject to this Supplementary Order shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect, their customary records of all transactions.

3. In Appendix A, Part II the paragraph following the word "General" is amended to read as follows:

*General.* Any scrap, used or waste materials or commodities otherwise subject to

the General Maximum Price Regulation, except used airplanes powered with a single engine of not more than 500 horsepower and second-hand fractional horsepower electric motors of  $\frac{3}{4}$  horsepower or less.

4. In Appendix B, Part I, the following regulation is added to those listed under the classification of "Chemicals, Drugs, and Paints":

MPR 575, Primary chromium chemicals..... x |-----|

5. In Appendix B, Part I, the following regulations are deleted from those listed under the classification of "Fuel, Petroleum Products and Other Oils":

MPR 112, Pennsylvania anthracite..... (1) | (1) | (1)

MPR 120, Bituminous coal delivered from mine or preparation plant..... (1) | (1) | (1)

6. In Appendix B, Part I, the following regulation is added to those listed under the classification of "Machinery, Tools and Equipment":

RPS 82, Wire, cable and cable accessories..... x | x |-----|

7. In Appendix B, Part I, the following regulation is added to those listed under the classification of "Consumer Durable Goods and Miscellaneous":

MPR, 576, Dry batteries..... |-----| x | x

8. In Appendix D, Part II, the following regulation is added to those listed therein:

Regulation number	Short title
Supplementary Regulation 14K Section 13.1.	Second-hand fractional horsepower electric motors.

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

This amendment shall become effective April 5, 1945.

Issued this 31st day of March 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-5196; Filed, Mar. 31, 1945;  
12:09 p. m.]

#### PART 1307—RAW MATERIALS FOR COTTON TEXTILES

[RPS 7, Amdt. 17]

##### COMBED COTTON YARNS AND THE PROCESSING THEREOF

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

Revised Price Schedule No. 7 is amended by adding inferior subparagraphs (v) and (vi) to § 1307.1 (d) (2) to read as follows:

(v) Sales or deliveries of high-twist plied yarn used in the manufacture of loom harnesses;

(vi) Sales or deliveries of 30/2 high-twist yarn used in the manufacture of all-cotton elastic bandages.



This amendment shall become effective April 7, 1945.

Issued this 2d day of April 1945.

JAMES G. ROGERS, JR.,  
Acting Administrator.

[F. R. Doc. 45-5275; Filed, Apr. 2, 1945;  
11:49 a. m.]

#### PART 1340—FUEL

[MPR 88, Amdt. 26]

#### FUEL OIL, GASOLINE AND LIQUEFIED PETROLEUM GAS

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

1. Section 1.1 is amended by inserting in the list of products mentioned therein between the words "Stove and lamp naphtha" and "Tractor fuel" a line reading as follows: "Jet propulsion fuel."

2. Section 1.14 (j) (2) is amended to read as follows:

(2) "Eligible marketer" means one of the following:

(i) A person who in the 60-day period preceding January 15, 1944 was engaged in the business of marketing and/or broking petroleum products covered by this regulation and was maintaining an office therefor: *Provided, however*, That a seller who is a refiner, a manufacturer of natural gasoline, the operator of a bulk plant or terminal, or who is the operator of a facility similar to the foregoing, or any corporation in whole or part owning or owned by one of the foregoing or any person directly or indirectly affiliated with any of the above shall not be regarded as an eligible marketer under this provision.

(ii) A person who, upon written application, has been granted the status of eligible marketer by written order of the Administrator or his duly authorized representative. Such status will not be granted to a seller who is a refiner, a manufacturer of natural gasoline, the operator of a bulk plant or terminal, or who is the operator of a facility similar to any of the foregoing or to any corporation in whole or part owning or owned by one of the foregoing, or any person directly or indirectly affiliated with any of the above.

3. Section 1.14 (k) (2) is amended to read as follows:

(2) "Eligible broker" means one of the following:

(i) A person who in the 60-day period preceding January 15, 1944 was engaged in the business of marketing and/or broking petroleum products covered by this regulation and was maintaining an office therefor, provided however, that a seller who is a refiner, a manufacturer of natural gasoline, the operator of a bulk plant or terminal, or who is the operator of a facility similar to the foregoing, or any corporation in whole or part owning or owned by one of the foregoing or any person directly or indirectly affiliated with any of the above

shall not be regarded as an eligible broker under this provision.

(ii) A person who, upon written application, has been granted the status of eligible broker by written order of the Administrator or his duly authorized representative. Such status will not be granted to a seller who is a refiner, a manufacturer of natural gasoline, the operator of a bulk plant or terminal, or who is the operator of a facility similar to the foregoing or to any corporation in whole or part owning or owned by one of the foregoing, or any person directly or indirectly affiliated with any of the above.

4. Section 2.11 (b) is amended to read as follows:

(b) *East St. Louis*—(1) *Range oil; maximum tank wagon prices.* The maximum tank wagon prices for range oil, stove oil or heater oil for the bulk plant points of East St. Louis, Illinois, and the circuit points and rural territories served from such plant or plants shall be as follows:

	Cents per gallon
In quantities of less than 25 gallons.....	8.9
In quantities of as much as 25 gallons but less than 100 gallons.....	8.3
In quantities of 100 gallons or over.....	7.9

(2) *No. 5 fuel oil*—(i) *Maximum delivered at destination tank car price.* Within the City of East St. Louis the maximum delivered at destination tank car price for No. 5 fuel oil to tank wagon resellers who receive delivery either in tank cars or motor transports shall be 3.8¢ per gallon.

(ii) *Maximum tank wagon price.* Within the City of East St. Louis the maximum tank wagon price for No. 5 fuel oil shall be 5.4¢ per gallon.

5. The heading of section 2.11 (d) (3) is amended to read as follows:

(3) *F. o. b. refineries on sales to resellers<sup>1</sup> in the Metropolitan Chicago Area.<sup>2</sup>*

6. The heading of section 2.12 (b) (3) is amended to read as follows:

(3) *F. o. b. refineries on sales to resellers<sup>1</sup> in the Metropolitan Chicago Area.<sup>2</sup>*

7. Section 2.23 (a) is amended to read as follows:

(a) *St. Louis*—(1) *Range oil; maximum tank wagon prices.* The maximum tank wagon prices for range oil, stove oil or heater oil for the bulk plant points of St. Louis, Missouri, and the circuit points and rural territories served from such plant or plants shall be as follows:

	Cents per gallon
In quantities of less than 25 gallons.....	8.9
In quantities of as much as 25 gallons but less than 100 gallons.....	8.3
In quantities of 100 gallons or over.....	7.9

(2) *No. 5 fuel oil*—(i) *Maximum delivered at destination tank car price.* Within the City of St. Louis the maximum delivered at destination tank car price for No. 5 fuel oil to tank wagon resellers who receive delivery either in tank cars or motor transports shall be 3.8¢ per gallon.

(ii) *Maximum tank wagon price.* Within the City of St. Louis the maximum tank wagon price for No. 5 fuel oil shall be 5.4¢ per gallon.

8. In section 3.4, footnote 6 is added for Price Area F to read as follows:

<sup>6</sup>This price shall not be applicable on sales to tank wagon resellers located in St. Louis, Missouri, or East St. Louis, Illinois. Maximum shipping point prices to such tank wagon resellers must be filed without regard to the other provisions of this regulation in accordance with the requirements of section 8.3 of this regulation.

9. In sections 4.3 (a) (3), 4.16 (a) (2), 4.16 (b) (2), 4.41 (a) (2) and 4.41 (b) (2), each of the footnotes numbered 2 and 3 are amended to read as indicated below:

<sup>2</sup>Class 2 purchasers are resellers not included in Class 1 except airport dealers.

<sup>3</sup>Class 3 purchasers are consumers not included in Class 1 and airport dealers.

10. Section 4.5 (c) is amended as follows:

a. In the table of prices the following tank wagon area is added to the list of tank wagon areas and the following prices, applicable as indicated to the added tank wagon area, are added, in the order indicated, to the respective columns of prices.

Padroni..... 11.5 10.0 9.0

11. Section 5.1 (e) (3) is added to read as follows:

(3) *Range, stove, or heater oil, No. 1 prime white distillate (fuel oil), No. 1 straw fuel oil, No. 2 fuel oil and No. 3 fuel oil.* In the above states (except in the southern peninsula of Michigan and in the Metropolitan Chicago Area, as said area is defined in section 5.1 (e) (1) (iii) above), a supplier's maximum delivered-at-destination tank car prices (exclusive of any applicable taxes incident to the sale of such products) for range, stove or heater oil, No. 1 prime white distillate (fuel oil), No. 1 straw fuel oil, No. 2 fuel oil and No. 3 fuel oil delivered in tank cars and transport trucks shall be as set forth below, except that the sum of  $\frac{1}{8}$  of a cent per gallon may be added by an eligible marketer.

(i) *Tank wagon resellers; contract buyers.* If on October 1, 1941 there was a written contract in effect extending over a period of not less than one year for deliveries by a supplier to a tank wagon reseller, then the particular supplier's maximum delivered-at-destination price to such reseller shall be determined in accordance with the provisions of section 5.2 and Article VI or shall be established pursuant to section 8.3.

(ii) *Consumers and tank wagon resellers.* If (i) is inapplicable any supplier's maximum delivered-at-destination price for any of the products listed below (exclusive of any applicable taxes incident to the sale but not the transportation of such product) shall be the rail rate of transportation for the product as of October 1, 1941, from Tulsa, Oklahoma, to the particular destination plus the amount designated below for the particular product:



Product	Cents per gallon
Range, stove or heater oil.....	4.00
No. 1 prime white distillate (fuel oil).....	3.875
No. 1 straw fuel oil.....	3.75
No. 2 fuel oil.....	3.625
No. 3 fuel oil.....	3.50

12. Section 6.2 (d) is\* amended as follows:

In the unnumbered paragraph which follows the heading the words "or Article II" are inserted to follow the figure "7.4."

13. Section 6.5 (c) is amended as follows:

In the unnumbered paragraph which follows the heading the words "or Article IV" are inserted to follow the figure "7.4".

This amendment shall become effective April 7, 1945.

Issued this 2d day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-5269; Filed, Apr. 2, 1945;  
11:47 a. m.]

#### PART 1351—FOOD AND FOOD PRODUCTS [RMPR 268, Amdt. 11]

##### SALES OF CERTAIN PERISHABLE FOOD COMMODITIES AT RETAIL

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

Revised Maximum Price Regulation No. 268 is amended in the following respects:

1. Sections 13 (b), 13 (c) and 15 (a) are hereby revoked.

2. The item "eggs" listed under Food Commodity No. 10 in Appendix A is deleted.

3. The definition of "eggs" or "shell hen eggs" under Appendix A, paragraph (b) (10) is deleted.

This amendment shall become effective April 7, 1945.

Issued this 2d day of April 1945.

CHESTER BOWLES,  
Administrator.

Approved: March 26, 1945.

GROVER B. HILL,  
First Assistant War Food  
Administrator.

[F. R. Doc. 45-5271; Filed, Apr. 2, 1945;  
11:48 a. m.]

#### PART 1351—FOOD AND FOOD PRODUCTS [FPR 1, Amdt. 2 to Supp. 3]

##### PREPARED FLOUR MIXES

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

Food Products Regulation 1, Supplement 3, is amended in the following respects:

1. Section 8 is amended to read as follows:

SEC. 8. *Adjustment of maximum prices*—(a) *When adjustments may be granted.* Either upon application for adjustment in accordance with Revised Procedural Regulation 1, or on his own motion, the Price Administrator may adjust a processor's maximum price established for an item under this supplement where it appears that:

(1) The maximum price is below the general level of prices prevailing for the same or similar items sold to the same class of purchasers by other processors;

(2) The maximum price is such as to prevent or threaten to prevent his continued production of the item;

(3) An increase in the maximum price will enable him to continue production;

(4) The loss of his production would result in consumers having to pay higher prices for the same or for the most nearly similar item available;

(5) In the judgment of the Price Administrator an increase in his maximum price would, under all the circumstances, be in furtherance of the purposes of the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders 9250 and 9323.

(b) *Amount of adjustment.* The maximum price as adjusted under this section shall in no event exceed the general level of prices prevailing for the same or similar items of flour mixes sold to the same class of purchasers by other processors. Subject to this limitation and the limitation of paragraph (a) (5), the adjusted maximum price shall not exceed the following amount:

(1) Processing costs for the item, if the applicant had any net profit (before income and excess profits taxes) on his flour mix operations during his most recent fiscal period;

(2) Total costs of the item if the applicant had no net profit (before income and excess profits taxes) on his flour mix operations during his most recent fiscal period.

(c) *Cost definitions.* (1) "Processing costs" shall be determined per unit to include actual costs (not to exceed maximum prices and lawful wages) of (i) ingredients, (ii) packaging materials, (iii) direct labor, (iv) indirect labor, (v) incoming transportation, (vi) outgoing transportation if sold on a delivered basis, (vii) depreciation, (viii) factory rental, (ix) insurance and (x) all other cost factors generally pertaining to processing operations, but shall not include general administrative and selling costs.

(2) "Total costs" shall be determined by adding to processing costs general administrative and selling costs.

2. Section 10 is amended to read as follows:

SEC. 10. *Reports which sellers must file.* Within twenty days after the effective date of this amendment, every processor (except processors of pancake and waffle mixes) who has a maximum price subject to this supplement, or within twenty days after a maximum price has been established in the manner explained in section 9 (a) or 11 (j) of this supplement,

shall report by letter to the Office of Price Administration, Washington, D. C., as follows:

(a) A description of each item, naming the brand, kind of mix, package type and size, including bulk size.

(b) The price to each class of customer to which the item is sold, whether the price is f. o. b. or delivered, and if f. o. b., the shipping point.

(c) The regulation under which the price was determined.

This amendment shall become effective April 7, 1945.

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

Issued this 2d day of April 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-5279; Filed, Apr. 2, 1945;  
11:50 a. m.]

#### PART 1351—FOOD AND FOOD PRODUCTS [RMPR 269, Amdt. 23]

##### DAIRY 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 289 is amended in the following respects:

1. Section 27 (e) is added to read as follows:

(e) *Maximum prices for "Switzerland Swiss cheese"*—(1) *Sales by exporters, primary wholesalers, secondary wholesalers and service wholesalers*—(i) *In New York City.* The maximum price for the sale of "Switzerland Swiss cheese" delivered at any place in New York City shall be the appropriate price set forth in Table E below:

TABLE E

(In cents per pound)

Sales and deliveries by	Cents per pound
Exporters.....	\$0.48 1/4
Primary wholesalers....	\$0.49 1/4 per lb. for sales of more than 1 tub or 1 box.
	\$0.49 3/4 per lb. for sales of 1 tub or less, or 1 box or less.
	\$0.50 1/4 per lb. for sales of one wheel or block.
	\$0.50 3/4 per lb. for sales of 100 lbs. or less.
Secondary wholesalers.	\$0.49 1/4 per lb. for sales of more than 1 tub or 1 box.
	\$0.50 1/4 per lb. for sales of 1 tub or less or 1 box or less.
	\$0.51 1/4 per lb. for sales of one wheel or block.
	\$0.51 3/4 per lb. for sales of 100 lbs. or less.
Service wholesalers....	\$0.57 1/4

\* 8 F.R. 6129, 7116, 7661, 7592, 8682, 9365, 9299, 9460, 10568.

\* 9 F.R. 6724, 13758.

\* 9 F.R. 5140, 5427, 5429, 5588, 5917, 5919, 5921, 6105, 7699, 10090, 10579, 10871, 11171, 13057, 13630, 14288, 14292, 14339; 10 F.R. 250.



(ii) *Outside New York City.* The maximum price for the sale of "Switzerland Swiss cheese" delivered at any place outside New York City shall be the appropriate price set forth in Table E above, plus a "transportation factor." A "transportation factor" means the lowest published railroad carlot freight rate per pound, gross weight, from New York City to the place of delivery multiplied by 1.15. In calculating the "transportation factor" the 3% transportation tax imposed by section 20 of the Revenue Act of 1942 shall be included.

(2) *General provisions.* (i) The provisions of paragraphs (b) (2), (b) (3), (b) (5), (b) (8), (c) (2), (c) (3), (c) (4), (c) (5), (c) (6), (c) (7), (c) (8) (iii) and (d) of this section 27 shall apply to this paragraph (e) establishing maximum prices for sales of "Switzerland Swiss cheese".

(ii) The provisions of paragraph (c) (1) of this section 27 shall apply to this paragraph (e) except that a "primary wholesaler" is defined as a person who purchases cheese from an exporter.

(iii) The maximum prices established for exporters are for cheese, duty paid, and delivered to the United States at the seller's expense.

(iv) "Switzerland Swiss cheese" is Swiss cheese meeting the requirements of paragraph (c) (8) (iii) of this section which has been imported from Switzerland and which is marked in the following manner: On both flat sides of each wheel is stamped in the middle with vegetable dye the designations "Made in Switzerland" and "Switzerland cheese." The entire surfaces of each flat side shall be imprinted with the designation "Switzerland" approximately  $3\frac{1}{4}$  inches long and consisting of letters ranging in heights from about  $\frac{1}{8}$ " in the center of the wheel to about  $\frac{1}{2}$ " at the outer edge of the wheel. The designation "Switzerland" shall be imprinted in radial form in a series of concentric circles. The rim of each wheel shall be burnt twice with the designation "Switzerland."

This amendment shall become effective April 7, 1945.

Issued this 2d day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-5274; Filed, Apr. 2, 1945;  
11:49 a. m.]

#### PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 579,<sup>1</sup> Amdt. 2]

#### CERTAIN SPECIES OF FRESH AND FROZEN FISH AND SEAFOOD

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

Maximum Price Regulation No. 579 is amended in the following respects:

1. In section 10.1 (b), Table 1B, Schedule No. 13 is amended to read as follows:

<sup>1</sup> 10 F.R. 2300, 2684.

Sched. no.	Species	Item no.	Style of dressing	Size	I	II	III	IV	V
13.....	Rosefish: <sup>1</sup>								
	(Apr-Sept).....	1	Fillets.....	All.....	22½	24	24½	26½	28½
	(Oct-Mar).....	2	Fillets.....	All.....	23½	25½	26½	27½	30

2. In section 10.1 (b), at the end of Table 1B, footnote 1 is amended to read as follows:

<sup>1</sup> No processor shall sell rosefish fillets between October 1 and April 1 on the basis of the winter prices (Item 2) until he shall have sold on the basis of the summer prices (Item 1) an amount equal to his inventory at the close of business on the last business day in September.

A wholesaler must sell on the basis of the summer prices (Item 1) all frozen rosefish fillets bought on the basis of the summer prices (Item 1).

A processor may sell or deliver rosefish fillets frozen between October 1 and April 1, on the basis of the prices listed for Item 2 through April 7. A wholesaler who buys such rosefish fillets may sell them on the basis of the prices listed for Item 2 through April 14.

All other sales of rosefish fillets must be made on the basis of the summer prices (Item 1).

This amendment shall become effective April 1, 1945.

Issued this 31st day of March 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-5239; Filed, Mar. 31, 1945;  
4:57 p. m.]

#### PART 1388—DEFENSE-RENTAL AREAS

[Housing,<sup>1</sup> Amdt. 52]

##### HOUSING

Item 82 is amended and Items 80b, 81a, and 81b are added to Schedule A of the Rent Regulations for Housing to read as follows:

Defense-rental area	State	County or counties in defense-rental area under rent regulation for housing	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(80b) Blackfoot.....	Idaho.....	Bingham.....	Jan. 1, 1944	Apr. 1, 1945	May 15, 1945
(81a) Idaho Falls.....	Idaho.....	Bonneville.....	Mar. 1, 1944	Apr. 1, 1945	May 15, 1945
(81b) Nampa-Caldwell.....	Idaho.....	Canyon.....	Jan. 1, 1944	Apr. 1, 1945	May 15, 1945
(82) Pocatello.....	Idaho.....	Bannock.....	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942

This amendment shall become effective April 1, 1945.

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

Issued this 31st day of March 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-5246; Filed, Mar. 31, 1945;  
4:58 p. m.]

#### PART 1388—DEFENSE-RENTAL AREAS

[Housing,<sup>2</sup> Amdt. 53]

##### HOUSING

Section 1 (b) (6) (ii) of the Rent Regulation for Housing is amended to read as follows:

(ii) *Exception from exemption.* The provisions of section 1 (b) (6) (i) shall

not apply to the housing accommodations in the Los Angeles Defense-Rental Area and in the Madison, Wisconsin Defense-Rental Area.

This amendment shall become effective April 1, 1945.

Issued this 31st day of March 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-5241; Filed, Mar. 31, 1945;  
4:57 p. m.]

#### PART 1388—DEFENSE-RENTAL AREAS

[Hotels and Rooming Houses,<sup>3</sup> Amdt. 48]

##### HOTELS AND ROOMING HOUSES

Item 82 is amended and Items 80b, 81a, and 81b are added to Schedule A of the Rent Regulation for Hotels and Rooming Houses to read as follows:

Defense-rental area	State	County or counties in defense-rental area under rent regulation for hotels and rooming houses	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(80b) Blackfoot.....	Idaho.....	Bingham.....	Jan. 1, 1944	Apr. 1, 1945	May 15, 1945
(81a) Idaho Falls.....	Idaho.....	Bonneville.....	Mar. 1, 1944	Apr. 1, 1945	May 15, 1945
(81b) Nampa-Caldwell.....	Idaho.....	Canyon.....	Jan. 1, 1944	Apr. 1, 1945	May 15, 1945
(82) Pocatello.....	Idaho.....	Bannock.....	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942

<sup>1</sup> 9 F.R. 11335, 11541, 11610, 11797, 12414, 12866, 12967, 14060, 14357, 15060, 14987, 15155; 10 F.R. 48, 160, 330, 655, 1102, 1452, 1973, 2401, 2402, 2685, 2973.

<sup>2</sup> 9 F.R. 11335, 11541, 11610, 11797, 12414, 12866, 12967, 14060, 14357, 15060, 14987, 15155; 10 F.R. 48, 160, 330, 1102, 1452.

<sup>3</sup> 9 F.R. 11322, 11540, 11610, 11787, 12414, 12866, 12967, 14059, 14238, 14357, 14238, 15059, 15156; 10 F.R. 47, 160, 330, 655, 1102, 1452, 2404, 2405, 2684.



This amendment shall become effective April 1, 1945.

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

Issued this 31st day of March 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-5245; Filed, Mar. 31, 1945;  
4:58 p. m.]

#### PART 1388—DEFENSE RENTAL AREAS

[Hotels and Rooming Houses,<sup>1</sup> Amdt. 49]

##### HOTELS AND ROOMING HOUSES

Section 1 (b) (7) (ii) of the Rent Regulation for Hotels and Rooming Houses is amended to read as follows:

(ii) *Exception from exemption.* The provisions of section 1 (b) (7) (ii) shall not apply to rooms in the Los Angeles Defense-Rental Area and in the Madison, Wisconsin Defense-Rental Area.

This amendment shall become effective April 1, 1945.

Issued this 31st day of March 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-5242; Filed, Mar. 31, 1945;  
4:57 p. m.]

#### PART 1388—DEFENSE-RENTAL AREAS

[Designation and Rent Declaration 27,<sup>2</sup>  
Amdt. 8]

##### DESIGNATION OF AREAS AND RENT DECLARATIONS RELATING TO SUCH AREAS

In § 1388.1301 of Designation and Rent Declaration 27, Item 3 is amended, and Items 25, 26 and 27 are added to read as follows:

- (3) Pocatello, Idaho, County of Bannock.
- (25) Power County, Idaho, County of Power.
- (26) Blackfoot, Idaho, County of Bingham.
- (27) Idaho Falls, Idaho, County of Bonneville.

This amendment shall become effective April 1, 1945.

Issued this 31st day of March 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-5243; Filed, Mar. 31, 1945;  
4:57 p. m.]

#### PART 1388—DEFENSE-RENTAL AREAS

[Designation and Rent Declaration 31,<sup>3</sup>  
Amdt. 81]

##### DESIGNATION OF AREAS AND RENT DECLARATIONS RELATING TO SUCH AREAS

In § 1388.1341 of Designation and Rent Declaration 31, Item 8 is amended and Item 164 is added to read as follows:

<sup>1</sup> 9 F.R. 11322, 11540, 11610, 11787, 12414, 12866, 12967, 14059, 14357, 14238, 15059, 15156; 10 F.R. 47, 160, 655, 330, 1102, 1452.

<sup>2</sup> 7 F.R. 4232; 8 F.R. 1228, 1748, 9021, 10764, 14687; 9 F.R. 3231, 12866.

<sup>3</sup> 9 F.R. 5823, 5915, 7329, 7431, 9265, 9513, 11540, 11798, 12866, 14061, 15059, 15156; 10 F.R. 1103, 2406.

(8) Idaho, Idaho, That portion of the State of Idaho not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the counties of Ada, Canyon, and Elmore.

(164) Nampa-Caldwell, Idaho, Canyon.

This amendment shall become effective April 1, 1945.

Issued this 31st day of March 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-5244; Filed, Mar. 31, 1945;  
4:58 p. m.]

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

[Rev. RO 13,<sup>1</sup> Amdt. 53 to 2d Rev. Supp. 1]

##### PROCESSED FOODS

Section 1407.1102 (c) (18) is added to read as follows:

(18) For the reporting period beginning April 29, 1945 and ending June 2, 1945—4.

This amendment shall become effective April 6, 1945.

Issued this 2d day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-5280; Filed, Apr. 2, 1945;  
11:50 a. m.]

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

[Restriction Order 14]

##### SHORTENING RESTRICTION ORDER FOR PUERTO RICO

PREAMBLE: All the information obtained shows that the stocks of shortening in the Island are low. At the same time there is no assurance that imports of said commodity may be increased accordingly. The result is that the supplies of shortening in Puerto Rico are not sufficient to meet the normal demand. By restricting the transfer of shortening which may be made to industrial and institutional users and limiting the quantity which consumers may acquire of said commodity, we hope that an equitable and fair distribution will be assured.

##### ARTICLE I—HOW SHORTENING IS TRANSFERRED

- Sec. 1.1 Restriction on transfers of shortening.
- 1.2 Exceptions to the limitation on transfers of shortening.

##### ARTICLE II—REPORTS

- 2.1 Importer's and wholesaler's monthly reports.
- 2.2 An importer may not transfer shortening if he does not file his monthly reports.
- 2.3 A wholesaler may not acquire or transfer shortening if he does not file his monthly reports.

<sup>1</sup> 9 F.R. 173, 908, 1181, 2091, 2290, 2553, 2880, 2947, 3580, 3707, 4542, 4605, 4607, 4883, 5956, 6103, 6151, 6450, 7344, 7423, 7433, 9169, 9170, 9266, 9278, 9896, 10264, 10877, 10876, 11273, 11513, 11906, 11961, 12813, 12867, 14061, 14643, 15002, 15054, 10 F.R. 43, 776, 924.

##### ARTICLE III—PROHIBITED ACTS

- Sec. 3.1 Discrimination.
- 3.2 False statements or entries.
- 3.3 Transfers in violation of Restriction Order 14.
- 3.4 Offer, attempt or agreement to violate this restriction order.

##### ARTICLE IV—ENFORCEMENT

- 4.1 Criminal prosecution.
- 4.2 Suspension order.

##### ARTICLE V—SCOPE OF THIS RESTRICTION ORDER

- 5.1 Territorial limitations.

##### ARTICLE VI—DEFINITIONS

- 6.1 Terms explained.

AUTHORITY: § 1407.305 issued under 56 Stat. 23, 765; Pub. Law 383; 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; WPB Dir. 1, 7 F.R. 562; WPB Supp. Dir. 1-J, 7 F.R. 8731; WFO 56, 9 F.R. 4319; WFO 68, 9 F.R. 4319; 2nd Rev. Gen. Order 20, 8 F.R. 10917.

##### ARTICLE I—HOW SHORTENING IS TRANSFERRED

SECTION 1.1 *Restriction on transfers of shortening*—(a) *How shortening is transferred to retailers.* Unless authorized in writing by the Director, no importer or wholesaler shall transfer shortening to any person, other than a retailer, and no person, except a retailer, shall accept a transfer of shortening from an importer or wholesaler. No importer or wholesaler shall transfer shortening to a retailer and no retailer shall accept from an importer or wholesaler a transfer of shortening in containers of more than five (5) pounds.

(b) *How shortening is transferred to consumers.* Unless authorized in writing by the Director, no retailer shall transfer shortening to any person other than a consumer and no person except a consumer shall accept from a retailer a transfer of shortening. *Provided,* That no retailer shall transfer to a consumer shortening in containers of more than five (5) pounds, and such transfers shall not exceed  $\frac{1}{4}$  of a pound a week per person. However, a consumer may act as an agent of a family or other unit in the purchase of a quantity of shortening not to exceed the allotment for all members of such family or unit who customarily eat the majority of the meals as member of such family or unit. *Provided further,* That no retailer shall knowingly transfer shortening to a consumer who has obtained his weekly quota of lard pursuant to the provisions of Restriction Order No. 13 and such person shall not accept a transfer of shortening from a retailer.

(c) *How shortening is transferred to institutional or industrial users.* Institutional or industrial users who must use shortening in the performance of their services may be authorized by the Director to acquire a quantity of shortening. *Provided,* That no institutional or industrial user may request or accept an authorization from the Director to acquire shortening to be used during a specified period if he has applied for and obtained from his Local Board a certificate authorizing him to acquire lard to be used during such period, nor shall he apply or accept from his Local Board a certificate for the purchase of lard to be used during a specified period if he



has already obtained from the Director authorization to acquire shortening for use during such period. Applications for such authorization shall be made in writing, specifying the amount of shortening desired, the nature and volume of the business if an industrial user, nature and persons fed in the institution if an institutional user, and that his petition is not in violation of section 1.1 (c) of this order. Upon receipt of such applications the Director may take such action as he shall deem necessary or appropriate.

**SEC. 1.2 Exceptions to the limitations on transfers of shortening—(a) Exempt agencies.** Nothing in this restriction order shall be construed to limit the quantity of shortening which may be transferred to the Army and Navy of the United States, United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Commission for Aeronautics and the Office of Scientific Research and Development.

**(b) Judicial process.** Any person may acquire shortening pursuant to judicial process or under the supervision of a court of competent jurisdiction.

#### ARTICLE II—REPORTS

**SEC. 2.1 Importer's and wholesaler's monthly reports.** Every importer and wholesaler must prepare in duplicate a monthly report on Form OPA PR-R 208 indicating the amount of shortening received during the month, name of his customers of said commodity, and transfers of shortening made to each one of them during the month and amount of shortening on hand at the end of the month. The original of said report must be filed with the Office of Price Administration, at San Juan, Puerto Rico, and the duplicate shall be kept by the importer or wholesaler for at least six months after the restriction on shortening has been lifted. The monthly reports must be filed not later than the fifth day of the month immediately succeeding the period reported.

**SEC. 2.2 An importer may not transfer shortening if he does not file his monthly reports.** An importer who does not file his monthly reports within the time specified in this order shall not thereafter make any transfer of shortening, unless authorized by the Director.

**SEC. 2.3 A wholesaler may not acquire or transfer shortening if he does not file his monthly reports.** A wholesaler who does not file his monthly reports within the time specified in this order shall not thereafter transfer or accept the transfer of shortening, unless authorized by the Director.

#### ARTICLE III—PROHIBITED ACTS

**SEC. 3.1 Discrimination.** No importer, wholesaler or retailer shall discriminate in the transfer of shortening among persons entitled to receive transfers under this order.

**SEC. 3.2 False statements or entries.** No person shall make any false statement or entry in any document or record

required to be filed or kept by him under this order.

**SEC. 3.3 Transfers in violation of Restriction Order No. 14.** No importer, wholesaler or retailer shall transfer shortening and no person shall accept the transfer of shortening except in accordance with this restriction order.

**SEC. 3.4 Offer, attempt or agreement to violate this restriction order.** No person shall offer, solicit, attempt or agree to do any act in violation of this order.

#### ARTICLE IV—ENFORCEMENT

**SEC. 4.1 Criminal prosecution.** Any person who wilfully performs any act prohibited or wilfully fails to perform any act required by any of the provisions of this restriction order may, upon conviction, be fined not more than \$10,000 or imprisoned for not more than one year, or both, and shall be subject to such other penalties or actions as may be prescribed by all applicable statutes.

**SEC. 4.2 Suspension orders.** Any person who violates this order or any other order issued hereunder may, by administrative suspension order, be prohibited from receiving or disposing of shortening or any other rationed commodity. Proceedings for the suspension order shall be instituted and governed by the provisions of Procedural Regulation No. 4 of the Office of Price Administration.

#### ARTICLE V—SCOPE OF THIS RESTRICTION ORDER

**SEC. 5.1 Territorial limitations.** This order shall apply to the Territory of Puerto Rico.

#### ARTICLE VI—DEFINITIONS

**SEC. 6.1 Terms explained when used in this restriction order.** The terms: (a) "Director" means the Director of the Office of Price Administration for Puerto Rico, any person duly authorized to act in his place, or any person to whom he may delegate his authority to act hereunder.

(b) "Person" means any individual, partnership, corporation, association, any organization, group or enterprise or government agency.

(c) "Importer" means any person who imports shortening into the Territory of Puerto Rico.

(d) "Wholesaler" means any person who transfers shortening to any person other than an ultimate consumer.

(e) "Retailer" means any person who sells shortening to the ultimate consumer.

(f) "Industrial user" means an establishment which receives shortening for use in the production, manufacture, cooking or processing of any food for sale or service.

(g) "Institutional user" means an establishment which receives shortening to feed persons housed within a non-profit institution such as hospital, school, convent or prison, etc.

(h) "Shortening" means standard shortening or hydrogenated shortening.

(i) "Transfer" means sell, lease, lend, trade, give, ship or deliver in any way

the ownership or possession of shortening from one person to another.

(j) "Consumer" means any person acquiring shortening for personal use or consumption.

This order shall become effective at 6:01 a. m., on March 19, 1945.

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

Issued this 2d day of April 1945.

SAM GILSTRAP,  
Territorial Director,  
Puerto Rico.

Approved:

JAMES P. DAVIS,  
Regional Administrator,  
Region IX.

[F. R. Doc. 45-5281; Filed, Apr. 2, 1945;  
11:51 a. m.]

#### PART 1418—TERRITORIES AND POSSESSIONS [MPR 373, Amdt. 137]

##### PAPIO IN HAWAII

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

Section 20, Table B, is amended by changing the prices listed therein of one item to read as follows:

Name	Producers' maximum price per lb.	Wholesalers' maximum price per lb.	Retailers' maximum price per lb.
Papio (small ulua) (under 10 lbs.)	\$0.41	\$0.47	\$0.55

This amendment shall become effective as of March 1, 1945.

Issued this 2d day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-5272; Filed, Apr. 2, 1945;  
11:48 a. m.]

#### PART 1418—TERRITORIES AND POSSESSIONS [MPR 373, Amdt. 138]

##### ONIONS AND POTATOES IN HAWAII

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

The table following section 21 (c) (1) is amended by changing the wholesale maximum price of Potatoes, white, from "\$4.90 per 100 lb. bag" to "\$5.10 per 100 lb. bag", by deleting the item "Onions, dry, all colors", and by adding a new "onion" item to read as follows:

	Wholesale maximum price	Retail maximum price
Onions, dry, Australian brown.	\$4 per 50 lb. bag.	\$0.11 per lb.



This amendment shall become effective as of March 16, 1945.

Issued this 2d day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-5273; Filed, Apr. 2, 1945;  
11:48 a. m.]

PART 1420—BREWERY, DISTILLERY AND  
WINERY PRODUCTS  
[RMFR 259, Amdt. 4]

MALT BEVERAGES

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 259 is amended in the following respect:

Section 2.2 (d) (1) is amended to read as follows:

(1) *Retailers located within the brewer's base delivery zone.* With respect to his sales of domestic malt beverages in bottles or cans to retailers located within the brewer's base delivery zone (as defined in section 4.1 (b)), the brewer shall be deemed a wholesaler and shall establish his maximum price for such sales in accordance with Article IV. In determining his supplier's price as an element of his cost of acquisition, the brewer shall use either his f. o. b. brewery platform or delivered maximum price (in accordance with his customary practice) for his sales of the item to wholesalers located within the brewer's base delivery zone, adjusted for the difference in state or local taxes, if any. However, where the brewer has established different maximum prices to wholesalers located within his base delivery zone, he shall use as his supplier's price the maximum price applicable to the greatest volume of his sales to wholesalers located within the base delivery zone during the most recent six-months' period prior to April 4, 1945.

This amendment shall become effective April 4, 1945.

Issued this 2d day of April 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-5270; Filed, Apr. 2, 1945;  
11:50 a. m.]

PART 1450—TRANSPORTATION

[MPR 571, Amdt. 2]

RENTAL OF CERTAIN TYPES OF COMMERCIAL  
MOTOR VEHICLES

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

In section 15 (b) *Reports* the initial phrase "On or before April 1, 1945" is amended to read "On or before May 15, 1945".

<sup>1</sup> 9 F.R. 14537, 14781, 15107; 10 F.R. 2585.

<sup>2</sup> 10 F.R. 1150, 1738.

This amendment shall become effective as of April 1, 1945.

Issued this 2d day of April 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-5278; Filed, Apr. 2, 1945;  
11:50 a. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14F, Amdt. 3]

CHANNEL CARBON BLACK

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

Section 28 is revised and amended to read as follows:

SEC. 28. *High cost output of channel black sold to Defense Supplies Corporation—(a) Applicability.* (1) Any seller of high cost output of rubber grades of non-specialty channel carbon black, produced under the War Production Board program for increasing the supply of such black, may use the maximum prices established by this section in place of his maximum prices established under other provisions of the General Maximum Price Regulation for his sales of such high cost output to Defense Supplies Corporation.

(2) High cost output shall include:

(i) Output from new facilities. New facilities are:

(a) "New plants," which are either

(1) Plants which did not operate at any time during June 1944, or

(2) Plants, or portions of plants, which operated during June 1944, but have been moved to a new location where gas costs are substantially greater than at the old location and have been set up as a new plant.

(b) "Expanded plants," which are existing plants (plants in operation at any time during June 1944), in which the number of burner units in operation has been increased above the maximum number in operation during June 1944.

(ii) Output of existing plants attributable to supplemental raw material. Such output shall include:

(a) Output produced from supplemental raw materials in order to utilize portions of existing channel black plants which have become idle since June 30, 1944 or which would otherwise become idle.

(b) Additional output produced from supplemental raw materials used at channel black plants whose facilities are already in full operation.

(iii) "Supplemental raw materials" include natural gas purchased at a cost higher than in June 1944, natural gas enriching agents such as propane, naphtha, natural gasoline fractions, and the like, costing more than normal raw materials, and additional gas used to operate a new facility.

(b) *Determination of amount of high cost output.* (1) The amount of high cost output at any new facility or from supplemental raw materials shall be deter-

mined by actual physical measurement where this is feasible.

(2) Where it is not feasible to separate the high cost output of channel carbon black produced at a new facility or from supplemental raw materials, the high cost output shall be computed by multiplying the quantity or volume (adjusted for specified temperature and pressure base) of supplemental raw material, as the case may be, by the estimated yield in pounds of a specific grade of carbon black per specified unit of supplemental raw material used. Where more than one raw material is used, this information should be given for each supplemental raw material used. The yield estimate shall be made in accordance with customary methods of estimating yield. The yield per gallon of propane shall be calculated at .25 lb. of channel black.

The producer shall, prior to sale of any high cost output, the amount of which is determined on the basis of estimated yield, submit in writing to the Rubber, Chemicals and Drugs Price Branch, Office of Price Administration, Washington 25, D. C., a full description of the tests made in arriving at the estimated yield of the supplemental raw material; a full description of the supplemental raw material to be used, a statement as to the sources of supply of each such material and the amount to be obtained from each source; the yield figure the producer proposes to use; the grade of channel black to be produced and to which the yield refers. If within 20 days of mailing this report the producer has not received a written disapproval of the yield figure proposed, the producer may use such yield figure in computing his additional production and maximum prices therefor. The Office of Price Administration may at any time disapprove, or modify, the yield figure proposed, and in doing so may consider the yields obtained by other producers of channel carbon black using the same supplemental raw materials. The producer may at any time request modification of the yield estimate and submit evidence in support of such request, and such request and supporting evidence shall be considered by the Office of Price Administration, which shall make such adjustment in the yield figure as may be warranted.

(c) *Maximum prices.* (1) The maximum price per pound in covered hopper cars, f. o. b. plant, for sales of the high cost output of rubber grades of non-specialty channel black produced at any new plant, shall be the sum of the following items per pound of such high cost output. The computation is to be made in accordance with subparagraph (2) below and reported in accordance with subparagraph (4) below.

(i) Cost of supplemental raw materials.

(ii) Delivery cost of supplemental raw materials.

(iii) Gas treatment cost.

(iv) Amortization of preparatory expense involved in rehabilitation of existing plants and the adaptation of channel plants for the propane enrichment of gas



and depreciation (except on bagging facilities).

All items of preparatory expense involved in the rehabilitation of existing plants which, in accordance with good accounting practice and the regulations of the Bureau of Internal Revenue, need not be capitalized, may be written off within a period of not less than one year. All items of preparatory expense involved in the rehabilitation of existing plants, which in accordance with good accounting practice and the regulations of the Bureau of Internal Revenue are considered depreciable items and the cost of building new plants and moving idle plants to new locations shall be depreciated at normal rates applicable to like items. The Administrator may, on application by the producer, permit the use of a higher than normal rate where he finds that because of particular circumstances applying to the plant such higher rate is necessary to reflect the probable useful economic life of the plant. The cost of equipment required for the propane enrichment of gas used by channel black plants, less its salvage value, shall be written off over a six months period provided that the costs are prudently incurred, and under WPB authorization.

(v) Defense Plant Corporation rentals.

(vi) Direct labor cost (excluding bagging labor).

(vii) Other manufacturing costs properly assignable to the high cost output. Such costs include indirect labor, factory supplies, repairs and maintenance of buildings, machinery, and equipment, used in the manufacture of high cost output, insurance, property taxes, purchased utility services, and other items commonly associated with factory operations. They do not include depreciation, amortization of preparatory expense and cost of propane enrichment equipment, Defense Plant Corporation rentals, or bagging costs.

(viii) Selling and administrative expenses. This includes executive and administrative salaries, office expense, commissions, and other selling expenses, advertising, and similar items, but does not include income or excess profits taxes, or charges to war reserves or reserves for contingencies, or bagging costs.

(2) *Computation of the items specified in subparagraph (1) for various types of high cost output.* (i) Where costs include payments made to a subsidiary or affiliate, only costs incurred by such subsidiary or affiliate and not payments thereto, shall be included.

(ii) All costs shall exclude bagging costs and costs incident to the production of specialty channel blacks.

(iii) In the case of all high cost output, item (viii), the selling and administrative cost per pound, shall be taken as equal to the average cost for selling and administrative expense per pound of rubber grades of non-specialty channel black produced by the producer at all plants during the first six months of 1944, except that the amount per pound by which the Texas carbon black production tax applicable to the high cost output exceeds 31/240¢ may be added to such

average cost in those cases where such tax has not otherwise been included in costs.

(iv) In the case of high cost output produced at a new plant, items (i) and (vii) inclusive shall be based on actual costs of operation of the plant.

(v) In the case of high cost output produced at expanded plants or high cost output produced from supplemental raw materials at existing plants, items (i) to (viii) shall be computed as follows:

- (a) Total raw material cost during period for entire output of plant (less any cost absorbed by producer under (f) below) \$-----
- (b) Total raw materials delivery cost at plant during period \$-----
- (c) Total gas treatment costs at plant during period \$-----
- (d) Amortization of preparatory expenses involved in rehabilitation of existing plant per period \$-----
- (e) Amortization involved in adaptation of plant for propane enrichment per period \$-----
- (f) Depreciation:
  - (1) On existing plant (dollar amount per period based on dollar amount of depreciation at plant during June 1944) \$-----
  - (2) On depreciable items added to plant since June 30, 1944 for high cost output (dollar amount at plant for period) \$-----
- (g) Total direct labor costs (average cost per pound of rubber grades of non-specialty channel black produced at plant during first 6 months of 1944 multiplied by plant's output of both normal and high cost channel black per period) \$-----
- (h) Total of other manufacturing costs (average cost per pound of rubber grades of non-specialty

- channel black produced at plant during the first 6 months of 1944 multiplied by plant's output of both normal and high cost channel black per period) \$-----
- (i) Total selling and administrative expenses (average cost per pound of rubber grades of non-specialty channel black produced at all of the producer's plants during first six months of 1944, multiplied by plant's output of both normal and high cost channel black per period) \$-----
- (j) Average monthly profits on the plants production of rubber grades of non-specialty channel black during the first six months of 1944, reduced by the percentage of the base period gas supply of the plant which has been dropped or which has been replaced at an increase in price above a level which the producer is willing to absorb. If the period is other than a month, this figure shall be adjusted accordingly \$-----
- (k) Maximum total revenue for entire output of channel black produced during period in the plant if all were sold in covered hopper cars. (Total of (a) through (j)) \$-----
- (l) Less \$.033 times number of pounds of normal output of channel black produced in plant during period. (Total output less high cost output, computed by multiplying each type of supplementary raw material used for high cost output by its yield determined in accordance with paragraph (b)) \$-----
- (m) Unadjusted total price for high cost black produced at plant during period. [(k) minus (l)] \$-----
- (n) Add adjustment for changes in direct labor cost per hour incident to high cost channel black production at plant computed as follows: <sup>1</sup> \$-----

Net percentage increase in weighted average direct labor cost per hour at plant during period as compared with weighted average direct labor cost per hour at plant in first 6 months of 1944. X

Average direct labor cost per lb. of nonspecialty channel black at plant X Output of high cost channel black during first 6 months of period. 1944.

- (o) Add DPC rental per period incurred in respect of high cost output \$-----
- (p) Calculated total price of high cost channel black produced in plant during period unadjusted for Texas production tax. (Total of (m), (n) and (o).) \$-----
- (q) Pounds of high cost channel black produced in plant during period. (Total output less normal output) -----lbs.
- (r) Average price per pound of high cost channel black unadjusted for Texas production tax [(p) divided by (q)] \$-----lbs.
- (s) Add Texas carbon black production tax applicable to high cost black in excess of 31/240¢ per pound. (This may be added only where such excess has not otherwise been included). Per pound \$-----
- (t) Average maximum price per pound of high cost channel black produced in plant during period. [(r) plus (s)]. Per pound \$-----

The average maximum price per pound of high cost output during a period may be used for all high cost output at a plant during the period except where the use of an average maximum price in place of separate maximum prices for each type

of high cost output would result in increasing the price of the raw materials for a portion of the output (as by increasing royalties paid for such materials) or would result in a higher Texas carbon black production tax. In such cases separate maximum prices shall be determined for each type of carbon black taking account of the cost and yield of supplementary raw materials used and the specific depreciation, amortization and Defense Plant Corporation rental charges applicable to each type of high cost output. The total maximum price for all types of high cost output, pricing each type at its separate maximum price, shall not exceed the total maximum price obtained by multiplying the total high cost output by the average maximum price per pound computed as indicated above.

(vi) Where the carbon black producer is also the producer of the gas or supplementary raw material used, he may use his maximum price for sales of such ma-

<sup>1</sup> No adjustment shall be made on account of increases in wage rates not in accordance with War Labor Board Regulations.



terials to channel carbon black producers in determining the cost of the material.

(3) *Maximum prices for sales other than in covered hopper cars.* The maximum price for sales by any seller of high cost output other than in covered hopper cars shall be the maximum price determined by the producer in accordance with subparagraphs (1) and (2) for sales in covered hopper cars of rubber grades of non-specialty channel black, plus the seller's dollar-and-cents quantity and container differentials established under other provisions of the General Maximum Price Regulation for sales of such channel carbon black.

(4) *Determination of maximum prices.* (i) Maximum prices computed pursuant to (1), (2) and (3) above for high cost output produced in any period shall be determined separately for each new facility and for each plant using supplemental raw materials. Such maximum prices shall apply to an amount of channel black sold to Defense Supplies Corporation equal to the high cost output produced during the period. Until the end of a period the amount of high cost output to be produced during that period and the maximum prices therefor shall be based on estimated operations during the period. The estimate of output during a period shall be based on expected operations during the period. The period, except for the initial period, shall consist of one calendar month. The estimated price for any calendar month after the first two calendar months of full operation shall be the maximum price determined on the basis of actual operations during the second calendar month preceding the calendar month for which a price is being estimated.

Within 15 days after the end of a period a report of actual production of high cost output during the period and a determination of maximum prices based on actual operations during the period shall be filed in accordance with subdivision (ii) below. The estimated prices shall be adjusted upward or downward in accordance with the determination of maximum prices upon the basis of actual operations. If excess payment has been made, whether because of sales at a price in excess of the adjusted price or because of sales of an amount of channel black in excess of the high cost output actually produced during the period, the seller shall refund the excess.

A maximum price so determined on the basis of actual operations shall be subject to disapproval in writing at any time by the Office of Price Administration, and if a maximum price reported pursuant to this subparagraph (4) is revised downward by the Office of Price Administration and if any payment has been made at a price higher than the price approved by the Office of Price Administration, the seller shall refund the excess.

(ii) *Reports.* (a) Prior to making the first delivery of high cost output from a new facility or from supplemental raw materials, the producer shall submit a report of the output and maximum price on the basis of expected operations during the initial period from the beginning of operations to the end of the calendar month following the first

full calendar month of operations at the new facility or on supplemental raw materials.

(b) Within 15 days after the end of the initial period the producer shall submit a report of actual output during the initial period and maximum prices based on actual operations during the period. The adjustment specified in (i) above shall be made for the entire initial period on the basis of this report.

(c) Within 15 days after the end of the first full calendar month of operations and within 15 days after the end of each calendar month thereafter the producer shall file a report of the actual output during the calendar month and the maximum prices based on actual operations during the calendar month. For every calendar month after the initial period, the adjustment specified in (i) above shall be made on the basis of the report of actual operations during that calendar month.

(d) The reports required by this subdivision (ii) shall be made on OPA Form No. 692-2051 in the case of new plants. In the case of existing plants the reports shall include the material required by paragraph (c) (2) (v). Such reports shall be filed in triplicate, one copy being mailed to the Rubber, Chemicals and Drugs Price Branch, Office of Price Administration, Washington 25, D. C.; the other two to the Defense Supplies Corporation, Washington 25, D. C. Copies of OPA Form No. 692-2051 may be obtained from the Office of Price Administration, Washington 25, D. C.

(e) *Records.* (1) Each producer of high cost output shall keep for each new facility and for each plant using supplemental raw material, records of the entire output at that facility or plant and records of the deliveries of such output showing the name of the buyers, the number of pounds delivered and the date of delivery, the containers in which delivered and the price charged. Such records shall be kept for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(2) Each producer of high cost output shall preserve for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, all his existing records relating to the costs of producing and selling channel carbon black during the first six months of 1944.

(3) Each producer of high cost output shall keep books and records relating to the costs of production at each new facility and each plant using supplemental raw materials and preserve the same for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect. Such books and records shall set out the costs in the detail customarily used by the producer for management purposes, but in all cases in sufficient detail to enable verification of the computation of maximum prices under the provisions of this section 28.

(f) *Tolling arrangements.* Where high cost output of easy processing channel carbon black is produced for the Defense Supplies Corporation from supplemental

raw material furnished the producer by that corporation, the producer shall determine his maximum price for the conversion service in accordance with paragraph (c) of this section, except that in computing a maximum price thereunder no costs shall be included for any items of material or service furnished by the Defense Supplies Corporation. The seller of the conversion service shall keep the records and file the reports required of producers of high cost output by this section.

This amendment shall become effective March 31, 1945.

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

Issued this 31st day of March 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-5240; Filed, Mar. 31, 1945; 4:56 p. m.]

#### PART 1340—FUEL

[RMPR 436, Amdt. 12]

#### CRUDE PETROLEUM AND NATURAL PETROLEUM GAS

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 No. 436 is amended in the following respects:

1. Section 10 (n) (13) is redesignated to read section 13 (b).
2. Sections 12 (a), (b) and (d) are revoked.
3. Section 12 (c) is redesignated to read 12 (a).

This amendment shall become effective as of March 1, 1945.

Issued this 2d day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-5276; Filed, Apr. 2, 1945; 11:49 a. m.]

#### Chapter XVI—Office of Censorship

#### PART 1806—DISPOSAL OF CERTAIN CONDEMNED MAIL MATTER

#### JOINT REGULATIONS OF POST OFFICE DEPARTMENT AND OFFICE OF CENSORSHIP

MARCH 17, 1945.

Regulations providing for the disposal of certain condemned mail matter. Issued under the authority vested in a committee consisting of the Postmaster General and Director of Censorship pursuant to Public Law 542, Chapter 673, 78th Congress, 2d Session.

- Sec.  
1806.1 Establishment of Committee.  
1806.2 Requirements concerning certification.  
1806.3 Manner of disposal.  
1806.4 Record concerning time, place and manner.  
1806.5 Preservation of records.



AUTHORITY: §§ 1806.1 to 1806.5, inclusive, issued under 58 Stat. 913.

**§ 1806.1 Establishment of Committee.** There is hereby established a committee composed of the Postmaster General and the Director of Censorship, or their alternates duly designated by them, which shall have authority to dispose of mail matter consisting of (1) printed matter containing propaganda material, and (2) printed matter mailed by or to or published by persons whose names are on the Proclaimed List of Certain Blocked Nationals, and (3) parcel-post packages or small packets containing articles of no monetary value or articles which may be used by the United States in the prosecution of the war, if such mail matter has been censored and condemned by the Office of Censorship as being inimical to the war effort of the United States or contrary to the interests of the United States or its Allies, but no mail matter shall be disposed of under this Act until the expiration of at least ninety days after the date of condemnation. Such committee may promulgate such rules and regulations as it deems necessary to carry out the provisions of this Act.

**§ 1806.2 Requirements concerning certification.** When the Office of Censorship has certified to the Disposal Committee a record of condemned mail matter showing:

(a) That such matter has been held ninety days or more after its condemnation, and

(b) That such matter has been found by the Office of Censorship to be inimical to the war effort of the United States or contrary to the interests of the United States or its Allies, as consisting of:

(1) Printed matter containing propaganda material, or

(2) Printed matter mailed by or to or published by persons whose names are on the Proclaimed List of Certain Blocked Nationals, or

(3) Parcel-post packages or small packets containing articles of no monetary value, or

(4) Articles which may be used by the United States in the prosecution of the war,

such mail matter shall be disposed of in accordance with the provision set forth in § 1806.3 and under proper safeguards prescribed by the Director of Censorship.

**§ 1806.3 Manner of disposal.** Condemned material as described in § 1806.2 (b) (1) to (b) (4), inclusive, will be reduced to paper pulp or macerated, or tendered to appropriate government agency for use in the war effort or delivered to appropriate government agency for permanent retention, or otherwise disposed of.

**§ 1806.4 Record concerning time, place and manner.** The record of condemned mail matter certified as provided in § 1806.2 shall be endorsed at the time of the disposition of the mail matter described therein with a statement showing the time, place, and manner of its disposition, and such statement shall

be signed by the Post Office official and the Censorship official who witnessed the disposition of the condemned mail matter.

**§ 1806.5 Preservation of records.** The record of condemned mail matter (referred to in §§ 1806.2 and 1806.4) shall, after its endorsement as prescribed in § 1806.4 be preserved in the records of the Disposal Committee.

FRANK C. WALKER,  
Postmaster General.  
BYRON PRICE,  
Director of Censorship.

MARCH 31, 1945.

[F. R. Doc. 45-5283; Filed, Apr. 2, 1945;  
11:55 a. m.]

#### Chapter XVIII—Office of Economic Stabilization

[Directive 40]

#### PART 4003—SUBSIDIES; SUPPORT PRICES 1945 PUERTO RICAN RAW SUGAR PRODUCTION AND PURCHASE PROGRAM

The War Food Administrator having, by letter and enclosure dated March 29, 1945, submitted certain information and recommended a proposed program with respect to the production and purchase of 1945 crop Puerto Rican raw sugar needed to meet military, lend-lease, and civilian requirements, under which Commodity Credit Corporation will purchase such sugar at a price of \$3.46 per 100 pounds f. o. b. Puerto Rico and make a support payment of 55 cents per 100 pounds of such sugar, to be shared in by growers, processors, and labor.

I hereby find that the proposed program is necessary to effectuate the policy established by Executive Orders No. 9250 and No. 9328 and specifically to insure the maximum necessary production and distribution of 1945 crop Puerto Rican raw sugar to meet military, lend-lease, and civilian requirements.

Accordingly, the War Food Administration is hereby authorized and directed to carry out through the Commodity Credit Corporation the program as described in the War Food Administrator's letter and the memorandum enclosed therewith.

(E.O. 9250 and E.O. 9328, 3 CFR, Cum. Supp. pp. 1213, 1267)

Dated this 31st day of March 1945.

WILLIAM H. DAVIS,  
Economic Stabilization Director.

[F. R. Doc. 45-5229; Filed, Mar. 31, 1945;  
2:57 p. m.]

[Directive 38, Amdt. 1]

#### PART 4003—SUPPORT PRICES: SUBSIDIES LIVESTOCK SLAUGHTER PAYMENTS

Directive No. 38 is amended in the following respects:

1. Subparagraph (a) (1) of section 1 is amended to read as follows:

(1) Except with respect to persons eligible for extra compensation pursuant to

§ 7003.5 (f) of Livestock Slaughter Payments Regulation No. 3, Revised, of Defense Supplies Corporation, there shall be paid on all claims reporting cost of cattle an amount equal to one-half of the dollar amount, if any, by which the total cost of cattle slaughtered during the monthly accounting period for which claim for payments is made exceeded the total amount the slaughterer would have paid for such cattle at 50 cents per hundredweight above the minimum permissible prices of the applicable range prices set forth in section 13 of Maximum Price Regulation No. 574, issued by the Administrator of the Office of Price Administration: *Provided*, The total of such additional subsidy payment shall not exceed on any claim 50 cents per live hundredweight.

2. Paragraph (b) of section 1 is hereby revoked.

3. Paragraph (c) of section 1 is redesignated as paragraph (b).

This amendment shall become effective March 31, 1945.

Issued this 31st day of March 1945.

WILLIAM H. DAVIS,  
Director.

[F. R. Doc. 45-5255; Filed, Apr. 2, 1945;  
10:51 a. m.]

#### TITLE 26—INTERNAL REVENUE

#### Chapter I—Bureau of Internal Revenue

[T. D. 5449]

#### PART 171—MISCELLANEOUS REGULATIONS RELATED TO LIQUOR

##### SCOPE OF DUTIES

By virtue of and pursuant to the provisions of sections 3740 and 3170 of the Internal Revenue Code and section 161 of the Revised Statutes (5 U.S.C. 22) Treasury Decision No. 4662 (Part 171, Subpart B, of Title 26 of the Code of Federal Regulations) prescribed under the Internal Revenue Code by Treasury Decision 4885, approved February 11, 1939 (26 CFR, 1939 Supp., page 1599), is hereby amended by inserting at the end of section 1 (26 CFR § 171.2) a new paragraph, lettered (j), reading as follows:

§ 171.2 *Scope of duties.* \* \* \*

(j) *Authorization and sanction of suits.* The authorizing and sanctioning of suits for the recovery of taxes, fines, penalties and forfeitures alleged to have been incurred under the internal-revenue laws relating to the taxation, exportation, manufacture, possession, or use of, or traffic in, distilled spirits, fermented liquors, denatured alcohol and other such liquors and liquids.

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

Approved: March 29, 1945.

JOSEPH J. O'CONNELL, JR.,  
Acting Secretary of the Treasury.

[F. R. Doc. 45-5254; Filed, Apr. 2, 1945;  
10:51 a. m.]



## TITLE 39—POSTAL SERVICE

## Chapter I—Post Office Department

CROSS REFERENCE: For joint regulations of the Post Office Department and the Office of Censorship concerning the disposal of certain condemned mail matter, see Title 32, Chapter XVI, *supra*.

## TITLE 42—PUBLIC HEALTH

## Chapter II—Children's Bureau

## PART 202—SERVICES FOR CRIPPLED CHILDREN

## DIAGNOSTIC SERVICES

Regulations of the Children's Bureau, Title 42, Chapter II, Part 202, § 202.4, as amended November 17, 1944 (9 F.R. 13862), provided in part that effective July 1, 1945, it shall be " \* \* a condition of approval of a plan that it provide that diagnostic services will be made available thereunder to crippled children without restrictions as to \* \* the necessity of referral by any person other than the child's parents or legal guardian \* \* ." It is deemed advisable to postpone the effective date of this condition for the purpose of reviewing applicable procedural requirements of the various States, and to provide an opportunity for the Children's Bureau of the United States Department of Labor and the State agencies affected by such requirement to review policies and procedures for referral to diagnostic clinics. Accordingly, the operation of the condition quoted above is hereby suspended until further notice. This order shall not operate to suspend or postpone any other requirement or provision of the amendment to such regulations of November 17, 1944, which shall become effective July 1, 1945, as heretofore provided.

Dated at Washington, D. C., this 29th day of March 1945.

FRANCES PERKINS,  
Secretary.

Approval recommended:

KATHARINE F. LENROOT,  
Chief of the Children's Bureau.

[F. R. Doc. 45-5153; Filed, Mar. 30, 1945;  
2:26 p. m.]

## TITLE 46—SHIPPING

## Chapter I—Coast Guard: Inspection and Navigation

## Subchapter D—Tank Vessels

## AMENDMENTS TO REGULATIONS

## Correction

In Federal Register Document 45-4681, appearing at page 3136 of the issue for Saturday, March 24, 1945, the figure "180" in paragraph (bb) of § 30.3 should read "100".

## Appendix A—Waiver of Navigation and Vessel Inspection Laws and Regulations

## DECK OFFICERS, PROFICIENCY IN COMMUNICATIONS

Vessels engaged in business connected with the conduct of the war.

The Acting Secretary of the Navy having, by an order dated October 1, 1942 (7 F.R. 7979), waived compliance with the navigation and vessel inspection laws administered by the U. S. Coast Guard, in the case of any vessel engaged in business connected with the conduct of the war, to the extent and in the manner that the Commandant, U. S. Coast Guard, shall find to be necessary in the conduct of the war;

Now Therefore, I hereby find it to be necessary in the conduct of the war that there be waived compliance with the requirements of the provisions of certificates of inspection specified in 46 CFR 161.1, as amended, and the related provisions of 46 CFR 161.1 through 161.4, as amended, in the case of vessels engaged in business connected with the conduct of the war to the extent necessary to permit any particular vessel to include a particular deck officer on a particular voyage as one of the deck officers required by its certificate of inspection even though not in possession of satisfactory evidence of proficiency in wartime merchant ship communications, upon the condition that, by a certificate attached to the shipping articles, the Administrator, War Shipping Administration, or his designated representative, certifies that the specified deck officer has not yet obtained evidence of such proficiency and no deck officer of appropriate grade having such evidence is available for the voyage.

Dated: March 30, 1945.

L. T. CHALKER,  
Acting Commandant.

[F. R. Doc. 45-5217; Filed, Mar. 31, 1945;  
2:27 p. m.]

## TITLE 49—TRANSPORTATION AND RAILROADS

## Chapter I—Interstate Commerce Commission

[S. O. 299]

## PART 97—ROUTING OF TRAFFIC

## REROUTING OF TRAFFIC DUE TO WASHOUTS IN TEXAS AND ARKANSAS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 31st day of March, A. D. 1945.

It appearing, that because of washouts on the Sulphur River at Darden, Texas, between Mt. Pleasant, Texas, and Texarkana, Arkansas, and at Cedar

Creek between Tyler, Texas, and Corsicana, Texas, reached by the St. Louis Southwestern Railway Company of Texas; and a washout on The Texas and Pacific Railway Company near Mineola, Texas, such carriers are unable properly to serve the public; in the opinion of the Commission an emergency exists requiring immediate action to avoid congestion of traffic, and in order to best promote the service in the interest of the public and the commerce of the people; It is ordered, that:

*Washouts*—(a) *Rerouting of freight traffic.* The St. Louis Southwestern Railway Company of Texas and The Texas and Pacific Railway Company are hereby directed to forward freight traffic having origin or destination in or ordinarily moving through Mineola, Texas, or the Sulphur River and Cedar Creek areas described above, via routes most available to expedite its movement and prevent congestion, without regard to the routing thereof made by shippers or by carriers from which the traffic is received or to the ownership of cars: *Provided*, That the billing covering all cars rerouted shall carry a reference to this order as authority for the rerouting. All rules, regulations, and practices of said carriers with respect to car service are hereby suspended and superseded insofar only as conflicting with the directions hereby made.

(b) *Rates to be applied.* That inasmuch as such disregard of routing is deemed to be due to carriers' disability, the rates applicable to traffic so forwarded by routes other than those designated by shippers, or by carriers from which the traffic is received, shall be the rates which were applicable at date of shipment over the routes so designated.

(c) *Division of rates.* In executing the orders and directions of the Commission provided for in this order the common carriers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to said traffic; such divisions shall be, during the time this order remains in force, voluntarily agreed upon by and between said carriers; and upon failure of the carriers to so agree, said divisions shall be hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(d) *Effective date.* This order shall become effective 6 p. m., March 31, 1945.

(e) *Expiration date.* This order shall expire at 11:59 p. m., April 10, 1945, unless otherwise modified, changed, suspended, or annulled by order of the Commission. (40 Stat. 101, sec. 402, 418; 41 Stat. 476, 485; sec. 4, 10; 54 Stat. 901, 912; 49 U.S.C. 1 (10)-(17) 15 (4))

It is further ordered, that copies of this order and direction be served upon the carriers named herein and upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order



be given to the general public by depositing a copy thereof in the Office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 45-5256; Filed, Apr. 2, 1945;  
11:02 a. m.]

## Notices

### DEPARTMENT OF THE INTERIOR.

#### Geological Survey.

[Power Site Classification 374]

NORTH PLATTE RIVER AND TRIBUTARIES,  
COLO. AND WYO.

#### CLASSIFICATION AS POWER SITE

FEBRUARY 19, 1945.

The SECRETARY of the INTERIOR.

SIR: Under authority vested in me by the act of March 3, 1879 (20 Stat. 394; 43 U.S.C. 31, 41), the following described land is hereby classified as power sites and, in so far as title thereto remains in the United States and subject to valid existing rights, it is recommended that this classification be given full force and effect under the provisions of section 24 of the act of June 10, 1920, as amended by sec. 211 of the act of August 26, 1935 (41 Stat. 1075; 49 Stat. 846; 16 U.S.C. sec. 818):

#### SIXTH PRINCIPAL MERIDIAN COLORADO

T. 11 N., R. 80 W.,  
Sec. 1, lot 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$ , and NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 2, lot 1, SE $\frac{1}{4}$ .

T. 12 N., R. 80 W.,  
Sec. 23, lots 3, and 4, S $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Sec. 26, W $\frac{1}{2}$ ;  
Sec. 35, S $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , and SE $\frac{1}{4}$ SE $\frac{1}{4}$ .

T. 12 N., R. 82 W.,  
Sec. 22, lots 3, and 4, N $\frac{1}{2}$ SW $\frac{1}{4}$ .

#### WYOMING

T. 12 N., R. 80 W.,  
Sec. 3, SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 4, NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ , and SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 9, NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
Sec. 10, N $\frac{1}{2}$ , and NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 11, SW $\frac{1}{4}$ NW $\frac{1}{4}$ , and SW $\frac{1}{4}$ ;  
Sec. 14, N $\frac{1}{2}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ , and SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 23, lots 1, 2, and 3.

T. 13 N., R. 80 W.,  
Sec. 5, SW $\frac{1}{4}$ NW $\frac{1}{4}$ , and NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 6, S $\frac{1}{2}$ NE $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
Sec. 7, NE $\frac{1}{4}$ ;  
Sec. 8, W $\frac{1}{2}$ NW $\frac{1}{4}$ , and SW $\frac{1}{4}$ ;  
Sec. 17, NW $\frac{1}{4}$ , and W $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Sec. 18, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , and E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 19, NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
Sec. 20, N $\frac{1}{2}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , and SW $\frac{1}{4}$ ;  
Sec. 28, W $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , and S $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 29, NE $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , and E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 33, NE $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ , and W $\frac{1}{2}$ SE $\frac{1}{4}$ .

No. 66—8

T. 12 N., R. 82 W.,  
Sec. 3, SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 4, S $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 9, N $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , and W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 10, W $\frac{1}{2}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
Sec. 11, W $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 12, S $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 13, N $\frac{1}{2}$ NW $\frac{1}{4}$ ; Exclusive of Mineral Survey 260;  
Sec. 14, S $\frac{1}{2}$ NE $\frac{1}{4}$ ; N $\frac{1}{2}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$ ; Exclusive of Mineral Survey No. 260;  
Sec. 15, NE $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , and NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 22, lots 3, and 4;  
Sec. 23, lots 1, 2, 3, and 4.  
T. 12 N., R. 84 W.,  
Sec. 2, NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 3, NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
Sec. 8, S $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 9, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , and NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 10, SW $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ , and S $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 15, lots 1, 3, and 4, E $\frac{1}{2}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , and NE $\frac{1}{4}$ SE $\frac{1}{4}$ .  
T. 13 N., R. 84 W.,  
Sec. 13, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , and SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 24, W $\frac{1}{2}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Sec. 26, N $\frac{1}{2}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , and W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 35, W $\frac{1}{2}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , and W $\frac{1}{2}$ SE $\frac{1}{4}$ .

JULIAN D. SEARS,  
Acting Director.

Approved: March 23, 1945.

MICHAEL W. STRAUS,  
Assistant Secretary.

[F. R. Doc. 45-5248; Filed, Apr. 2, 1945;  
9:32 a. m.]

### DEPARTMENT OF LABOR.

#### Wage and Hour Division.

#### LEARNER EMPLOYMENT CERTIFICATES

#### ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862 and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulations listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942, (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079), and Administrative Order, June 7, 1943, (8 F.R. 7890).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3748) and as further amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, July 17, 1944 (9 F.R. 7125).

The employment of learners under these certificates is limited to the terms and conditions therein contained and to the provisions of the applicable determination and order or regulations cited above. The applicable determination and order or regulations, and the effective and expiration dates of the certificates issued to each employer is listed below. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates, may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EFFECTIVE DATES

#### APPAREL INDUSTRY

Thompstontown Manufacturing Company, Thompstontown, Pennsylvania; men's nightwear (woven), olive-drab Army shorts (woven); 5 learners (T); effective March 20, 1945, expiring March 19, 1946.

SINGLE PANTS, SHIRTS, AND ALLIED GARMENTS, WOMEN'S APPAREL, SPORTSWEAR, RAINWEAR, ROBES AND LEATHER AND SHEEP-LINED GARMENTS DIVISIONS OF THE APPAREL INDUSTRY

Colonial Frocks, Inc., 32 S. LaSalle Street, Aurora, Illinois; juniors', misses' and women's dresses; 10 percent (T); effective March 16, 1945, expiring March 15, 1946.

The Fitz Overall Company, 112-114 South Second Street, Atchison, Kansas; overalls, overall jackets, work pants, one-piece suits; 10 learners (T); effective March 16, 1945, expiring March 15, 1946.

Garden Dress Company, Oak and Balliet Streets, Frackville, Pennsylvania; ladies' and children's dresses; 10 percent (T); effective March 14, 1945, expiring March 13, 1946.

Gort Girls' Frocks, Inc., 75 Stark Street, N. E., Wilkes-Barre, Pennsylvania; children's cotton dresses, housecoats, play suits, slacks, and shorts; 10 percent (T); effective March 23, 1945, expiring March 22, 1946.

The Jetmore Company, 128 N. Cherry Street, Olathe, Kansas; children's play garments; 5 learners (T); effective March 22, 1945, expiring March 21, 1946.

Julius Leventhal & Bros., Lykens, Pennsylvania; shirts; 10 percent (T); effective March 16, 1945, expiring March 15, 1946.

Southland Manufacturing Company, Mobile and Grady Streets, Montgomery, Alabama; navy chambray shirts, civilian work shirts; 15 percent (AT); effective March 19, 1945, expiring September 18, 1945.

#### GLOVE INDUSTRY

Green Mountain Glove Company, 3 Central Street, Randolph, Vermont; work gloves; 3 learners (T); effective March 16, 1945, expiring March 15, 1946.

#### HOSIERY INDUSTRY

Clay County Products Company, Inc., Green Cove Springs, Florida; full-fashioned hosiery; 5 learners (T); effective March 18, 1945, expiring March 17, 1946.

Lillian Knitting Mills Company, 335 East Main Street, Albemarle, North Carolina; full-fashioned hosiery; 5 percent (T); effective March 18, 1945, expiring March 17, 1946.



## TEXTILE INDUSTRY

Cleveland Silk Mills, Inc., 38th Street, Cleveland, Tennessee; rayon; 12 learners (AT); effective March 19, 1945, expiring September 18, 1945. (This certificate replaces the certificate previously issued, effective March 11, 1945 and expiring March 10, 1946.)

Southern Webbing Mills, Inc., Reidsville Road, Greensboro, North Carolina; narrow fabric webbing; 3 percent (T); effective March 16, 1945, expiring March 15, 1946.

## TELEPHONE INDUSTRY

Central Iowa Telephone Company, Emmetsburg, Iowa; to employ learners as commercial switchboard operators at its Emmetsburg exchange, located at Emmetsburg, Iowa; effective March 16, 1945, expiring March 15, 1946.

Central Iowa Telephone Company, Gladbrook, Iowa; to employ learners as commercial switchboard operators at its Gladbrook exchange, located at Gladbrook, Iowa; effective March 16, 1945, expiring March 15, 1946.

West Iowa Telephone Company, Marcus, Iowa; to employ learners as commercial switchboard operators at its Marcus exchange, located at Marcus, Iowa; effective March 16, 1945, expiring March 15, 1946.

West Iowa Telephone Company, Remsen, Iowa; to employ learners as commercial switchboard operators at its Remsen exchange, located at Remsen, Iowa; effective March 16, 1945, expiring March 15, 1946.

Signed at New York, New York this 21st day of March, 1945.

PAULINE C. GILBERT,  
Authorized Representative  
of the Administrator.

[F. R. Doc. 45-5152; Filed, Mar. 30, 1945;  
2:25 p. m.]

## NEWSPAPER PUBLISHING AND GRAPHIC ARTS INDUSTRY

## NOTICE OF REOPENING OF HEARING ON MINIMUM WAGE RECOMMENDATION OF SPECIAL INDUSTRY COMMITTEE NO 3 FOR PUERTO RICO

Whereas, a public hearing was held before Donald M. Murtha, as Presiding Officer, on September 19, 1944, in New York, New York, for the purpose of receiving evidence on the following question:

Whether the recommendation of Special Industry Committee No. 3 for Puerto Rico for a minimum wage rate in the newspaper publishing and graphic arts industry in Puerto Rico shall be approved or disapproved;

Now therefore, notice is hereby given that, pursuant to section 4 of the rules governing the above proceeding, the hearing will be reopened for the purpose of taking further evidence on April 26, 1945, before Russell L. Sturgis, Territorial Representative of the Wage and Hour Division, United States Department of Labor, at 10 a. m. in the Chamber of Commerce Building, San Juan, Puerto Rico.

Signed at New York, New York, this 29th day of March 1945.

L. METCALFE WALLING,  
Administrator.

[F. R. Doc. 45-5232; Filed, Mar. 31, 1945;  
4:44 p. m.]

## SALANT &amp; SALANT, INC.

## NOTICE OF HEARING

In the matter of the application of Salant & Salant, Inc., for special certificates authorizing the employment of learners at subminimum wage rates pursuant to section 14 of the Fair Labor Standards Act of 1938 and Part 522, as amended, of the regulations issued thereunder.

Applications have been made by Salant & Salant, Inc., pursuant to section 14 of the Fair Labor Standards Act of 1938 and Regulations, Part 522, as amended (Regulations Applicable to Employment of Learners Pursuant to section 14 of the Fair Labor Standards Act of 1938), requesting the issuance of special certificates permitting the employment of learners at wage rates lower than the minimum applicable under section 6 of the act at those of its plants located at Lawrenceburg, Henderson, Lexington, Parsons, Union City, Obion and Paris, Tennessee.

Objections having been filed by the Amalgamated Clothing Workers of America, temporary 90-day certificates were issued to the aforementioned plants of Salant & Salant, Inc., authorizing the employment of learners at subminimum wage rates pending the holding of a hearing on the company's applications for issuance of full one-year learner certificates under §§ 522.160 to 522.165 of regulations, Part 522, as amended (Regulations Applicable to the Employment of Learners in the Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry). These temporary 90-day certificates will expire on April 10, 1945. Accordingly,

Notice is hereby given of a public hearing to be held on April 12, 1945, commencing at 10 a. m., in the Medical Arts Building, 119 Seventh Avenue, North, Nashville 3, Tennessee, before Isabel Ferguson, a duly authorized representative of the Administrator, who is hereby authorized to receive evidence and hear argument on the following question:

Whether special learner certificates should be issued to any of the Tennessee plants of Salant & Salant, Inc., on and after April 10, 1945, under section 14 of the Fair Labor Standards Act of 1938 and §§ 522.160 to 522.165 of Part 522, as amended, of the regulations issued thereunder.

In order that the Administrator or his duly authorized representative may arrive at a proper determination in this proceeding and in order to determine the extent to which special learner certi-

icates are necessary in order to prevent curtailment of opportunities for employment, the presiding officer will receive evidence bearing on such factors as: availability of experienced workers to Salant & Salant, Inc.; effect of issuance of special learner certificates on creation of unfair competitive labor cost advantages; effect of issuance of such certificates on working standards established for experienced workers for work of a like or comparable character in the industry; and the extent and nature of the use of certificates previously issued to any of applicant's plants.

Following the hearing, the presiding officer shall file with the Administrator a complete record of the proceedings together with his findings of fact and recommendations thereon.

Any interested person may appear at the hearing to offer evidence, *Provided*, That not later than April 9, 1945, such person shall file with the Administrator of the Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York 19, New York, a notice of intention to appear containing the following information:

1. The name and address of the person appearing.
2. If such person is appearing in a representative capacity, the names and addresses of the persons or organizations which he is representing.
3. A statement whether the appearance is in support of or in opposition to the applications.

Such notice may be mailed to the Administrator and shall be considered filed upon receipt. Written statements in lieu of personal appearance may be mailed to the Administrator at any time prior to the date of hearing or may be filed with the presiding officer at the hearing.

Signed at New York, New York, this 29th day of March 1945.

L. METCALFE WALLING,  
Administrator.

[F. R. Doc. 45-5233; Filed, Mar. 31, 1945;  
4:44 p. m.]

## FEDERAL POWER COMMISSION.

[Docket Nos. G-394, G-630]

CENTRAL ILLINOIS PUBLIC SERVICE CO.,  
ET AL.

ORDER CONSOLIDATING PROCEEDINGS AND  
FIXING DATE OF HEARING

MARCH 31, 1945.

Central Illinois Public Service Company, Petitioner v. Panhandle Eastern Pipe Line Company and Kentucky Natural Gas Corporation, Respondents, Docket No. G-394; in the matter of Kentucky Natural Gas Corporation, Docket No. G-630.

It appearing to the Commission that: (a) On September 25, 1944, Central Illinois Public Service Company (Petition-



er) filed an amended petition in Docket No. G-394 seeking an order of this Commission under section 7 (a) of the Natural Gas Act directing Panhandle Eastern Pipe Line Company to extend its transmission pipe line facilities and establish a physical connection with the distribution system of the Petitioner at a point near the City of Mattoon, Illinois, and to sell and deliver at such point natural gas in sufficient quantities to meet its natural-gas requirements in the cities of Mattoon, Charleston, Paris and Effingham and intermediate communities in the State of Illinois;

(b) On March 26, 1945, Kentucky Natural Gas Corporation (Applicant) filed an application in Docket No. G-630 for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, as amended, to authorize its construction and operation of approximately 20½ miles of 6-inch transmission pipeline extending from a point of connection with the transmission pipelines of Panhandle Eastern Pipe Line Company at or near Tuscola, Illinois, southwardly to a point of connection with the eastern end of the Mattoon distribution system of the Central Illinois Public Service Company for the purpose of supplying additional quantities of natural gas to the Central Illinois Public Service Company;

(c) By order of the Commission entered February 23, 1945, the proceeding in Docket No. G-394 was set for hearing to be held commencing at 10:00 a. m. (c. w. t.) on April 12, 1945, in Room 705, United States Custom House, Chicago, Illinois;

(d) By telegraphic communication of March 27, 1945, Panhandle Eastern Pipe Line Company requested that the proceeding in Docket No. G-630 be consolidated for hearing with Docket No. G-394, and as of the same date Central Illinois Public Service Company advised that it has no objection to such consolidation;

(e) The above-entitled proceedings may involve substantially similar issues and facts;

(f) On March 29, 1945, Counsel for National Coal Association and the United Mine Workers of America filed an application for a continuance of the hearing in Docket No. G-394.

The Commission orders that: (a) The proceedings in Docket Nos. G-394 and G-630 be and they are hereby consolidated for the purposes of hearing.

(b) A public hearing be held with respect to the matters involved and the issues presented in the consolidated proceedings beginning on April 23, 1945, at 10:00 a. m. (c. w. t.) in Room 705, United States Custom House, Chicago, Illinois.

(c) Interested State commissions may participate in this hearing in accordance with § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 45-5285; Filed, Apr. 2, 1945; 11:52 a. m.]

# FEDERAL TRADE COMMISSION.

[Docket No. 5192]

NATIONAL ELECTRIC MANUFACTURERS CO.

## ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C. on the 30th day of March, A. D. 1945.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

*It is ordered*, That Webster Ballinger, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

*It is further ordered*, That the taking of testimony in this proceeding begin on Monday, April 23, 1945, at ten o'clock in the forenoon of that day (eastern standard time), in Room 500, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 45-5264; Filed, Apr. 2, 1945; 11:35 a. m.]

[Docket No. 5296]

SOUTHERN CALIFORNIA FISH CORP.

## ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 26th day of March, A. D. 1945.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

*It is ordered*, That John L. Hornor, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

*It is further ordered*, That the taking of testimony in this proceeding begin on Thursday, May 10, 1945, at ten o'clock in the forenoon of that day (Pacific standard time) in Room 229, Post Office Building, Los Angeles, California.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and

recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 45-5265; Filed, Apr. 2, 1945; 11:35 a. m.]

[Docket No. 5297]

DEL MAR CANNING CO.

## ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 29th day of March, A. D. 1945.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

*It is ordered*, That John L. Hornor, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

*It is further ordered*, That the taking of testimony in this proceeding begin on Thursday, May 17, 1945, at ten o'clock in the forenoon of that day (Pacific standard time), in Council Chambers, Monterey Chamber of Commerce, Monterey, California.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 45-5266; Filed, Apr. 2, 1945; 11:35 a. m.]

## INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 945]

### RECONSIGNMENT OF SWEET POTATOES AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri, March 23, 1945, by Fidler Products Company, of car WFE 63009, sweet potatoes, now on the Kansas City Southern Railroad, to Sam Saroff, Manhattan, Kansas (U. P.).

The waybill shall show reference to this special permit.



A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of March 1945.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 45-5257; Filed, Apr. 2, 1945;  
11:02 a. m.]

[S. O. 70-A, Special Permit 946]

#### RECONSIGNMENT OF CARROTS AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri, March 28 or 29, 1945, by Yeckes-Eichenbaum, of cars PFE 41427 and SFRD 24848, carrots, now on the St. L.-S. F. Railway, to Yeckes-Eichenbaum, Chicago, Illinois (CRI&P).

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of March, 1945.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 45-5258; Filed, Apr. 2, 1945;  
11:02 a. m.]

#### OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 4709]

ELIZABETH BOTH

In re: Real property, property insurance policy and claims owned by Elizabeth Both, also known as Mrs. Joseph Both, and another.

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 Elizabeth Both, also known as Mrs. Joseph Both, and Theresia Marton, also known as Terez Both, Theresie Both and Theresa Both, is Szentegyhazasfalva, Udvarhely m., Hungary, and that they are residents of Hungary and nationals of a designated enemy country (Hungary);

2. That Elizabeth Both, also known as Mrs. Joseph Both, and Theresia Marton, also known as Terez Both, Theresie Both and Theresa Both, are the owners of the property described in subparagraph 3 hereof;

3. That the property described as follows:  
a. Real property situated in the City of Chicago, County of Cook, State of Illinois, particularly described in Exhibit A, attached hereto and by reference made a part hereof, 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.

b. All right, title and interest of Elizabeth Both, also known as Mrs. Joseph Both, and Theresia Marton, also known as Terez Both, Theresie Both, and Theresa Both, in and to Fire Insurance Policy 366539, issued by the Pennsylvania Fire Insurance Company of Philadelphia, insuring the property described in subparagraph 3-a hereof, and

c. All right, title, interest and claim of Elizabeth Both, also known as Mrs. Joseph Both, and Theresia Marton, also known as Terez Both, Theresie Both, and Theresa Both, in and to any and all obligations, contingent or otherwise and whether or not matured, owing to them by George Paul, also known as George Pal, including particularly but not limited to those sums arising by reason of rents collected from the real property described in subparagraph 3-a hereof, which sums are deposited in the Pullman Trust & Savings Bank, 111th Street and South Park Avenue, Chicago, Illinois, in the name of George Paul and any and all security rights in and to any and all collateral for any or all such obligations and the right to enforce and collect the same,

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

And determining that the property described in subparagraph 3-b hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof), belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such 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 (Hungary);

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

hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3-b and 3-c hereof,

All such property so vested to be held, used, administered, liquidated, sold or

otherwise dealt with in the interest and for the benefit of the United States.

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

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

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

Executed at Washington, D. C., on March 5, 1945.

[SEAL]

JAMES E. MARKHAM,  
Alien Property Custodian.

#### EXHIBIT A

Those certain parcels of land situated in the City of Chicago, County of Cook, State of Illinois, described as follows:

Parcel 1. The South half of Lot Thirty-two (32) in Block Three (3) in the Resubdivision of the West half of Block Eight (8) and Eleven (11) and all of Blocks Nine (9) and Ten (10) in Placerdale, a Subdivision of the East half of the South east quarter of Section Twenty (20), Township Thirty-seven (37) North, Range Fourteen (14), East of the Third (3d) Principal Meridian, situate in the City of Chicago, County of Cook, in the State of Illinois.

Parcel 2. Lot Thirty-one (31) in Block Three (3) in the Resubdivision of the West half (W½) of Blocks Eight (8) and Eleven (11) and all of Blocks Nine (9) and Ten (10) except lots Nineteen (19), Twenty-two (22) and Twenty-three (23) of Block Ten (10) in the Original Subdivision of the East Half (E½) of the South East Quarter (SE¼) of Section Twenty (20) Township Thirty-seven (37) North, Range, Fourteen (14), East of the Third (3d) Principal Meridian situated in the City of Chicago, in the County of Cook, in the State of Illinois.

[F. R. Doc. 45-5259; Filed, Apr. 2, 1945;  
11:04 a. m.]

[Vesting Order 4726]

A. W. LOTZ, 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 and determined in Vesting Order Number 169, dated September 24, 1942, and Supplemental Vesting Order Number 4611, dated February 15, 1945, that O. Yoshizawa & Company is a partnership composed of Otokichi Yoshizawa, Shosaku Koinuma and



Shizuo Kojima, residents and nationals of Japan, and is a national of a designated enemy country (Japan);

2. Finding that all of the outstanding capital stock of A. W. Lotz, 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 100 shares of no par value, is registered in the names of the persons listed below in the number appearing opposite each name is beneficially owned by O. Yoshizawa & Company and is evidence of ownership and control of the said business enterprise:

Name:	Number of shares
Alfred W. Lotz.....	98
Stephen Cossu.....	1
Marie Elizabeth Lotz.....	1
	100

3. Finding that A. W. Lotz, Inc., is acting or purporting to act directly or indirectly for the benefit or on behalf of Otokichi Yoshizawa, Shosaku Koinuma, Shizuo Kojima and O. Yoshizawa & Company;

and determining:

4. That A. W. Lotz, Inc., is controlled by O. Yoshizawa & Company, Otokichi Yoshizawa, Shosaku Koinuma and Shizuo Kojima and is acting for or on behalf of a designated enemy country (Japan) or persons within such country and is a national of a designated enemy country (Japan);

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 100 shares of no par value capital stock of A. W. Lotz, Inc., more fully described in subparagraph 2 above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise and all property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to, or held on behalf of or on account of, or owing to said business enterprise, to the extent deemed necessary or advisable from time to time by 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 vary the extent of or terminate such direction, management, supervision or control, or 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 March 7, 1945.

[SEAL]

JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 45-5260; Filed, Apr. 2, 1945;  
11:04 a. m.]

[Vesting Order 4772]

ALBERT ROBRECHT

In re: Real property and claim owned by Albert Robrecht and unknown heirs-at-law, legatees and devisees of Wilhelm Robrecht, deceased.

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 Albert Robrecht is Dortmund, Germany, and that the last known addresses of the unknown heirs-at-law, legatees and devisees of Wilhelm Robrecht, deceased, are also Germany, and that they are residents of Germany and nationals of a designated enemy country (Germany);

2. That Albert Robrecht and the unknown heirs-at-law, legatees and devisees of Wilhelm Robrecht, deceased, are the owners of the property described in subparagraph 3 hereof;

3. That the property described as follows:  
a. Real property situated in the City and County of San Francisco, State of California, particularly described in Exhibit A, attached hereto and by reference made a part hereof, 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, and

b. All right, title, interest and claim of any name or nature whatsoever of Albert Robrecht and the unknown heirs-at-law, legatees and devisees of Wilhelm Robrecht, deceased, in and to any and all obligations, contingent or otherwise and whether or not matured, owing to them by Walter C. Cox, doing business under the firm name and style of W. C. Cox and Company, including particularly but not limited to those sums arising by reason of rents collected from the real property described in subparagraph 3-a hereof, which sums are deposited in the City National Bank and Trust Company, Chicago, Illinois, in the name of "W. C. Cox & Company-Special", and any and all security rights in and to any and all collateral for any and all such obligations, and the right to enforce and collect the same,

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-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraph 3-b hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

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

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

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

Executed at Washington, D. C., on March 19, 1945.

[SEAL]

JAMES E. MARKHAM,  
Alien Property Custodian.

EXHIBIT A

All that certain lot, piece or parcel of land situate, lying and being in the City of San Francisco, County of San Francisco, State of California, particularly described as follows:

Beginning at a point formed by the intersection of the Northerly line of Herman Street and Westerly line of Fillmore Street, running thence Northerly along said Westerly line of Fillmore Street 24 feet; thence at a right angle Westerly 81 feet 3 inches; thence at a right angle Southerly 24 feet and thence at a right angle Easterly and along said Northerly line of Herman Street 81 feet 3 inches to the point of beginning.

This property is also known as Assessor's Block 867 Lot 9.

[F. R. Doc. 45-5261; Filed, Apr. 2, 1945;  
11:04 a. m.]



## OFFICE OF DEFENSE TRANSPORTATION.

[Special Order ODT E-12]

SHREVEPORT, LA., AREA

## EXPEDITING COLLECTION AND DELIVERY OF LINE-HAUL SHIPMENTS

Pursuant to Title III of the Second War Powers Act, 1942, as amended, Executive Orders 8989, as amended, and 9156, and War Production Board Directives 21 and 36, as amended, and in order to conserve and providently utilize vital transportation equipment, materials, and supplies, and to provide for the continuous and expeditious movement of necessary traffic by common carriers of property, the attainment of which purposes is essential to the successful prosecution of the war, and being satisfied that the fulfillment of the requirements for the defense of the United States has resulted and will result in a shortage in the supply of motor transportation equipment, materials, and supplies for defense, and for private account and for export, and it being deemed necessary and appropriate in the public interest and to promote the national defense, it is hereby ordered, that:

1. *Applicability.* The provisions of this order shall be applicable only to the collection and delivery by or for the account of common carriers in the Shreveport Area of shipments of property transported in line-haul service.

2. *Definitions.* As used in this order, the term:

(a) "Shreveport Area" means and includes the municipality of Shreveport, Louisiana, and the territory immediately adjacent thereto and commercially a part thereof.

(b) "Common carrier" or "carrier" means any person which holds itself out to engage in the transportation of property for the general public in line-haul service for compensation, regardless of the designation of such person under any Federal or State statute.

(c) "Person" means any individual, partnership, corporation, association, joint-stock company, business trust, or other organized group of persons, or any trustee, receiver, assignee, or personal representative, and includes any department or agency of the United States, any State, the District of Columbia, or any other political, governmental or legal entity.

(d) "Line-haul service" means the transportation of property by any facility of transportation between a point within the Shreveport Area and a point outside that Area.

(e) "Collection" or "collect" means taking possession of property at a shipper's dock, warehouse, or other point where the property is available for loading for transportation and includes the acceptance of property from the shipper, or the shipper's agent, at the terminal or other facility maintained by the carrier for the acceptance of property.

(f) "Delivery" or "deliver" means relinquishing possession of property at the consignee's dock, warehouse, or other point which the consignee has designated for receiving delivery of the property and includes acceptance of the

property by the consignee, or the consignee's agent, at the terminal or other facility maintained by the carrier for the delivery of property.

(g) "Truckload traffic" means a shipment moving from one consignor to one consignee in one day under a truckload or volume rate, subject to a stated minimum weight of not less than 10,000 pounds, and covered by one bill of lading.

(h) "Property" means anything, except persons and their personal baggage, capable of being transported by vehicle.

(i) "Vehicle" means any facility capable of being used for the transportation of property.

(j) "Special equipment" means any vehicle, the primary carrying capacity of which is occupied by mounted machinery.

3. *Collections of property; availability and restrictions.* (a) Before attempting collection of property, a common carrier shall make definite arrangements with the shipper thereof as to the time when and the place where the property will be available for collection.

(b) No common carrier shall collect, or cause the collection of, property at any time except:

(1) Between the hours of 8 a. m. and 5 p. m. on any Monday, Tuesday, Wednesday, Thursday, or Friday, and then only when the order for the collection thereof is received by the carrier prior to 2 p. m. of such day; or

(2) Between the hours of 8 a. m. and 2 p. m. on any Saturday or Sunday and then only when the order for the collection thereof is received by the carrier prior to 12 noon of such day.

(c) No common carrier shall make, or cause to be made, more than one collection of property from any one dock, warehouse, or other collection point, for the account of any one shipper in any one calendar day: *Provided*, That the collection of truckload traffic, as defined in subparagraph (g) of paragraph 2 of this order, shall not be subject to the restriction of this subparagraph (c).

4. *Designation of collection point; preparation of property for shipment.* No common carrier shall attempt the collection of property from a shipper unless and until the shipper, prior to the time agreed upon by the carrier and shipper for the collection of such property, shall have:

(a) Designated the point at which the property will be available for collection;

(b) Prepared the property for shipment including, in respect of two or more shipments, the segregation and separation of such shipments to permit prompt checking and identification by the carrier; and

(c) Placed the property for collection at the point so designated.

5. *Failure to prepare property for shipment; collection deferred.* Whenever a shipper fails, prior to the time agreed upon by the carrier and shipper, to prepare and place property for collection in the manner specified in paragraph 4 of this order, no common carrier shall collect, or cause the collection of, the property thereafter during the same calendar day.

6. *Restrictions on deliveries.* (a) No common carrier shall deliver, or cause

the delivery of, property at any time except:

(1) Between the hours of 8 a. m. and 5 p. m. on any Monday, Tuesday, Wednesday, Thursday, or Friday;

(2) Between the hours of 8 a. m. and 2 p. m. on any Saturday or Sunday.

(b) When delivering two or more shipments to a consignee at one time, the common carrier shall segregate or separate such shipments to permit prompt checking and identification of such shipments by the consignee.

(c) In effecting deliveries of property no common carrier shall:

(1) Sort or separate any shipment as to sizes, brands, flavors, or other characteristics, for the use of the consignee; or

(2) Deliver a single shipment, or part thereof, to more than one receiving point on or within the premises of the consignee.

(d) No common carrier shall make, or cause to be made, more than one delivery of property to any one destination point for the account or benefit of any one consignee in any one calendar day: *Provided*, That the delivery of truckload traffic, as defined in subparagraph (g) of paragraph 2 of this order, shall not be subject to the restriction of this subparagraph (d).

7. *Placement of vehicles for collections or deliveries; restrictions.* No common carrier for the purpose of collecting or delivering property shall place, or spot, or cause to be placed or spotted, or permit or allow to remain, any vehicle on, at, or near the premises of a shipper or consignee (or other point or place designated by agreement for the collection or delivery of property) at any time during which collections, by virtue of the terms of paragraph 3 of this order, or deliveries, by virtue of the terms of paragraph 6 of this order, are prohibited.

8. *Truckload deliveries; notification of consignee.* A common carrier shall notify the consignee as to any truckload consignment before delivery thereof is attempted in order that the consignee may make provision for the prompt unloading of the vehicle or vehicles.

9. *Places for collections and deliveries of property.* Collections and deliveries of property shall be made only at places which physically are accessible to vehicles. Loading and unloading of vehicles shall be limited to places customarily used in collecting and delivering property at docks or street level.

10. *Prohibited collections and deliveries; when may be made.* (a) A common carrier, while making any collection or delivery not prohibited by the terms of the foregoing paragraphs of this order, may make any collection or delivery which is made without operating the collecting or delivering vehicle any additional distance.

(b) A common carrier, who actually has commenced the collection of property at a shipper's dock, warehouse, or other point where the property is available as defined in paragraph 4 of this order, within the time not prohibited by the terms of paragraph 3 of this order, may complete the collection of such property: *Provided*, That the time required to complete such collection does



not exceed an additional half hour beyond the time specified in said paragraph 3.

(c) A common carrier, who actually has commenced the delivery of property at the premises of a consignee within the time not prohibited by the provisions of paragraph 6 of this order, may complete the delivery of such property.

11. *Exemptions.* The provisions of this order shall not apply in respect of:

(a) Any shipment of property, the expedited movement of which is necessary to meet the needs of the military or naval forces of the United States, the United States Maritime Commission, or the War Shipping Administration;

(b) Any shipment consisting of household goods as defined in General Order ODT 43 (9 F.R. 3261);

(c) Any shipment of medicines or other supplies or equipment, the expedited movement of which is necessary for the protection or preservation of life, health, or public safety;

(d) Any shipment of property, the transportation of which requires special equipment;

(e) Any shipment of livestock;

(f) Any shipment of property, the transportation of which requires the use of a mounted tank or tanks;

(g) Any shipment of property moving in the express service of any common carrier by express subject to the provisions of Part I of the Interstate Commerce Act;

(h) Any shipment of property during the course of its transfer between the terminals of carriers incidental to line-haul service; and

(i) Any shipment of perishable commodities, the expedited movement of which is necessary to prevent spoilage or other damage from deterioration.

12. *Filing of tariffs.* Every common carrier required by law to file tariffs of rates, charges, rules, regulations, and practices forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operation affected by this order, and publish and file in accordance with law, and continue in effect until further order, tariffs or appropriate supplements to filed tariffs, setting forth any changes in the rules, regulations, and practices of the carriers which may be necessary to accord with the provisions of this order; 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.

13. *Carrier not relieved from other laws or regulations.* The provisions of this order shall not be so construed or applied as to authorize or require any act or omission which is in violation of any law or regulation, including any general order or other requirement of the Office of Defense Transportation.

14. *Special permits.* The provisions of this order shall be subject to any special permit issued by the Office of Defense Transportation to meet specific needs or exceptional circumstances, or to prevent undue hardship. Application for a special permit shall be made in conformity

with the provisions of Administrative Order ODT 14 (9 F.R. 1184).

15. *Communications.* Communications concerning this order should refer to it by the special 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 April 5, 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.

(Title III of the Second War Powers Act, 1942, as amended, 56 Stat. 177, 50 U.S.C. 633, 58 Stat. 827; E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; War Production Board Directives 21 and 36, as amended, 8 F.R. 5834, 9 F.R. 6989, 10 F.R. 698)

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

Issued at Washington, D. C., this 31st day of March 1945.

J. M. JOHNSON,  
Director,

Office of Defense Transportation.

[F. R. Doc. 45-5157; Filed, Mar. 30, 1945; 3:33 p. m.]

[Special Order ODT E-14]

RATON, N. MEX., AREA

EXPEDITING COLLECTION AND DELIVERY OF  
LINE-HAUL SHIPMENTS

Pursuant to Title III of the Second War Powers Act, 1942, as amended, Executive Orders 8989, as amended, and 9156, and War Production Board Directives 21 and 36, as amended, and in order to conserve and providently utilize vital transportation equipment, materials, and supplies, and to provide for the continuous and expeditious movement of necessary traffic by common carriers of property, the attainment of which purposes is essential to the successful prosecution of the war, and being satisfied that the fulfillment of the requirements for the defense of the United States has resulted and will result in a shortage in the supply of motor transportation equipment, materials, and supplies for defense, and for private account and for export, and it being deemed necessary and appropriate in the public interest and to promote the national defense, it is hereby ordered, that:

1. *Applicability.* The provisions of this order shall be applicable only to the collection and delivery by or for the account of common carriers in the Raton Area of shipments of property transported in line-haul service.

2. *Definitions.* As used in this order, the term:

(a) "Raton Area" means and includes the municipality of Raton, New Mexico, and the territory immediately adjacent thereto and commercially a part thereof.

(b) "Common carrier" or "carrier" means any person which holds itself out to engage in the transportation of property for the general public in line-haul service for compensation, regardless of the designation of such person under any Federal or State statute.

(c) "Person" means any individual, partnership, corporation, association, joint-stock company, business trust, or other organized group of persons, or any trustee, receiver, assignee, or personal representative, and includes any department or agency of the United States, any State, the District of Columbia, or any other political, governmental or legal entity.

(d) "Line-haul service" means the transportation of property by any facility of transportation between a point within the Raton Area and a point outside that Area.

(e) "Collection" or "collect" means taking possession of property at a shipper's dock, warehouse, or other point where the property is available for loading for transportation and includes the acceptance of property from the shipper, or the shipper's agent, at the terminal or other facility maintained by the carrier for the acceptance of property.

(f) "Delivery" or "deliver" means relinquishing possession of property at the consignee's dock, warehouse, or other point which the consignee has designated for receiving delivery of the property and includes acceptance of the property by the consignee, or the consignee's agent, at the terminal or other facility maintained by the carrier for the delivery of property.

(g) "Truckload traffic" means a shipment moving from one consignor to one consignee in one day under a truckload or volume rate, subject to a stated minimum weight of not less than 10,000 pounds, and covered by one bill of lading.

(h) "Property" means anything, except persons and their personal baggage, capable of being transported by vehicle.

(i) "Vehicle" means any facility capable of being used for the transportation of property.

(j) "Special equipment" means any vehicle, the primary carrying capacity of which is occupied by mounted machinery.

3. *Collections of property; availability and restrictions.* (a) Before attempting collection of property, a common carrier shall make definite arrangements with the shipper thereof as to the time when and the place where the property will be available for collection.

(b) No common carrier shall collect, or cause the collection of, property at any time except:

(1) Between the hours of 8 a. m. and 5 p. m. on any Monday, Tuesday, Wednesday, Thursday, or Friday, and then only when the order for the collection thereof is received by the carrier prior to 3 p. m. of such day; or

(2) Between the hours of 8 a. m. and 12 noon on any Saturday and then only when the order for the collection thereof is received by the carrier prior to 11 a. m. of such day.



(c) No common carrier shall make, or cause to be made, more than one collection of property from any one dock, warehouse, or other collection point, for the account of any one shipper in any one calendar day; *Provided*, That the collection of truckload traffic, as defined in subparagraph (g) of paragraph 2 of this order, shall not be subject to the restriction of this subparagraph (c).

4. *Designation of collection point; preparation of property for shipment.* No common carrier shall attempt the collection of property from a shipper unless and until the shipper, prior to the time agreed upon by the carrier and shipper for the collection of such property, shall have:

(a) Designated the point at which the property will be available for collection;

(b) Prepared the property for shipment including, in respect of two or more shipments, the segregation and separation of such shipments to permit prompt checking and identification by the carrier; and

(c) Placed the property for collection at the point so designated.

5. *Failure to prepare property for shipment; collection deferred.* Whenever a shipper fails, prior to the time agreed upon by the carrier and shipper, to prepare and place property for collection in the manner specified in paragraph 4 of this order, no common carrier shall collect, or cause the collection of, the property thereafter during the same calendar day.

6. *Restrictions on deliveries.* (a) No common carrier shall deliver, or cause the delivery of, property at any time except:

(1) Between the hours of 8 a. m. and 5 p. m. on any Monday, Tuesday, Wednesday, Thursday, or Friday;

(2) Between the hours of 8 a. m. and 12 noon on any Saturday.

(b) When delivering two or more shipments to a consignee at one time, the common carrier shall segregate or separate such shipments to permit prompt checking and identification of such shipments by the consignee.

(c) In effecting deliveries of property no common carrier shall:

(1) Sort or separate any shipment as to sizes, brands, flavors, or other characteristics, for the use of the consignee; or

(2) Deliver a single shipment, or part thereof, to more than one receiving point on or within the premises of the consignee.

(d) No common carrier shall make, or cause to be made, more than one delivery of property to any one destination point for the account or benefit of any one consignee in any one calendar day; *Provided*, That the delivery of truckload traffic, as defined in subparagraph (g) of paragraph 2 of this order, shall not be subject to the restriction of this subparagraph (d).

7. *Placement of vehicles for collections or deliveries; restrictions.* No common carrier for the purpose of collecting or delivering property shall place, or spot, or cause to be placed or spotted, or per-

mit or allow to remain, any vehicle on, at, or near the premises of a shipper or consignee (or other point or place designated by agreement for the collection or delivery of property) at any time during which collections, by virtue of the terms of paragraph 3 of this order, or deliveries, by virtue of the terms of paragraph 6 of this order, are prohibited.

8. *Truckload deliveries; notification of consignee.* A common carrier shall notify the consignee as to any truckload consignment before delivery thereof is attempted in order that the consignee may make provision for the prompt unloading of the vehicle or vehicles.

9. *Places for collections and deliveries of property.* Collections and deliveries of property shall be made only at places which physically are accessible to vehicles. Loading and unloading of vehicles shall be limited to places customarily used in collecting and delivering property at docks or street level.

10. *Prohibited collections and deliveries; when may be made.* (a) A common carrier, while making any collection or delivery not prohibited by the terms of the foregoing paragraphs of this order, may make any collection or delivery which is made without operating the collecting or delivering vehicle any additional distance.

(b) A common carrier, who actually has commenced the collection of property at a shipper's dock, warehouse, or other point where the property is available as defined in paragraph 4 of this order, within the time not prohibited by the terms of paragraph 3 of this order, may complete the collection of such property; *Provided*, That the time required to complete such collection does not exceed an additional half hour beyond the time specified in said paragraph 3.

(c) A common carrier, who actually has commenced the delivery of property at the premises of a consignee within the time not prohibited by the provisions of paragraph 6 of this order, may complete the delivery of such property.

11. *Exemptions.* The provisions of this order shall not apply in respect of:

(a) Any shipment of property, the expedited movement of which is necessary to meet the needs of the military or naval forces of the United States, the United States Maritime Commission, or the War Shipping Administration;

(b) Any shipment consisting of household goods as defined in General Order ODT 43 (9 F.R. 3261);

(c) Any shipment of medicines or other supplies or equipment, the expedited movement of which is necessary for the protection or preservation of life, health, or public safety;

(d) Any shipment of property, the transportation of which requires special equipment;

(e) Any shipment of livestock;

(f) Any shipment of property, the transportation of which requires the use of a mounted tank or tanks;

(g) Any shipment of property moving in the express service of any common carrier by express subject to the provisions of Part I of the Interstate Commerce Act;

(h) Any shipment of property during the course of its transfer between the terminals of carriers incidental to line-haul service; and

(i) Any shipment of perishable commodities, the expedited movement of which is necessary to prevent spoilage or other damage from deterioration.

12. *Filing of tariffs.* Every common carrier required by law to file tariffs of rates, charges, rules, regulations, and practices forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operation affected by this order, and publish and file in accordance with law, and continue in effect until further order, tariffs or appropriate supplements to filed tariffs, setting forth any changes in the rules, regulations, and practices of the carriers which may be necessary to accord with the provisions of this order; 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.

13. *Carrier not relieved from other laws or regulations.* The provisions of this order shall not be so construed or applied as to authorize or require any act or omission which is in violation of any law or regulation, including any general order or other requirement of the Office of Defense Transportation.

14. *Special permits.* The provisions of this order shall be subject to any special permit issued by the Office of Defense Transportation to meet specific needs or exceptional circumstances, or to prevent undue hardship. Application for a special permit shall be made in conformity with the provisions of Administrative Order ODT 14 (9 F.R. 1184).

15. *Communications.* Communications concerning this order should refer to it by the special 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 April 5, 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.

(Title III of the Second War Powers Act, 1942, as amended, 56 Stat. 177, 50 U.S.C. 633, 58 Stat. 827; E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; War Production Board Directives 21 and 36, as amended, 8 F.R. 5834, 9 F.R. 6989, 10 F.R. 698)

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

Issued at Washington, D. C., this 31st day of March 1945.

J. M. JOHNSON,  
Director,

Office of Defense Transportation.

[F. R. Doc. 45-5158; Filed, Mar. 30, 1945; 3:33 p. m.]



[Supp. Order ODT 3, Rev. 451, Amdt. 1]  
 ST. LOUIS, MO., EAST ST. LOUIS, ILL.,  
 EVANSVILLE, IND., AND POINTS IN ILLINOIS  
 COORDINATED OPERATIONS OF CERTAIN  
 CARRIERS

Upon consideration of a petition for the amendment of Supplementary Order ODT 3, Revised-451 (9 F.R. 15069), filed with the Office of Defense Transportation by the carriers subject thereto, and good cause appearing therefor,

It is hereby ordered, That Supplementary Order ODT 3, Revised-451, be, and it hereby is, amended by striking from Appendix 2 thereto subparagraph (r) of paragraph II and references elsewhere in the said Appendix 2 to the said subparagraph (r).

This amendment shall become effective April 5, 1945.

Issued at Washington, D. C., this 31st day of March 1945.

GUY A. RICHARDSON,  
 Director,

Highway Transport Department,  
 Office of Defense Transportation.

[F. R. Doc. 45-5156; Filed, Mar. 30, 1945;  
 3:33 p. m.]

[Supp. Order ODT 3, Rev. 598]

#### ALABAMA

#### COORDINATED OPERATIONS OF CERTAIN CARRIERS

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,<sup>1</sup> 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 April 5, 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 31st day of March 1945.

GUY A. RICHARDSON,

Director,

Highway Transport Department,

Office of Defense Transportation.

#### APPENDIX 1

G. T. Miller, doing business as G. T. Miller Truck Lines, Luverne, Ala.

B. F. Williams, doing business as B. F. Williams Truck Lines, Luverne, Ala.

C. J. Revels, Luverne, Ala.

H. B. Cope, Luverne, Ala.

[F. R. Doc. 45-5159; Filed, Mar. 30, 1945;  
 3:33 p. m.]

[Supp. Order ODT 3, Rev. 583]

#### DELAWARE, MARYLAND, AND PENNSYLVANIA

#### COORDINATED OPERATIONS OF CERTAIN CARRIERS

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,<sup>1</sup> 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.

<sup>1</sup> 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 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 April 5, 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 31st day of March 1945.

GUY A. RICHARDSON,

Director,

Highway Transport Department,  
Office of Defense Transportation.

#### APPENDIX 1

Wooleyhan Transport Company, Wilmington, Del.

Shirks Motor Express Corporation, Lancaster, Pa.

[F. R. Doc. 45-5160; Filed, Mar. 30, 1945; 3:34 p. m.]

[Supp. Order ODT 3, Rev. 596]

CHATTANOOGA, TENN., AND ATLANTA, GA.

#### COORDINATED OPERATIONS OF CERTAIN CARRIERS

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,<sup>1</sup> 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 April 5, 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

<sup>1</sup> Filed as part of the original document.



Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 31st day of March 1945.

GUY A. RICHARDSON,  
Director,  
Highway Transport Department,  
Office of Defense Transportation.

#### APPENDIX 1

Hyatt Spaulding and Herman Gettelfinger, copartners, doing business as Blue & Gray Transportation Co., Cincinnati, Ohio.  
Dixie Ohio Express Co., Akron, Ohio.  
Johnson Freight Lines, Inc., Chattanooga, Tenn.

[F. R. Doc. 45-5161; Filed, Mar. 30, 1945; 3:34 p. m.]

[Supp. Order ODT 6A-98]

INDIANAPOLIS AND LAPEL, IND.

#### COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A, as amended (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,<sup>1</sup> and

It appearing that the proposed coordination of operations is necessary in order to conserve and providently utilize vital transportation equipment, materials, and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers shall file forthwith a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or appropriate supplements to filed tariffs or schedules, setting forth any changes in rates, charges, 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, schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved,

the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper, or to exempt or release any participant in the plan from the requirements of any order of the Office of Defense Transportation now or hereafter in effect. 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 available for examination and inspection at all reasonable times by any accredited representative 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 April 5, 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 31st day of March 1945.

GUY A. RICHARDSON,  
Director,  
Highway Transport Department,  
Office of Defense Transportation.

#### APPENDIX 1

The Silver Fleet Motor Express, Inc., Louisville, Ky.

Bowser Truck Line, Inc., Indianapolis, Ind.

[F. R. Doc. 45-5162; Filed, Mar. 30, 1945; 3:34 p. m.]

[Supp. Order ODT 6A-95]

KOKOMO AND LOGANSFORT, IND.

#### COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A, as amended (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,<sup>1</sup> and

It appearing that the proposed coordination of operations is necessary in order to conserve and providently utilize vital transportation equipment, materials, and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers shall file forthwith a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or appropriate supplements to filed tariffs or schedules, setting forth any changes in rates, charges, 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, schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its trans-

<sup>1</sup> Filed as part of the original document.



portation 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, or to exempt or release any participant in the plan from the requirements of any order of the Office of Defense Transportation now or hereafter in effect. 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 available for examination and inspection at all reasonable times by any accredited representative 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 April 5, 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 31st day of March 1945.

GUY A. RICHARDSON,  
Director,  
Highway Transport Department,  
Office of Defense Transportation.

## APPENDIX 1

Motor Express, Inc., of Indiana, Indianapolis, Ind.

Courier Express, Inc., Logansport, Ind.

[F. R. Doc. 45-5163; Filed, Mar. 30, 1945; 3:34 p. m.]

[Supp. Order ODT 3, Rev. 600]

GEORGIA, FLORIDA, AND ALABAMA

## COORDINATED OPERATIONS OF CERTAIN CARRIERS

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,<sup>1</sup> 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

<sup>1</sup> Filed as part of the original document.

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 April 6, 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 2d day of April 1945.

GUY A. RICHARDSON,  
Director,  
Highway Transport Department,  
Office of Defense Transportation.

## APPENDIX 1

Charlie Devane and Early Eddins, copartners, doing business as Devane and Eddins Truck Line, Dothan, Ala.



Foy Chalker and A. C. Creel, copartners, doing business as Dove Truck Lines, Dothan, Ala.

[F. R. Doc. 45-5218; Filed, Mar. 31, 1945; 2:42 p. m.]

[Supp. Order ODT 3, Rev. 601]

#### CALIFORNIA

#### COORDINATED OPERATIONS OF CERTAIN CARRIERS

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,<sup>1</sup> 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 April 6, 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 2d day of April 1945.

GUY A. RICHARDSON,  
Director,

Highway Transport Department,  
Office of Defense Transportation.

#### APPENDIX 1

Hal W. Wakefield, doing business as Dick's Van & Storage and Dick's Express, Oakland, Calif.

R. E. Yates, doing business as Yates Van & Storage, Oakland, Calif.

J. F. Andrews, doing business as Checker Van & Storage Co., Oakland, Calif.

Q. J. Driver, doing business as Q. J. Driver Moving & Storage Co., Oakland, Calif.

[F. R. Doc. 45-5219; Filed, Mar. 31, 1945; 2:41 p. m.]

[Supp. Order ODT 3, Rev. 605]

DULUTH, MINN., AND EAU CLAIRE, WIS.

#### COORDINATED OPERATIONS OF CERTAIN CARRIERS

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,<sup>1</sup> 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

<sup>1</sup> Filed as part of the original document.



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 April 6, 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 2d day of April 1945.

GUY A. RICHARDSON,  
Director,  
Highway Transport Department,  
Office of Defense Transportation.

#### APPENDIX 1

Glendenning Motorways, Inc., St. Paul, Minn.

Howard Moland, Clarence Moland, Lothard Moland, and H. T. Moland, copartners, doing business as Moland Bros. Trucking Company, Duluth, Minn.

[F. R. Doc. 45-5220; Filed, Mar. 31, 1945; 2:40 p. m.]

[Supp. Order ODT 3, Rev. 607]  
THOMASVILLE AND MOBILE, ALA.

#### COORDINATED OPERATIONS OF CERTAIN CARRIERS

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,<sup>1</sup> 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 car-

<sup>1</sup> Filed as part of the original document.

riers' 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 April 6, 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 2d day of April 1945.

GUY A. RICHARDSON,  
Director,  
Highway Transport Department,  
Office of Defense Transportation.

#### APPENDIX 1

Roy Bedwell, doing business as Bedwell Truck Line, Jackson, Ala.

W. L. Garrick, doing business as Service Freight Lines, Thomasville, Ala.

[F. R. Doc. 45-5221; Filed, Mar. 31, 1945; 2:41 p. m.]

[Supp. Order ODT 3, Rev. 609]

READING AND LEBANON, PA.

#### COORDINATED OPERATIONS OF CERTAIN CARRIERS

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,<sup>1</sup> 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 April 6, 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 2d day of April 1945.

GUY A. RICHARDSON,  
Director,  
Highway Transport Department,  
Office of Defense Transportation.

#### APPENDIX 1

Lancaster Transportation Co., Lancaster, Pa.  
Hartman's Lebanon Transportation Co., Steelton, Pa.  
New Pennsylvania Motor Express, Inc., Lebanon, Pa.

[F. R. Doc. 45-5222; Filed, Mar. 31, 1945; 2:42 p. m.]

[Supp. Order ODT 3, Rev. 610]

#### MISSISSIPPI

#### COORDINATED OPERATIONS OF CERTAIN CARRIERS

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,<sup>1</sup> 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

<sup>1</sup> Filed as part of the original document.



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 April 6, 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 2d day of April 1945.

GUY A. RICHARDSON,  
Director,  
Highway Transport Department,  
Office of Defense Transportation.

#### APPENDIX 1

Far-Go Truck Lines, Memphis, Tenn.  
The Inter-City Trucking Co., Memphis, Tenn.

[F. R. Doc. 45-5223; Filed, Mar. 31, 1945;  
2:42 p. m.]

[Supp. Order ODT 3, Rev. 611]

LOUISVILLE, KY., AND INDIANAPOLIS, IND.

#### COORDINATED OPERATIONS OF CERTAIN CARRIERS

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,<sup>1</sup> 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 follow-

ing 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 April 6, 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 2d day of April 1945.

GUY A. RICHARDSON,  
Director,  
Highway Transport Department,  
Office of Defense Transportation.

#### APPENDIX 1

Riss & Company, Inc., Kansas City, Mo.  
Hargis Truck Lines, Inc., Tell City, Ind.

[F. R. Doc. 45-5224; Filed, Mar. 31, 1945;  
2:40 p. m.]

[Supp. Order ODT 3, Rev. 612]

#### NORTH CAROLINA

#### COORDINATED OPERATIONS OF CERTAIN CARRIERS

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,<sup>1</sup> 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

<sup>1</sup> 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 April 6, 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 2d day of April 1945.

GUY A. RICHARDSON,  
Director,

Highway Transport Department,  
Office of Defense Transportation.

#### APPENDIX 1

W. P. Farrar, Wilmington, N. C.  
Harry Gardner, doing business as Murray Transfer Company, Wilmington, N. C.  
R. E. Batson, doing business as Batson Transfer Company, Wilmington, N. C.

[F. R. Doc. 45-5225; Filed, Mar. 31, 1945;  
2:40 p. m.]

[Supp. Order ODT 3, Rev. 613]

#### SOUTH CAROLINA

#### COORDINATED OPERATIONS OF CERTAIN CARRIERS

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,<sup>1</sup> 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.

<sup>1</sup> Filed as part of the original document.



This order shall become effective April 6, 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 2d day of April 1945.

GUY A. RICHARDSON,  
Director,  
Highway Transport Department,  
Office of Defense Transportation.

#### APPENDIX 1

Herbert B. Yopp, Florence, S. C.  
E. A. Mozingo, doing business as Mozingo's  
Transfer, Florence, S. C.

[F. R. Doc. 45-5226; Filed, Mar. 31, 1945;  
2:41 p. m.]

[Supp. Order ODT 3, Rev. 625]

BALTIMORE, MD., AND YORK, PA.

#### COORDINATED OPERATIONS OF CERTAIN CARRIERS

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,<sup>1</sup> 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.

<sup>1</sup> 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 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 April 6, 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 2d day of April 1945.

GUY A. RICHARDSON,  
Director,  
Highway Transport Department,  
Office of Defense Transportation.

#### APPENDIX 1

Tidewater Express Lines, Inc., Baltimore, Md.  
York Motor Express Co., York, Pa.

[F. R. Doc. 45-5227; Filed, Mar. 31, 1945;  
2:41 p. m.]

[Supp. Order ODT 3, Rev. 629]

#### CALIFORNIA

#### COORDINATED OPERATIONS OF CERTAIN CARRIERS

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,<sup>1</sup> and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to re-



quire any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made, without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective April 6, 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 2d day of April 1945.

GUY A. RICHARDSON,  
Director,  
Highway Transport Department,  
Office of Defense Transportation.

## APPENDIX 1

Lyon Van & Storage Co., Los Angeles, Calif.  
San Francisco Storage Co., San Francisco, Calif.

W. Robb, M. G. Anderson, and Mrs. Bert Black, copartners, doing business as, Owl Transfer Co., San Francisco, Calif.  
Pierce-Rodolph Storage Co., Ltd., San Francisco, Calif.

[F. R. Doc. 45-5228; Filed, Mar. 31, 1945; 2:42 p. m.]

## OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Order 3549]

PRODUCTION TOOLING CO.

## APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of automobile tire pumps manufactured by Production Tooling Company, of 7704 South Main Street, Los Angeles 3, Calif.

(1) For all sales and deliveries to the following classes of purchasers by any person, the maximum prices are those set forth below:

	Each
For sales to jobbers.....	\$0.55
For sales to retailers.....	.77
For sales to ultimate consumers.....	1.10

These maximum prices are for the articles described in the manufacturer's application dated July 15, 1944.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. Los Angeles, California, and they are subject to a cash discount of two percent for payment within ten days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. These prices are subject to each seller's customary terms and conditions of sale on sales of similar articles. In the case of sales by jobbers, they are f. o. b. seller's city.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$1.10  
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

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

(e) This order shall become effective on April 2, 1945.

Issued this 31st day of March 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-5206; Filed, Mar. 31, 1945; 12:12 p. m.]

[MPR 136, Order 422]

KNOX PORCELAIN CORP.

## APPROVAL OF MAXIMUM PRICES

Order No. 422 under Maximum Price Regulation 136, as amended. Machines and parts, and machinery services; Knox Porcelain Corporation, Docket Nos. 6083-136.25a-246 and SO-28-8067.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1390.25a of Maximum Price Regulation 136, as amended, *It is ordered:*

(a) The maximum price of Knox Porcelain Corporation, Knoxville, Tennessee, for its sale of any of the products it manufactures shall be determined as follows: To the maximum price which Knox Porcelain Corporation had in effect to any of its classes of purchasers, just prior to the issuance of this order, it shall add an amount equal to 3.75% of such former maximum price. The amount so added may be rounded off to the nearest cent.

(b) The maximum prices of any reseller (except one who sells at retail) for any product affected by paragraph (a) of this order shall be determined as follows: To the maximum price which he had in effect to any of his classes of purchasers of such product, just prior to the issuance of this order, the reseller shall add the dollars and cents amount by which his own cost of the product has been increased as the result of this order.

(c) Knox Porcelain Corporation shall give notice to any customer purchasing, for resale, any of the products subject to this order of the dollars and cents amount by which his cost, and thereby his own maximum price, has been increased pursuant to this order. Copies of such notifications shall be filed with the Office of Price Administration, Washington 25, D. C.

All requests not granted herein are denied.

This order shall become effective April 2, 1945.

Issued this 31st day of March 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-5204; Filed, Mar. 31, 1945; 12:12 p. m.]

[Max. Import Price Reg., Order 79]

BALLY, INC.

## ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and



filed with the Division of the Federal Register, and pursuant to section 21 of the Maximum Import Price Regulation; it is ordered:

(a) *What this order does.* This order establishes maximum prices at which any person may sell, and maximum prices at which any person, other than the importer, may buy certain women's shoes imported from Switzerland by Bally, Inc., 11 West 42nd Street, New York, New York, hereinafter called the "importer." The shoes covered by this order are described in Appendix A attached hereto and made a part of this order.

(b) *Maximum prices on sales by any person except a retailer.* No person, other than a retailer, may sell or deliver and no person may buy or receive from such seller the shoes described in Appendix A at prices higher than those set forth in Column II of Appendix A.

(c) *Maximum retail prices.* No retailer may sell or deliver, and no person may buy or receive from a retailer, the shoes described in Appendix A at prices higher than those set forth in Column III of Appendix A.

(d) *Importer or other seller to notify retailers.* The importer or other seller shall furnish a copy of this order to each retailer to whom any such women's shoes are sold and shall also include on the invoice the following statement:

The enclosed Order No. 79 issued under the Maximum Import Price Regulation by OPA establishes your maximum selling prices for the women's shoes covered by this invoice.

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

This order shall become effective March 31, 1945.

Issued this 30th day of March 1945.

CHESTER BOWLES,  
Administrator.

#### APPENDIX A

I Item and description—Women's shoes		II Maximum prices on sales to retailers	III Maximum prices on sales by retailers to consumers
Pattern	Material		
Trieste.....	Calf.....	\$8.90	\$15.55
Ulva (Louis heel).....	Calf.....	9.50	16.60
Umbria.....	Calf.....	9.50	16.60
Pittore.....	Calf.....	9.90	17.30
Sicomoro.....	Calf.....	9.90	17.30
Souplesse.....	Calf.....	9.90	17.30
Ulva (cork-wedge).....	Calf.....	10.50	18.35
Espana.....	Blanchette <sup>1</sup> .....	10.50	18.35
Bahamas.....	Calf.....	10.90	19.05
Famosita.....	Calf.....	10.90	19.05
Pernambuco.....	Calf.....	10.90	19.05
Bobodino.....	Calf.....	11.50	20.10
Boston.....	Calf and blanchette.....	11.50	20.10
Espana.....	Suede.....	11.50	20.10
Livorno.....	Blanchette <sup>1</sup> .....	11.50	20.10
Two Step.....	Calf and blanchette.....	11.50	20.10
Vendemina.....	Calf and blanchette.....	11.50	20.10
Famosita.....	Suede.....	11.90	20.80
Impeccabile.....	Calf and blanchette.....	11.90	20.80
Uberta.....	Blanchette <sup>1</sup> .....	11.90	20.80
Impeccabile.....	Suede.....	12.00	22.55
Oporto.....	Suede.....	12.00	22.55
Uberta.....	Suede.....	12.90	22.55

<sup>1</sup> Blanchette is a trade mark for a white sueded leather.

[F. R. Doc. 45-5117; Filed, Mar. 30, 1945; 11:37 a. m.]

[MPR 188, Order 3533]

ROBBINS & BURKE, INC.

#### 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 § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) The maximum net prices, f. o. b. Cambridge, Massachusetts, for sales by the Robbins and Burke, Incorporated, of the following farm and home freezers shall be:

Item	Size	On sales to distributors	On sales to dealers	On sales to consumers
Model No. 15....	15 cu. ft. ¼ hp. condensing unit.	\$225	\$270	\$450
Model No. 20....	20 cu. ft. ¼ hp. condensing unit.	325	390	650

(b) The maximum net prices established in (a) above may be increased by the following amounts to each class of purchaser as a charge to cover the cost of crating, when crating is actually supplied:

Model No. 15.....	\$6.00
Model No. 20.....	6.00

(c) The maximum net prices for sales by distributors of the following farm and home freezers manufactured by the Robbins and Burke, Incorporated, shall be:

Item	Size	On sales to dealers	On sales to consumers
Model No. 15....	15 cu. ft. ¼ hp. condensing unit.	\$270	\$450
Model No. 20....	20 cu. ft. ¼ hp. condensing unit.	390	650

(d) The maximum net prices for sales by dealers to consumers of the following farm and home freezers manufactured by the Robbins and Burke, Incorporated, shall be:

Item	Size	On sale to consumers
Model No. 15....	15 cu. ft. ¼ hp. condensing unit.	\$450
Model No. 20....	20 cu. ft. ¼ hp. condensing unit.	650

(e) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(f) A distributor or dealer may add the following charges to the maximum prices established in (c) and (d) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the following:

Model No. 15.....	\$6.00
Model No. 20.....	6.00

(g) Each seller of a commodity covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale, including allowable transportation and crating charges.

(h) The Robbins and Burke, Incorporated shall stencil on the inside of the lid or cover of each farm and home freezer covered by this order, the maximum net prices to consumers established by this order. The stencil shall contain substantially the following:

OPA Maximum Retail Price \$-----  
Plus freight and crating as provided in Order No. 3533 under Maximum Price Regulation No. 188.

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

This order shall become effective March 31, 1945.

Issued this 30th day of March 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-5125; Filed, Mar. 30, 1945; 11:38 a. m.]

[MPR 188, Order 3534]

TYLER FIXTURE CORP.

#### 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 § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) The maximum net prices, f. o. b. Niles, Michigan, for sales by the Tyler Fixture Corporation of the following farm and home freezers shall be:

Model	Size	On sales to distributors	On sales to dealers	On sales to consumers
H-12	12 cu. ft. (complete with compressor, valve, and control).....	\$191.00	\$229.20	\$382.00
H-12	12 cu. ft. (less compressor, valve, and control).....	126.00	151.20	252.00
T-21	15 cu. ft. (complete with compressor, valve, and control).....	230.00	276.00	460.00
T-21	15 cu. ft. (less compressor, valve, and control).....	161.00	193.20	322.00

(b) The maximum net prices established in (a) above may be increased by the following amount to each class of purchaser as a charge to cover the cost of crating, when crating is actually supplied: \$6.00.

(c) The maximum net prices for sales by distributors of the following farm and



home freezers manufactured by the Tyler Fixture Corporation shall be:

Model	Size	On sales to dealers	On sales to consumers
H-12	12 cu. ft. (complete with compressor, valve, and control)	\$229.20	\$382.00
H-12	12 cu. ft. (less compressor, valve and control)	151.20	252.00
T-21	15 cu. ft. (complete with compressor, valve and control)	276.00	460.00
T-21	15 cu. ft. (less compressor, valve and control)	193.20	\$22.00

(d) The maximum net prices for sales by dealers to consumers of the following farm and home freezers manufactured by the Tyler Fixture Corporation shall be:

Model	Size	On sales to consumers
H-12	12 cu. ft. (complete with compressor, valve, and control)	\$382
H-12	12 cu. ft. (less compressor, valve and control)	252
T-21	15 cu. ft. (complete with compressor, valve and control)	460
T-21	15 cu. ft. (less compressor, valve and control)	322

(e) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(f) A distributor or dealer may add the following charges to the maximum prices established in (c) and (d) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the following: \$6.00.

(g) Each seller of a commodity covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale, including allowable transportation and crating charges.

(h) The Tyler Fixture Corporation shall stencil on the inside of the lid or cover of each farm and home freezer covered by this order, the maximum net prices to consumers established by this order. The stencil shall contain substantially the following:

OPA Maximum Retail Price \$-----

Plus freight and crating as provided in Order No. 3534 under Maximum Price Regulation No. 188.

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

This order shall become effective March 31, 1945.

Issued this 30th day of March 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-5126; Filed, Mar. 30, 1945;  
11:38 a. m.]

[MPR 188, Order 3535]

#### MASTER REFRIGERATION SERVICE 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 § 1499.158 of Maximum Price Regulation No. 188; It is ordered:

(a) The maximum net prices, f. o. b. Milwaukee, Wisconsin, for sales by the Master Refrigeration Service Company of the following farm and home freezers shall be:

Item	Size	On sales to distributors	On sales to dealers	On sales to consumers
Masterfreeze Model 1250.	12.5 cu. ft. $\frac{1}{4}$ hp. condensing unit.	\$210	\$252.00	\$420
Masterfreeze Model 1800.	18 cu. ft. $\frac{1}{4}$ hp. condensing unit.	280	336.00	560
Masterfreeze Model 950.	9.5 cu. ft. $\frac{1}{4}$ hp. condensing unit.	170	204.00	340
Masterfreeze Model 750.	7.5 cu. ft. $\frac{1}{4}$ hp. condensing unit.	155	186.00	310
Masterfreeze Model 250.	2.5 cu. ft. $\frac{1}{4}$ hp. condensing unit.	99	118.80	198

(b) The maximum net prices established in (a) above may be increased by the following amounts to each class of purchaser as a charge to cover the cost of crating, when crating is actually supplied:

Model No. 1250	\$6.00
Model No. 1800	6.00
Model No. 950	5.00
Model No. 750	5.00
Model No. 250	4.00

(c) The maximum net prices for sales by distributors of the following farm and home freezers manufactured by the Master Refrigeration Service Company shall be:

Item	Size	On sales to dealers	On sales to consumers
Masterfreeze model 1250.	12.5 cu. ft. $\frac{1}{4}$ hp. condensing unit.	\$252.00	\$420.00
Masterfreeze model 1800.	18 cu. ft. $\frac{1}{4}$ hp. condensing unit.	336.00	560.00
Masterfreeze model 950.	9.5 cu. ft. $\frac{1}{4}$ hp. condensing unit.	204.00	340.00
Masterfreeze model 750.	7.5 cu. ft. $\frac{1}{4}$ hp. condensing unit.	186.00	310.00
Masterfreeze model 250.	2.5 cu. ft. $\frac{1}{4}$ hp. condensing unit.	118.80	198.80

(d) The maximum net prices for sales by dealers to consumers of the following farm and home freezers manufactured by the Master Refrigeration Service Company shall be:

Item	Size	On sales to consumers
Masterfreeze model 1250.	12.5 cu. ft. $\frac{1}{4}$ hp. condensing unit.	\$420
Masterfreeze model 1800.	18 cu. ft. $\frac{1}{4}$ hp. condensing unit.	560
Masterfreeze model 950.	9.5 cu. ft. $\frac{1}{4}$ hp. condensing unit.	340
Masterfreeze model 750.	7.5 cu. ft. $\frac{1}{4}$ hp. condensing unit.	310
Masterfreeze model 250.	2.5 cu. ft. $\frac{1}{4}$ hp. condensing unit.	198

(e) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(f) A distributor or dealer may add the following charges to the maximum prices established in (c) and (d) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the following:

Model No. 1250	\$6.00
Model No. 1800	6.00
Model No. 950	5.00
Model No. 750	5.00
Model No. 250	4.00

(g) Each seller of a commodity covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale, including allowable transportation and crating charges.

(h) The Master Refrigeration Service Company shall stencil on the inside of the lid or cover of each farm and home freezer covered by this order, the maximum net prices to consumers established by this order. The stencil shall contain substantially the following:

OPA Maximum Retail Price \$-----

Plus freight and crating as provided in Order No. 3535 under Maximum Price Regulation No. 188.

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

This order shall become effective March 31, 1945.

Issued this 30th day of March 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-5127; Filed, Mar. 30, 1945;  
11:39 a. m.]

[MPR 188, Order 3536]

#### ARTISTIC STUDIO

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed



with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by Artistic Studio, 1411 Fulton Street, Brooklyn 16, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Manufacturer's maximum price to persons, other than retailers, who sell from their own stock	Manufacturer's maximum price to persons, other than retailers, who sell from the manufacturer's stock	Maximum price for sales to retailers by the manufacturer, and by persons, other than retailers, who sell from the manufacturer's stock
Terrace table..	100	Each \$7.00	Each \$7.44	Each \$8.75

These prices are f. o. b. factory, are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated February 16, 1945.

(2) For sales by the manufacturer the maximum prices apply to all sales and deliveries since the effective date of MPR 188. For sales by persons, other than retailers, who sell from the manufacturer's stock, the maximum prices apply to all sales and deliveries after the effective date of this order.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of MPR 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

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

This order shall become effective on the 31st day of March 1945.

Issued this 30th day of March 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-5128; Filed, Mar. 30, 1945; 11:39 a. m.]

[MPR 188, Order 3537]

W. MILLER, INC.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by W. Miller, Inc., 4259 Beverly Boulevard, Los Angeles 4, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

#### MAXIMUM PRICES FOR SALES OF AUTOMOTIVE TIRE PUMP, MODEL NO. 100

By manufacturer to—	Each
Wholesaler (stocking jobbers).....	\$1.25
Drop shipping jobbers.....	1.34
Retailers.....	1.75
By sellers other than manufacturer to—	
Drop shipping jobbers.....	1.34
Retailers.....	1.75
Consumers.....	2.50

These maximum prices are for the articles described in the manufacturer's application dated January 17, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price

Article	Model	Maximum selling prices for the manufacturer to—	Maximum selling prices for sellers other than the manufacturer to—	
		Retailer	Retailer	Consumer
Wooden dish drainer.....	With silver tray 12 x 21 1/4 x 4. 12 x 21 1/4 x 4. Made to order.....	\$36.00 per dozen..... \$30.00 per dozen..... \$1.80 per sq. ft..... \$1.12 per sq. ft.....	\$36.00 per dozen..... \$30.00 per dozen..... \$1.80 per sq. ft..... \$1.12 per sq. ft.....	\$4.98 each. \$4.00 each. \$3.00 sq. ft. \$1.50 sq. ft.
Galv. metal drip pans.....				

These maximum prices are for the articles described in the manufacturer's application dated November 11, 1944.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary

Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price, \$2.50  
Do Not Remove or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

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

(e) This order shall become effective on the 31st day of March 1945.

Issued this 30th day of March 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-5129; Filed, Mar. 30, 1945; 11:40 a. m.]

[MPR 188, Order 3538]

CHARLES B. BOATENREITER

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Charles B. Boatenreiter, 341 North Highland Avenue NE., Atlanta, Ga.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a



maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement with the retail prices properly filled in:

OPA Retail Ceiling Price, \$-----  
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

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

(e) This order shall become effective on the 31st day of March 1945.

Issued this 30th day of March 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-5130; Filed, Mar. 30, 1945;  
11:40 a. m.]

[MPR 188, Order 3539]

PLANETARO MFG. CO., AND L. JOHNSON  
MFG. CO.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Planetaro Manufacturing Company and the L. Johnson Manufacturing Company, 436 Michigan St. NE., Grand Rapids, Mich.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model	Maximum prices for sales by manufacturer to—		Maximum prices for sales by sellers other than manufacturer to—	
		Jobber	Retailer	Retailer	Consumer
		Per gross \$4	Per gross \$5	Gross \$5	Each \$0.05
Steel wool pad	4½" x 4"				

These maximum prices are for the articles described in the manufacturer's application dated February 12, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 2% for payment in 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other

class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price, \$0.05  
Do not remove or obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

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

(e) This order shall become effective on the 31st day of March 1945.

Issued this 30th day of March 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-5131; Filed, Mar. 30, 1945;  
11:40 a. m.]

[MPR 188, Order 3540]

BEAUTYETTE MFG. CO.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Beautyette Mfg. Company, P. O. Box 5621, Chicago 80, Ill.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Number	Maximum prices for sales by all persons		
		To wholesalers	To retailers	To consumers
		Per doz.	Per doz.	Each
Cigarette roller	100	\$1.89	\$2.52	\$0.35

These maximum prices are for the articles described in the manufacturer's application dated February 3, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30 days. The maximum price to consumers is net delivered.

(3) For sales by persons other than the manufacturer, the maximum prices ap-

ply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price, \$0.35 each  
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

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

(e) This order shall become effective on the 31st day of March 1945.

Issued this 30th day of March 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-5132; Filed, Mar. 30, 1945;  
11:41 a. m.]

[MPR 188, Order 3541]

E. T. LUTHER

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by E. T. Luther, 326 54th Avenue North, Nashville 9, Tenn.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model	Maximum prices for sales by manufacturer to—		Maximum prices for sales by sellers other than manufacturer to—	
		Jobber	Retailer	Retailer	Consumer
		Each	Each	Each	Each
Alum. skillet	No. 9	\$0.89	\$1.11	\$1.11	\$1.85
	No. 8	.86	1.08	1.08	1.80
Alum. corn stick pan	13½ x 6¾	.65	.81	.81	1.35



These maximum prices are for the articles described in the manufacturer's application dated January 20, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to no cash discount.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the retail prices properly filled in:

OPA Retail Ceiling Price, \$-----  
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

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

(e) This order shall become effective on the 31st day of March 1945.

Issued this 30th day of March 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-5133; Filed, Mar. 30, 1945;  
11:41 a. m.]

[MPR 188, Order 3542]

JOHN B. RUFFALO CO.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the John B. Buffalo Company, 154 East 54th Street, New York, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Number	Maximum prices for sales by all persons		
		To whole-salers	To retail-ers	To con-sumers
Cigarette roller.....	100	Per dozen \$1.89	Per dozen \$2.52	Each \$0.35

These maximum prices are for the articles described in the manufacturer's application dated February 19, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30 days. The maximum price to consumers is net delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price, \$0.35 each  
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

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

(e) This order shall become effective on the 31st day of March 1945.

Issued this 30th day of March 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-5134; Filed, Mar. 30, 1945;  
11:41 a. m.]

[MPR 188, Order 3543]

FLYNN SPECIALTIES CO.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed

with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Flynn Specialties Company, 1263 Carew Street, Springfield, Mass.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Number	Maximum prices for sales by all persons		
		To whole-salers	To retail-ers	To con-sumers
Cigarette roller.....	1	Per dozen \$1.89	Per dozen \$2.52	Each \$0.35

These maximum prices are for the articles described in the manufacturer's application dated February 22, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30 days. The maximum price to consumers is net delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price, \$0.35 each  
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

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

(e) This order shall become effective on the 31st day of March 1945.

Issued this 30th day of March 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-5135; Filed, Mar. 30, 1945;  
11:41 a. m.]



[MPR 183, Order 3544]

THE GIBBS MFG. CO.

## APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 183; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by The Gibbs Mfg. Company, 606 Sixth Street, NE., Canton 2, Ohio.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Number	Maximum prices for sales by all persons		
		To whole-salers	To retail-ers	To con-sumers
Cigarette maker....	"Gibbs"....	Per doz. \$1.89	Per doz. \$2.52	Each \$0.35

These maximum prices are for the articles described in the manufacturer's application dated February 8, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 183 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30 days. The maximum price to consumers is net delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 183, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price, \$0.35 each  
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

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

No. 66—11

(e) This order shall become effective on the 31st day of March 1945.

Issued this 30th day of March 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-5136; Filed, Mar. 30, 1945;  
11:42 a. m.]

[MPR 188, Order 3545]

MACRO MFG. CO.

## APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 183; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Macro Mfg. Company, 218 Montgomery Building, Muskegon, Mich.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Number	Maximum prices for sales by all persons		
		To whole-salers	To retail-ers	To con-sumers
Cigarette maker.....	1	Per doz. \$1.89	Per doz. \$2.52	Each \$0.35

These maximum prices are for the articles described in the manufacturer's application dated February 22, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 183 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30 days. The maximum price to consumers is net delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 183, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price, \$0.35 each  
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

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

(e) This order shall become effective on the 31st day of March 1945.

Issued this 30th day of March 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-5137; Filed, Mar. 30, 1945;  
11:42 a. m.]

[MPR 188, Order 3546]

HERMAN STAMER MFG. CO.

## APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 183; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Herman Stamer Mfg. Company, 7048 North Washtenaw Avenue, Chicago, Ill.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Number	Maximum prices for sales by all persons		
		To whole-salers	To retail-ers	To con-sumers
Wonder cigarette roller.....	1	Per doz. \$1.89	Per doz. \$2.52	Each \$0.35

These maximum prices are for the articles described in the manufacturer's application dated February 21, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 183 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30 days. The maximum price to consumers is net delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 183, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.



ized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price, \$0.35 each  
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

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

(e) This order shall become effective on the 31st day of March 1945.

Issued this 30th day of March 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-5138; Filed, Mar. 30, 1945;  
11:42 a. m.]

[MPR 188, Order 3547]

F & W FOUNDRY

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the F & W Foundry, 1837 East 62nd Street, Los Angeles 1, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model	Maximum prices for sales by sellers other than manufacturer to—				
		Jobber	Drop ship jobber	Retailer	Retailer	Consumer
Chicken fryer.....	1175	Each \$2.16	Each \$2.43	Each \$2.70	Each \$2.70	Each \$4.50
Skillet.....	105	1.20	1.35	1.50	1.50	2.50
	75	.96	1.08	1.20	1.20	2.00

These maximum prices are for the articles described in the manufacturer's application dated January 25, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 1% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices

are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement with the retail prices properly filled in:

OPA Retail Ceiling Price, \$----  
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

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

(e) This order shall become effective on the 31st day of March 1945.

Issued this 30th day of March 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-5139; Filed, Mar. 30, 1945;  
11:43 a. m.]

[MPR 188, Order 3548]

GEORGE G. KAUFMAN

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by George G. Kaufman, of 102 West 64th Street, New York, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Maximum prices for sales by—			
	Manufacturer to—	Sellers other than manufacturer to—		
	Wholesale (Jobbers)	Retailers	Retailers	Consumers
Stamped steel set of 5 open end wrenches with nut and bolt, comprising the following sizes: $\frac{1}{2}$ x $\frac{3}{4}$ "; $\frac{3}{4}$ x $\frac{1}{2}$ "; $\frac{1}{2}$ x $\frac{1}{2}$ "; $\frac{1}{2}$ x $\frac{1}{2}$ "; $\frac{1}{2}$ x $\frac{1}{2}$ "; Hardened steel set. Unhardened steel set.....	Each \$0.25	Each \$0.33	Each \$0.33	Each \$0.50
	.22	.29	.29	.44

These maximum prices are for the articles described in the manufacturer's application dated December 15, 1944.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory with 50 cents per cwt. allowed on shipments of 100 pounds or more and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price, \$0.50 for hardened steel set of 5 open end wrenches. \$0.44 for unhardened steel set of 5 open end wrenches.  
Do Not Remove or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

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

(e) This order shall become effective on the 31st day of March 1945.

Issued this 30th day of March 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-5140; Filed, Mar. 30, 1945;  
11:43 a. m.]

[SR 15, Order 1]

SOUTHERN HAME CO., INC.

#### ADJUSTMENT OF MAXIMUM PRICES

Order No. 1 under § 1499.75 (a) (21) of Supplementary Regulation 15 to the General Maximum Price Regulation. Southern Hame Company, Inc. Adjustment of maximum prices. Docket No. 6064-SE 15.75 (a) (21)-1.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.75 (a) (21) of Supplementary Regulation 15 to the General Maximum Price Regulation, *It is ordered:*



(a) The maximum price at which Southern Hame Company, Inc., Cam-paign, Tennessee, may sell and deliver its No. 62 wood hames shall be \$12.00 per dozen pairs, subject to 2% discount for payment within 10 days.

(b) The Southern Hame Company, Inc. shall notify in writing each wholesaler to whom No. 62 wood hames are sold that: (i) the wholesaler may increase his maximum price by 70¢ per dozen pairs, and (ii) such increase must be separately stated on the invoice given to the retailer as an "OPA adjustment charge."

(c) The maximum price for a sale at wholesale of No. 62 wood hames purchased from the Southern Hame Company, Inc. shall be the seller's maximum price previously established under the General Maximum Price Regulation increased by 70¢ per dozen pairs.

(d) Every wholesaler, in connection with each sale of No. 62 wood hames to a retailer shall separately state on the invoice given to the retailer, as an "OPA adjustment charge", the increase permitted by paragraph (c), above.

(e) The provisions of § 1499.2 of the General Maximum Price Regulation with respect to customary discounts and other price differentials and payment of transportation costs apply to the maximum prices established by this order.

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

This order shall become effective March 30, 1945.

Issued this 30th day of March 1945.

JAMES G. ROGERS, JR.,  
Acting Administrator.

[F. R. Doc. 45-5167; Filed, Mar. 30, 1945;  
4:27 p. m.]

[Order 37 Under 3 (e)]

DU PONT SEMESAN CO.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in the accompanying opinion and under the authority vested in the Administrator of the Office of Price Administration by § 1499.3 (e) of the General Maximum Price Regulation, It is hereby ordered:

Authorization of maximum prices for Du Pont Weed Killer in small package sizes not sold or delivered during March of 1942.

(a) *Product covered.* This order covers sales of Du Pont Weed Killer, the active ingredient of which is ammonium sulfamate, in 1, 2, 5, 6, 10 and 25 pound package sizes to jobbers, to dealers and to consumers.

(b) *Maximum prices.* The maximum prices for sales of Du Pont Weed Killer, subject to quantity, cash or delivery differentials and other terms of sale generally applicable to other products sold by Du Pont Semesan Company through jobbers to purchasers of the same class shall be:

Package size	Number of packages per case	Du Pont Semesan Co. sales to jobbers (per case)	Jobber sales to dealers (per case)	Dealer sales to consumers (per case)
1 pound.....	12	\$2.65	\$3.30	\$0.40
2 pounds.....	12	4.80	6.00	.75
5 pounds.....	6	5.70	7.15	1.60
6 pounds.....	6	6.45	8.10	1.80
10 pounds.....	6	11.40	14.30	3.00
25 pounds.....	1	4.10	5.00	6.25

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

This order shall become effective April 2, 1945.

Issued this 31st day of March 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-5201; Filed, Mar. 31, 1945;  
12:11 p. m.]

[Supp. Order 94, Amdt. 2 to Order 11]

#### UNITED STATES TREASURY DEPARTMENT, PROCUREMENT DIVISION

##### SPECIAL MAXIMUM PRICES FOR SURPLUS FLASHLIGHT BATTERIES

An opinion accompanying this amendment has been issued simultaneously herewith.

Order No. 11 under Supplementary Order 94 is amended in the following respect:

Paragraph (b) (1) (i) is added to read as follows:

(i) Where payment has been made and a delivery order has been issued by Treasury on or prior to February 1, 1945, Treasury may make delivery at the maximum price in effect on the date of payment.

This amendment to Order No. 11 shall become effective as of February 1, 1945.

Issued this 31st day of March 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-5199; Filed, Mar. 31, 1945;  
12:10 p. m.]

[Supp. Order 94, Order 44]

#### UNITED STATES TREASURY DEPARTMENT, PROCUREMENT DIVISION

##### SPECIAL MAXIMUM PRICES FOR CERTAIN CHINA SAUCERS

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 for resellers of certain china saucers hereinafter described, which have been or may be purchased from the United States Treasury Department, Procurement Division.

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

*Description of saucer.* White vitrified china saucer, approximately 6" in diam-

eter, heavy restaurant type, stamped on back "Carr China Company 42."

Distributor's price to wholesaler..... \$0.08  
Wholesaler's price to retailer..... .10  
Price to industrial, commercial and institutional users..... .13  
Price for all sales at retail..... .17

(c) *Discounts.* Every seller shall continue to maintain his customary discounts for cash.

(d) *Notification.* Any person who sells the saucers described in paragraph (b) to a purchaser for resale shall furnish such purchaser with an invoice of sale setting forth the reseller's maximum price. On sales to retailers the invoice shall also state that the retailer is required by this order to conspicuously display at the place where the article is offered for sale a suitable sign which plainly states the retail ceiling price.

(e) *Tagging.* Any person who sells the saucers described in paragraph (b) at retail shall conspicuously display at the place where the article is offered for sale a suitable sign which plainly states the retail ceiling price.

(f) *Records.* All resellers making sales of the commodity subject to this order shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect, complete and accurate records of each sale of such commodity.

(g) *Relation to other regulations and orders.* This order with respect to the commodity it covers supersedes Maximum Price Regulation 116, the General Maximum Price Regulation and orders issued thereunder, and orders previously issued under Supplementary Order 94.

(h) *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 china saucers to retailers.

(3) "Distributor" means any person other than a manufacturer who distributes and sells exclusively to wholesalers, industrial, commercial and institutional users.

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

NOTE: The reporting and 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 April 2, 1945.

Issued this 31st day of March 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-5197; Filed, Mar. 31, 1945;  
12:10 p. m.]

[Supp. Order 94, Order 45]

#### UNITED STATES TREASURY DEPARTMENT, PROCUREMENT DIVISION

##### ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed



with the Division of the Federal Register, and in accordance with section 11 of Supplementary Order 94, it is ordered:

(a) *What this order does.* This order establishes maximum prices for resellers of certain new low black shoes hereinafter described which have been or may be purchased from the United States Treasury Department, Procurement Division.

(b) *Maximum prices.* Maximum prices per pair of new low black shoes described herein shall be:

Description of shoes	Price for all sales to retailer, f. o. b. shipping point	Price for all sales at retail
"Endicott-Johnson" men's low cut black oxford, plain toe blucher, rubber heels.....	\$3.55	\$5.60

(c) *Discounts.* Every seller shall continue to maintain his customary discounts for cash.

(d) *Notification.* Any person who sells the low black shoes 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 pair of shoes before sale a tag or label containing the following:

OPA ceiling price..... \$5.60

(e) *Tagging.* Any person who sells the low black shoes described in paragraph (b) at retail shall attach to each pair of shoes before sale a tag or label which plainly states the retail ceiling price.

(f) *Records.* All resellers making sales of the commodity subject to this order shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect, their customary records of all transactions.

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

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

NOTE: The reporting and 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 April 2, 1945.

Issued this 31st day of March 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-5198; Filed, Mar. 31, 1945;  
12:10 p. m.]

[Order 79 Under 3 (b)]

VICTORIA SWEETS, INC.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 79 under Order 375 of § 1499.3 (b) of the General Maximum

Price Regulation. Victoria Sweets, Inc., Docket No. 6035.2-GMPR-(d)-20.

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered:

*Authorization of maximum prices governing sales of chocolate-covered raisin dragees, a confectionary item, packaged and sold by Victoria Sweets, Inc., 207 Little East Neck Road, Babylon, N. Y.*

(a) The maximum prices for the hereinafter indicated sales of chocolate-covered raisin confection manufactured by Victoria Sweets, Inc., 207 Little East Neck Road, Babylon, New York, in accordance with the information contained in its price application shall be as follows:

(1) From Victoria Sweets, Inc. to retailers per carton of 12 one-pound boxes, f. o. b. Babylon, New York, less 2% for payment within 10 days, \$8.00.

(2) From retailers to consumers per one-pound box, \$1.00.

(b) The prices established in this order are the highest prices for which the chocolate-covered raisin dragees may be sold by the respective sellers. All sellers, on sales of these items, shall reduce the above appropriate maximum price by applying their customary discounts, allowances and price differentials which have been applied to sales of other comparable confectionery items. In the application of any customary differential, the specific maximum prices established by this order must not be exceeded.

(c) Victoria Sweets, Inc. shall mail or otherwise supply to its purchasers, at the time of, or prior to, the first delivery to such purchasers, the written notice following:

The Office of Price Administration has authorized us to sell our chocolate-covered raisin dragees, packed in cartons of 12 one-pound fancy lithographed boxes, direct to retailers at the maximum price of \$8.00 per carton, f. o. b. Babylon, New York, less 2% discount for payment in 10 days. You are authorized to sell this item to consumers at a maximum price not in excess of \$1.00 per one-pound box.

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

(e) This order shall become effective April 2, 1945.

Issued this 31st day of March 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-5209; Filed, Mar. 31, 1945;  
12:13 p. m.]

[Supp. Order 99, Order 6]

GLOBE KNITTING WORKS  
ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to § 1305.127 of Supplementary Order No. 99 and § 1372.101 (c) of Maximum Price Regulation 210, it is ordered:

(a) On and after April 2, 1945, and for garments of the enumerated styles shipped by it before May 1, 1945, Globe Knitting Works, Grand Rapids, Michi-

9 F.R. 13521; 10 F.R. 199, 2080.

gan, may sell and deliver to department stores and independent retailers and any department store or independent retailer may buy and receive from it, the following designated fall and winter knitted underwear, manufactured by Globe Knitting Works, at prices not in excess of the following adjusted ceiling prices:

Style	Description	Adjusted ceiling price
115W/LA, SA, S ¾	Men's carded cotton union suit, 15.651 pounds per dozen gross knitting weight (based on size 42 L.A.), bleached, rib knit, sizes 36-50, in long sleeve ankle length, short sleeve ankle length, short sleeve ¾ length.	Per dozen \$16.05
104W/LA, SA, S ¾	Men's combed cotton unionsuit, 14.45 pounds per dozen gross knitting weight (based on size 42 L.A.) bleached, rib knit, sizes 36-50, in long sleeve ankle length, short sleeve ankle length, short sleeve ¾ length.	18.59
492G/LA, SA, S ¾	Men's 40% cotton, 60% wool, unionsuit, 13.907 pounds per dozen gross knitting weight (based on size 42 L.A.), rib knit, washed, sizes 36-50, in long sleeve ankle length, short sleeve ankle length, short sleeve ¾ length.	35.35
139W/LA, E/LA.....	Men's carded cotton unionsuit, 19.210 pounds per dozen gross knitting weight (based on size 42 L.S.A.), rib knit, dyed (Ecrú) or bleached (White), sizes 36-50, long sleeve, ankle length.	19.58
406W/LA.....	Men's 100% wool unionsuit, 17.581 pounds per dozen gross knitting weight (based on size 42), rib knit, bleached, sizes 36-50, long sleeve, ankle length.	57.57
841W/LA, SA.....	Men's combed cotton unionsuits, 13.480 pounds per dozen gross knitting weight (based on size 42), rib knit, bleached, sizes 36-50, long sleeve, ankle length, short sleeve ankle length.	25.55
11/24.....	Men's carded cotton shirts, 5.429 pounds per dozen gross knitting weight (based on size 40) rib knit, bleached, sizes 34-50.	7.50
11/44.....	Men's carded cotton drawer, 6.030 pounds per dozen gross knitting weight (based on size 36), rib knit, bleached, sizes 28-44.	7.50

(b) The adjusted ceiling prices set forth above in paragraph (a) are the maximum prices at which the designated garments may be sold and delivered to department stores and independent retailers. Such adjusted ceiling prices are subject to discounts of 2% and to all trade practices customarily used by Globe Knitting Works during the period from July 15, 1941 to February 10, 1942, both inclusive, on deliveries of comparable types of fall and winter knitted underwear.

(c) On and after April 2, 1945 the ceiling price for a sale at retail by department stores or independent retailers of any of the garments enumerated in paragraph (a) of this order, shipped to such department stores or independent



retailers by Globe Knitting Works on or after April 2, 1945 and before May 1, 1945, shall be as follows:

Style number:	Retail ceiling price (per garment)
115W/LA.SA.S3/4	\$2.00
104W/LA.SA.S3/4	2.50
492G/LA.SA.S3/4	5.00
139W/LA.E/LA	2.50
406W/LA	8.00
841W/LA.GA	3.25
11/24	1.00
11/44	1.00

(d) On and after April 2, 1945, Globe Knitting Works shall transmit to each department store or independent retailer to whom it makes shipment, prior to May 1, 1945, of any of the garments enumerated in paragraph (a) of this order, the following notice:

#### NOTICE OF ADJUSTED CEILING PRICES

The Office of Price Administration has adjusted our ceiling prices on certain knitted underwear garments, shipped to you on or after April 2, 1945, and before May 1, 1945, pursuant to the provisions of Order No. 6, issued under Supplementary Order 99. The CPA has also established ceiling prices for the sale of these garments at retail by you. The following are the style numbers of the garments on which adjustments have been made, our adjusted ceiling prices and the ceiling prices established for sale of these garments at retail by you.

Style No.	Adjusted ceiling price of Globe Knitting Works	Retail ceiling price
	Per dozen	Per garment
115W/LA. SA. S3/4	\$16.05	\$2.00
104W/LA. SA. S3/4	18.59	2.50
492G/LA. SA. S3/4	35.35	5.00
139W/LA. E/LA	19.58	2.50
406W/LA	57.57	8.00
841W/LA. SA.	25.55	3.25
11/24	7.50	1.00
11/44	7.50	1.00

Please note that under OPA order you may not sell any garments of the above enumerated styles shipped to you by us on or after April 2, 1945 and before May 1, 1945, at prices in excess of the retail ceiling price for such garment set forth above.

(e) The notice required to be sent by Globe Knitting Works to its department store and independent retailer customers under paragraph (d) above, and containing the information applicable to the styles of garments included in the particular shipment, shall be transmitted with, or be annexed to, the invoice, billing, or other statement of price accompanying every shipment made before May 1, 1945 by Globe Knitting Works, of any of the garments enumerated in paragraph (a) of this order. This notice, with respect to any garment for which Globe Knitting Works is granted an adjustment of its ceiling price under this order, shall be sent by Globe Knitting Works in lieu of the notice required under § 1389.304 (b) of Maximum Price Regulation 221.

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

This order shall become effective April 2, 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 31st day of March 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-5202; Filed, Mar. 31, 1945; 12:11 p. m.]

[MPR 64, Order 173]

#### COMSTOCK CASTLE STOVE CO.

#### APPROVAL OF MAXIMUM RESALE PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the 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. 4921 Magazine Type Coal Heater manufactured by Comstock Castle Stove Company, Quincy, Ill., as follows:

(1) For sales by wholesale distributors to retailers the maximum prices are those set forth below in each zone, f. o. b. distributor's city.

Zone 1	Zone 2	Zone 3	Zone 4	Zone 5
\$56.56	\$58.72	\$62.50	\$65.25	-----

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

Zone 1	Zone 2	Zone 3	Zone 4
\$90.50	\$93.95	\$99.95	\$104.50

(b) The maximum prices established by this order are subject to each seller's customary terms, discounts, allowances, and other price differentials in effect on sales of similar articles.

(c) At the time of or prior to the first invoice to each purchaser for resale, after the effective date of this order, Comstock Castle Stove Company and each wholesale distributor shall notify the purchaser in writing 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, Comstock Castle Stove Company shall, before delivering any Model No. 4921 Magazine Type Coal Heater, after the effective date of this order, attach securely to each stove a tag or label which plainly states the maximum price for sales to ultimate consumers in each zone together with a list of the states included in each zone. This tag or label may not be removed until after the stove has been sold to an ultimate consumer.

(d) Within thirty days after the effective date of this order, Comstock Castle Stove Company and each wholesale distributor who has made sales and deliveries of any of these stoves to purchasers for resale within the sixty days next preceding the effective date of this order must also notify every such purchaser in writing of the maximum prices and conditions set by this order and, upon receipt of such notice every such purchaser must attach to every such stove still unsold by him a tag or label satisfying the requirements of paragraph (c) of this order.

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

Zone 1. Iowa, Missouri, Kentucky, Ohio, Indiana, Illinois, and Michigan.

Zone 2. Nebraska, Kansas, Minnesota, Wisconsin, 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, Maine, Florida, North Dakota, South Dakota, and Oklahoma.

Zone 3. Wyoming, Montana, Utah, Colorado, New Mexico, Texas, and Louisiana.

Zone 4. Washington, Idaho, Oregon, California, Nevada, and Arizona.

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

(g) This order shall become effective on the 2d day of April 1945.

Issued this 31st day of March 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-5200; Filed, Mar. 31, 1945; 12:11 p. m.]

[MPR 120, Order 1327]

#### W. W. 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 W. W. Coal Company Mine of W. W. Coal Company and its coals are classified in Subdistrict No. 10 in District No. 18.

(b) Coals produced by W. W. Coal Company from the Hogback No. 1 Seam at its W. W. Coal Company Mine, a deep mine, Mine Index No. 1008, located in San Juan County, New Mexico, in Subdistrict No. 10 of District No. 18, 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 Nos.						
	1	2	8	9	10	11	15
Truck shipment.....	550	500	375	350	300	275	400

(c) The prices established herein are f. o. b. the mine or preparation plant for truck shipments.

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

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

(f) Except as specifically provided in this order, the provisions of Maximum Price Regulation No. 120 governing the



sale of bituminous coal shall remain in effect.

(g) The price classifications and mine index number assigned herein are permanent, but the maximum prices may be changed by order or amendment.

This order shall become effective April 2, 1945.

Issued this 31st day of March 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-5203; Filed, Mar. 31, 1945;  
12:11 p. m.]

[MPR 188, Order 3550]

A. H. WAAGE ELECTRIC CO.

#### APPROVAL OF MAXIMUM PRICES

For the reason set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the A. H. Waage Electric Company, 54 Park Place, New York 7, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

ARTICLE—6 LB. NON-AUTOMATIC DOMESTIC ELECTRIC IRON 4 HEAT (64PS)

Maximum selling prices for sales by manufacturer to:	Each
Wholesaler.....	\$2.80
Retailer (in lots of 6 or more).....	3.32
Retailer (in lots of less than 6).....	3.58
Maximum selling prices for sellers other than the manufacturer to:	
Retailer (in lots of 6 or more).....	3.32
Retailer (in lots of less than 6).....	3.58
Consumer.....	5.40

These maximum prices are for the articles described in the manufacturer's application dated December 7, 1944. They include the Federal Excise Tax.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a

maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$5.40  
Do Not Detach

This price includes the Federal Excise Tax

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

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

(e) This order shall become effective on the 2d day of April 1945.

Issued this 31st day of March 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-5205; Filed, March 31, 1945;  
12:12 p. m.]

[MPR 260, Order 696]

WELLER BROS.

#### 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) Weller Bros., 215 W. Spruce Street, Shamoikin, 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
Two-Fifteen.....	Londres.....	50	Per M \$48.00	Cents 6
Stag.....	Invincible.....	50	75.00	10
Weller's Perfectos.....	Perfecto.....	50	93.75	2 for 25

(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 April 2, 1945.

Issued this 31st day of March 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-5207; Filed, Mar. 31, 1945;  
12:13 p. m.]

[MPR 260, Order 697]

CHARLES D. RIDER

#### 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) Charles D. Rider, Rear 33 N. Main Street, 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
Rider's Hand Made.....	Rider's De-Luxe.....	50	Per M \$48	Cents 6
Hav-A-Taylor.....	Perfecto.....	50	48	6

(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 April 2, 1945.

Issued this 31st day of March 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-5208; Filed, Mar. 31, 1945; 12:13 p. m.]

[Restaurant MPR 2, Amdt. 1 to Order 3]

#### ALCOHOLIC BEVERAGES

#### NATIONAL OFFICE ORDER FOR POSTING OF CEILING PRICES

Amendment No. 1 to Order No. 3 under Restaurant Maximum Price Regulation No. 2. National office order for posting of ceiling prices for alcoholic beverages.

For the reasons set forth in an opinion issued simultaneously herewith, section 2 (a) is amended in the following respects:

1. The first paragraph is amended by changing the phrase "(for highballs, show the ounces of whiskey)" to read "(for highballs and old-fashioned cocktails, show the ounces of whiskey)".

2. A new paragraph is added at the end of the section to read as follows:

Each Office of Price Administration Regional Administrator or District Director to whom the Regional Administrator delegates the authority, is hereby authorized to issue an order for any area within his jurisdiction where the sale of whiskey, gin and rum for consumption on the premises is prohibited by local law, providing for the listing of not more than fourteen types of wine in place of the alcoholic beverages set forth herein.

This amendment shall become effective March 31, 1945.

Issued this 31st day of March 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-5247; Filed, Mar. 31, 1945; 4:59 p. m.]

[Supp. Order 94, Order 41]

#### GASOLINE OR OIL DRUMS

#### SPECIAL MAXIMUM PRICES

#### Correction

In Federal Register Document 45-4955, which appeared on page 3384 of the issue for Thursday, March 29, 1945, the first word of paragraph (f) should read "all."

[Gen. Order 55, Amdt. 1]

#### DISCLOSURE OF INFORMATION

General Order 55 is amended by adding section 7 to read as follows:

SEC. 7. Any Rent Director of a Defense-Rental Area may, subject to such instructions as may be issued by the Administrator, authorize the disclosure of information pertaining to rent control obtained under the Emergency Price Control Act, which is not governed by section 2 of this order, if he determines that such disclosure will be in the public interest.

Issued and effective this 1st day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-5282; Filed, Apr. 2, 1945; 11:50 a. m.]

[MPR 188, Order 3445]

#### PRODUCTION TOOLING Co.

#### AUTHORIZATION OF MAXIMUM PRICES

#### Correction

The heading for Federal Register Document 45-4355, appearing on page 3043 of the issue for Wednesday, March 21, 1945, should read as set forth above.

\* 9 F.R. 3820.

[MPR 188, Order 3449]

#### VARIETY MILLWORK Co.

#### APPROVAL OF MAXIMUM PRICES

#### Correction

In Federal Register Document 45-4358, appearing on page 3044 of the issue for Wednesday, March 21, 1945, the bracketed heading should read as set forth above and that portion of the text of paragraph (a) (1) following the table should read "These prices are f. o. b. factory, are subject to a cash discount of 2% for payment within ten days, \* \* \*."

[RMPR 436, Order 37]

#### CRUDE PETROLEUM PRODUCED FROM VARIOUS DESIGNATED POOLS

#### ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in the accompanying opinion and under the authority vested in the Administrator of the Office of Price Administration by section 12 (a) of Revised Maximum Price Regulation No. 436, It is ordered:

(a) The maximum price for crude petroleum run from the receiving tank on or after March 1, 1945, and produced in any of the pools set out below, to an applicant or to any person purchasing prior to an applicant, shall be the maximum price as determined under section 10 or 11 and the amount of the increase designated below:

	Amount of increase (dollars per 42- gallon barrel)
(1) Alabama.	
(2) Arizona.	
(3) Arkansas: Pool and county:	
El Dorado East-old, Union.....	\$0.35
El Dorado South, Union.....	.35
Grimes (Woodley), Union.....	.35
Hillsboro (Modisette), Union.....	.20
Irma, Nevada.....	.20
Lewisville, Lafayette.....	.20
Lisbon, Union.....	.35
Nick Springs-Cotton Valley, Union.....	.35
Smackover, Ouachita, Union.....	.20
Stephens-old (Nacatoch and Buck- range), Columbia, Nevada, Oua- chita.....	.35
Troy (Nacatoch & Tokio) Nevada.....	.35
Urbana (Nacatoch), Union.....	.35
(4) California: Pool and county:	
Bardsdale (All pools excepting Elkins Area), Santa Paula-Newhall Dis- trict, Coastal Area.....	.25
Belridge North (Shallow), San Joa- quin Valley.....	.20
Belridge South, Middle Belridge Area (Shallow) San Joaquin Valley.....	.25
Capitan (Sespe) Santa Barbara Dis- trict, Coastal Area.....	.25
Chico Martinez, Kern.....	.20
Coalinga-Oil City, San Joaquin Valley.....	.20
Devil's Den, San Joaquin Valley.....	.35
Edna, San Louis Obispo, Coastal Area.....	.35
Elwood (Monterey), Santa Bar- bara.....	.20
Ex-Mission, Santa Paula, Santa Paula-Newhall District, Coastal Area.....	.35
Kendon, Kern.....	.25
Kern River, San Joaquin Valley.....	.35
Los Angeles, Los Angeles District, Los Angeles Basin.....	.35
McVan, Poso Creek District, San Joa- quin Valley.....	.25
Modelo, Piru, Santa Paula-Newhall District, Coastal Area.....	.35
Moody Gulch, Santa Clara.....	.35



Amount of increase (dollars per 42- gallon barrel).		Amount of increase (dollars per 42- gallon barrel)		Amount of increase (dollars per 42- gallon barrel)	
(4) California—Con.: Pool and county:		(11) Illinois—Con.: Pool and county:		(14) Kansas: Pool and county:	
Newhall (Newhall), Santa Paula-Newhall District, Coastal Area	\$0.35	Junction, Gallatin	\$0.35	All pools, Allen	\$0.35
Newport, Los Angeles Basin	.25	Keensburg Consolidated, Wabash	.20	All pools, Anderson	.35
Puente Hills, Los Angeles Basin	.35	Lakewood, Shelby	.20	All pools, Bourbon	.35
Santa Barbara (Vaqueros), Santa Barbara District, Coastal Area	.25	Lancaster, Wabash and Lawrence	.25	All pools, Chautauqua	.35
Sargent, Santa Clara, Coastal Area	.35	Leech, Wayne	.20	All pools, Crawford	.35
Sespe Canyon, Santa Paula-Newhall District, Coastal Area	.20	Litchfield, Montgomery	.35	All pools, Elk (East Half)	.35
Shiells Canyon, Santa Paula-Newhall District, Coastal Area	.20	Mason, Effingham	.35	All pools, Franklin	.35
Simi-Conejo-Oxnard (Simi), Santa Paula-Newhall District, Coastal Area	.35	Maud, Wabash	.25	All pools, Labette	.35
Sisar-Silverthread, Santa Paula, Santa Paula-Newhall District, Coastal Area	.35	Mt. Carmel-West, Wabash	.25	All pools, Linn	.35
Summerland, Santa Barbara District, Coastal Area	.20	Mt. Erie-North, Wayne	.25	All pools, Miami	.35
Sunset, Mt. Poso District, San Joaquin Valley	.25	Noble South, Richland	.20	All pools, Montgomery	.35
Tapo-Eureka, Piru, Santa Paula-Newhall District, Coastal Area	.35	Patoka, Marion	.20	All pools, Neosho	.35
Tembler Ranch, McKittrick District, San Joaquin Valley	.35	Raymond, Montgomery	.35	All pools, Wilson	.35
Timber Canyon, Santa Paula, Santa Paula-Newhall District, Coastal Area	.35	St. Francisville, E. Lawrence	.20	All pools, Woodson	.35
Torrance Area (Flint), Torrance-Hermosa, Los Angeles Basin	.25	Sainte Marie, Jasper	.20	Abbyville, Reno	.25
Torrey Canyon, Piru, Santa Paula-Newhall District, Coastal Area	.35	Sesser, Franklin	.25	Atyeo, Lyon	.35
Wasco (Shale), San Joaquin Valley	.35	Southeastern Field, Lawrence, Clark, Crawford, Wabash, Coles, Edgar and Cumberland	.35	Augusta, Butler	.35
Wheeler Ridge, San Joaquin Valley	.20	Stewardson, Shelby	.20	Augusta North, Butler	.35
Whittier (Central Area), Los Angeles Basin	.25	Storms, White	.20	Baird, Cowley	.20
Whittier (Rideout-Heights Area), Los Angeles Basin	.20	Tamara, Perry	.35	Baird East, Cowley	.20
Wiley-Towsley Canyon, Newhall, Santa Paula-Newhall District, Coastal Area	.35	Thompsonville, Franklin	.35	Baldwin, Douglass	.35
(5) Colorado: Pool and county:		Toliver, Clay	.35	Bausinger, Butler	.35
Berthoud, Larimar	.20	Wagoner, Montgomery	.35	Benton, Butler	.25
Boulder, Boulder	.35	Wamac, Marion, Clinton and Washington	.35	Biddle, Cowley	.35
Florence (includes Canon City Area), Fremont	.35	Waterloo, Monroe	.35	Bird, Barton	.20
Orchard-Greasewood, Weld	.25	Whittington-West, Franklin	.25	Blackwell, Greenwood	.35
(6) Connecticut.		Woburn, Bond	.35	Blankenship, Butler, Greenwood	.35
(7) Delaware.		Xenia, Clay	.25	Bredfeldt West, Rice	.20
(8) Florida.		(12) Indiana: Pool and county:		Brinegar, Greenwood	.35
(9) Georgia.		Alford, Pike	.35	Brown, Cowley	.25
(10) Idaho.		Barrett Mitchell, Gibson	.35	Browning, Greenwood	.35
(11) Illinois: Pool and county:		Bristow-old, Perry	.35	Burden, Cowley	.35
Barnhill, Wayne	.35	Bufkin, Posey	.35	Bush-Denton, Elk (West Half)	.35
Bartelso, Clinton	.25	Cannelburg-old, Daviess	.35	Chindberg, McPherson	.25
Bartelso-South, Clinton	.25	Caborn West, Posey	.35	Christy, Greenwood	.35
Beaver Creek, Bond	.20	Columbia, Gibson	.35	Churchill, Sumner	.25
Beman, Lawrence	.35	Dodd's Bridge (Old Shallow) Sullivan	.35	Clark, Cowley	.20
Brown, Marion	.20	Enterprise, Spencer	.35	Climax, Greenwood	.35
Browns-South, Edwards	.35	Evansville Area-old, Posey and Vanderburgh	.35	Clover, Cowley	.25
Burnt Prairie, White	.20	Francisco, Gibson	.35	Collyer, Elk (West Half)	.35
Carlyle, Clinton	.35	Francisco, E. & W., Gibson	.35	Countrymen, Cowley	.35
Centralia, Clinton, Marion	.25	Grandview, Spencer	.35	Covert-Sellers, Marion	.25
Cisne, Wayne	.25	Hatfield, Spencer	.20	Cross, Sedgwick	.20
Cisne North, Wayne	.35	Hazelton-Mt. Olympus-Union Bowman, Pike & Gibson	.35	David, Cowley	.20
Colmar-Plymouth, McDonough-Hancock	.35	Heusler, Posey	.20	David South, Cowley	.35
Concord East, White	.35	Hovary Lake, Posey	.20	Deerhead-Viola, Barber	.35
Cooks Mills, Coles	.35	Johnson, Gibson	.35	De Moss, Butler	.35
Cordes, Washington	.25	Kirksville, Gibson	.20	Demalorie-Sowder, Greenwood	.25
Cowling, Edwards	.35	Monroe City, Knox	.35	Dexter, Cowley	.25
Cravat, Jefferson	.25	Mt. Carmel, Gibson	.20	Dory, Elk (West Half)	.35
Dahlgren, Hamilton	.35	Oakland City, Pike	.35	Douglas, Butler	.35
Du Bois, Washington	.25	Oatsville, Pike	.35	Dunaway, Greenwood and Coffey	.35
Du Bois West, Washington	.25	Patton, Wabash	.35	Dunkelberger, Elk (West Half)	.35
Dundas Consolidated, Richland and Jasper	.25	Petersburg-old, Pike	.35	Eastborough, Sedgwick	.20
Dupo, St. Clair	.35	Prairie, Posey	.25	Eastman, Cowley	.35
Eldorado, Saline	.35	Princeton East, Gibson	.35	Eckel, Butler	.20
Elkville, Jackson	.35	Princeton West, Gibson	.35	Eichman, Russell	.35
Gillespie Wyen, Macoupin	.35	Ridge, Posey	.35	El Dorado, Butler	.35
Hoffman, Clinton	.35	Rockport, Spencer	.35	Eureka, Greenwood	.35
Ingraham, Clay	.35	St. Francisville, Knox	.35	Fairfield, Russell	.25
Inman, Gallatin	.20	St. Francisville, E. Knox	.20	Fall City, Cowley	.35
Johnsonville-South, Wayne	.35	Santa Claus, Spencer	.35	Fankhouser, Lyon and Greenwood	.35
		St. Thomas, Knox	.35	Faubin, Rooks	.25
		Shelburn-old, Sullivan	.35	Ferguson East, Elk (West Half)	.20
		Sios, Sullivan and Vigo	.20	Ferguson West, Cowley	.35
		Somerville, Gibson and Pike	.35	Florence, Marion	.35
		Sullivan, Sullivan	.35	Fox, Bush, Butler	.35
		Trenton Pool (Old), Jay, Blackford, Grant, Huntington, Wells, Adams, Wabash, Delaware, Madison	.35	Garden, Butler	.35
		Tri-County, Gibson and Pike	.35	Gelwick, Butler	.20
		Troy-old, Spencer	.35	Gettysburg, Graham	.25
		Varner, Spencer	.35	Graber, McPherson	.20
		Veale-old, Daviess	.35	Graham, Cowley	.20
		Vernon Heights, Vanderburgh	.25	Grand Summit, Cowley	.35
		Washington-old, Daviess	.35	Guda Springs, Cowley	.25
		West Knox, Knox	.35	Haller, Ellis	.35
		Wheeling, Gibson	.35	Halstead, Harvey	.20
		(13) Iowa.		Hamilton, Greenwood	.35
				Hammer, Barton	.20
				Haverhill, Butler	.25
				Heiken, Ellsworth	.35
				Hinchman, Greenwood	.35
				Hollis, Greenwood	.35
				Hollow-Nikkel, Harvey	.20
				Hubbard, Greenwood	.35
				Hower, Cowley	.25
				Inge, Elk, and Chautauqua	.35
				Tuka-Arbuckle, Pratt	.35
				Jackson, Greenwood	.35



Amount of increase  
(dollars per 42-  
gallon barrel)

## (14) Kansas—Con.: Pool and county:

Keighley, Butler	\$0.35
Keller, Rice	.35
Kramer-Stern, Butler	.35
Kriley, Rooks	.25
Kruse, Rooks	.25
Kuske, Sedgwick	.35
Lamont, Greenwood	.35
Laton, Brooks	.20
Leon, Butler	.35
Lerado, Reno	.35
Lost Springs, East, Marion	.25
Lyons, Rice	.35
Madison, Greenwood-Lyon	.35
Mahannah, Cowley	.35
Mahoney, Russell	.35
McCullough, Butler	.25
McPherson, McPherson	.25
Mills, Elk (West Half)	.35
Mohl, Russell	.20
Moline, Elk (West Half)	.35
Morrison, Clark	.35
Murphy, Cowley	.25
New Albany, Elk	.35
Olsen, Cowley	.35
Otter Creek, Cowley	.35
Padgett, Sumner	.20
Peabody, Marion	.25
Penokee, Graham	.20
Pierce, Butler	.35
Pixlee, Greenwood	.35
Polhamus, Greenwood	.35
Ponce, Rice	.25
Porter, Elk (West Half)	.35
Potwin, Butler	.25
Potwin, South, Butler	.20
Quincy, Greenwood	.35
Rainbow Bend, Cowley	.25
Reece, Greenwood	.35
Rettig, Elk	.35
Reynolds-Schaffer, Butler	.20
Robbins, Sedgwick	.35
Rock, Cowley	.35
Rock North, Cowley	.35
Ruder, Ellis	.20
Sallyards, Greenwood	.35
Scott, Greenwood	.35
Seely-Wick, Greenwood	.35
Severy, Elk, Greenwood	.35
Seward, Butler	.35
Slick-Carson, Cowley	.25
Smith, Cowley	.35
Smock-Sluss, Butler	.35
Soeken, Rice	.35
State, Cowley	.35
Steinhoff, Butler	.25
Teeter, Greenwood, Chase	.35
Teichgraber, Greenwood	.35
Thrall-Agard, Greenwood	.35
Thurlow, Cowley	.35
Trees, Cowley	.25
Turner, Cowley	.25
Udall, Cowley	.25
Valley Center, Sedgwick	.35
Van Noy, Coffey	.35
Virgil, Greenwood	.35
Virgil North, Greenwood, Coffey and Woodson	.35
Walker, Elk (West Half)	.35
Weathered, Cowley	.20
Weaver, Butler	.35
Webb, Elk (West Half)	.35
Welch North, Rice	.25
Wellington, Sumner	.25
Wherry, Rice	.20
Wiggins, Greenwood	.35
Wilkerson, Greenwood	.35
Willard, Greenwood	.35
Winfield, Cowley	.35
Winterschied, Coffey and Woodson	.35
Yoder, Reno	.35
Young, Butler	.25
Zurich, Rooks	.20

## (15) Kentucky: Pool and county:

Clay, Webster	.20
Hebbardsville, Henderson	.25
Reed, Henderson	.20
Sebree, Webster	.20

Amount of increase  
(dollars per 42-  
gallon barrel)

## (15) Kentucky—Con.: Pool and county:

Zion, Henderson	\$0.25
All other pools in the State of Kentucky except Coryden, Geneva, Gilmore, Greenbrier, Panther, Poole, Robards, Smith Mills and Spottsville Pools, Henderson County; Livermore and North Livermore Pools, McLean County; Chapman, Hitesville, Morganfield, Raleigh, Spring Cove, St. Vincent, Uniontown, Utley and Wathen Pools, Union County; East Poole and Pratt Pools, Webster County	
(16) Louisiana: Pool and Parish:	.35
Bayou Bouillon, St. Martin	.35
Bellevue, Bossier	.35
Caddo (Pine Island Area) Caddo	.35
Carterville, Bossier-Webster	.35
Charenton (O-1300 ft.) St. Mary	.20
Converse, Sabine	.35
Delta Duck Club, Plaquemines	.35
Edgerly, Calcasieu	.20
Elm Grove, Bossier	.20
Georgetown, Grant	.20
Haynesville (Buck Range or Blossom) Claiborne	.20
Homer, Claiborne	.20
Jennings (Evangeline, O-3750') Acadia	.25
Lake End, Red River	.35
Lake Hermitage, Plaquemines	.35
Lisbon (Pettit) Claiborne, Lincoln	.20
Manifest, Cathahoula	.25
Oakland, Union	.35
Perkins, Cameron	.35
Pleasant Hill, De Soto-Sabine	.35
Tullos-Urania, LaSalle and Winn	.20
Welsh, Jefferson Davis	.35
(17) Maine.	
(18) Maryland.	
(19) Massachusetts.	
(20) Michigan: Pool and county:	
Beaverton, Gladwin	.35
Bentley, Gladwin	.25
Birch Run, Saginaw	.35
Bloomington, Van Buren	.35
Casco, Allegan	.35
Chase, Lake	.25
Clare City, Clare	.35
Columbia, Van Buren	.35
Crystal, Montcalm	.25
Dalton, Muskegon	.35
Deerfield, Monroe	.25
Diamond Springs, Allegan	.35
Dorr, Allegan	.35
Edenville, Midland	.35
Edmore, Montcalm	.35
Freeman, Clare	.20
Geneva, Van Buren	.35
Grout, Gladwin	.35
Hope, Barry	.25
Hopkins, Allegan	.35
Hopkins West, Allegan	.35
Huron, Wayne	.35
Lakefield, Saginaw	.35
Leaton, Isabella	.25
Marne, Ottawa	.35
Mill Lake, Van Buren	.35
Monterey, Allegan	.35
Mt. Pleasant and East Ext., Isabella	.35
Muskegon, Muskegon	.35
Muskrat Lake, Van Buren	.35
New Salem, Allegan	.25
North Buckeye, Gladwin	.25
Overisel, Allegan	.35
Otisville, Genesee	.20
Pine River, Gratiot	.35
Porter, Midland	.20
Saginaw, Saginaw	.35
Salem, Allegan	.35
Sauble, Lake	.20
Sherman, Isabella	.35
South Adams, Arenac	.35
South Akron, Tuscola	.35
South Buckeye, Gladwin	.35
South Tallmadge, Ottawa	.35
Trowbridge, Allegan	.35
Vernon, Isabella	.25

Amount of increase  
(dollars per 42-  
gallon barrel)

## (20) Michigan—Con.: Pool and county:

Walker, Kent.....	\$0.35
West Branch, Ogemaw.....	.35
Winfield, Montcalm.....	.35
Wise, Isabella.....	.20
Wyoming Park, Kent.....	.35
Yost-Jasper, Midland.....	.20
(21) Minnesota.....	
(22) Mississippi: Carey, Sharkey.....	.33
(23) Missouri: All pools in the State of Missouri: except Tarkio Pool, Atchison County.....	.35
(24) Montana: Pool and county:	
Border, Toole.....	.35
Cat Creek, Petroleum.....	.35
Conrad-Midway, Pondera.....	.25
Elk Basin-Frontier Sand (Light Oil), Carbon.....	.35
Kevin Sunburst, Toole.....	.35
Pondera, Teton & Pondera.....	.35
Reagan Nose, Glacier.....	.35
Sweet Grass Hills Area, Toole & Lib- erty.....	.35
(25) Nebraska: Pool and county:	
Barada, Richardson.....	.20
Falls City, Richardson.....	.18
(26) Nevada.....	
(27) New Hampshire.....	
(28) New Jersey.....	
(29) New Mexico: Pool and county:	
Anderson, Eddy.....	.20
Artesia, Eddy.....	.35
Aztec, San Juan.....	.35
Dayton, Eddy.....	.20
East Lusk, Lea.....	.35
Getty, Eddy.....	.14
Hardy, Lea.....	.20
High Lonesome, Eddy.....	.35
Leo, Eddy.....	.25
Loco Hills, Eddy.....	.17
Penrose-Skelly (except Clearfork), Lea.....	.20
Rattlesnake, San Juan.....	.35
Red Lakes, Eddy.....	.25
Turkey Track, Eddy.....	.25
(30) New York: All pools producing Pennsylvania grade crude in the State of New York.....	.75
(31) North Carolina.....	
(32) North Dakota.....	
(33) Ohio: All pools producing Penn- sylvania grade crude in the State of Ohio.....	.75
All other pools in the State of Ohio.....	.35
(34) Oklahoma: Pool and county:	
All pools, Craig.....	.35
All pools, Nowata.....	.35
All pools, Rogers.....	.35
All pools, Washington.....	.35
Ada East, Pontotoc.....	.35
Airport, Tulsa.....	.35
Alabama, Hughes.....	.35
Allen (Shallow), Pontotoc.....	.35
Almeda, Osage.....	.35
Alsuma, Tulsa.....	.35
Altus, Jackson.....	.35
Arno, Creek.....	.20
Asher West, Pottawatomie.....	.25
Avant, Osage.....	.35
Avant West, Osage.....	.35
Avery, Lincoln.....	.35
Aztec, Okmulgee and Okfuskee.....	.35
Backus, Osage.....	.35
Bald Hill, Okmulgee.....	.35
Ball, Payne.....	.35
Baltimore North, Okfuskee and Okmulgee.....	.35
Bandwheel, Osage.....	.35
Barker, Osage.....	.25
Barnes, Garfield.....	.35
Barnsdall, Osage.....	.35
Barnsdall South, Osage.....	.35
Barnsdall West, Osage.....	.35
Bartlesville, Osage and Washington.....	.35
Bebee East, Pontotoc.....	.35
Beggs North, Okmulgee.....	.35
Beggs South, Okmulgee.....	.35
Beidelman, Okfuskee.....	.35



Amount of increase (dollars per 42- gallon barrel)		Amount of increase (dollars per 42- gallon barrel)		Amount of increase (dollars per 42- gallon barrel)	
(34) Oklahoma—Con.: Pool and county:		(34) Oklahoma—Con.: Pool and county:		(34) Oklahoma—Con.: Pool and county:	
Beland, Muskogee	\$0.35	Eram, Okmulgee	\$0.35	Lovell, Logan	\$0.20
Bethel, Seminole	.35	Fairfax, Osage	.35	Lyons-Quinn, Okfuskee and Okmul-	
Bethel Northeast, Seminole	.35	Falls Dome, Osage	.35	gee	.25
Big Horse, Osage	.35	Fields, Okfuskee	.35	Madalene, Osage	.35
Bilby, Wagoner	.35	Fish (Booch) Seminole	.35	Madelene East, Osage	.35
Billings (Shallow), Noble	.35	Fisher, Tulsa	.35	Madill, Marshall	.35
Billings (Siliceous Lime), Noble	.20	Fitts (Gilcrease, Cromwell, Hunton		Manion, Osage	.35
Bird Creek, Tulsa and Osage	.35	Lime, Upper Simpson Series) Pon-		Manion North, Osage	.35
Birch Creek, Osage	.35	totoc	.20	Mannford, Creek and Pawnee	.35
Bixby, Tulsa	.35	Fitts North, Pontotoc	.35	Maramec, Pawnee	.25
Blackwell, Kay	.20	Fitts South, Pontotoc	.25	March (Layton-Skinner), Payne	.35
Boston, Osage	.20	Flat Rock, Osage	.35	Markham, Payne	.35
Boston North, Osage	.35	Fletcher, Osage	.35	Marshall, Logan	.20
Boston Northeast, Osage	.35	Foraker, Osage	.20	Masham, Pawnee	.35
Bowden, Creek & Tulsa	.35	Forty-five, Osage and Washington	.35	Maud, Pottawatomie	.20
Bowring, Osage	.35	Fox (Shallow), Carter	.25	McLish, Carter	.35
Boyle, Muskogee	.35	Francis West, Pontotoc	.35	Me-Gra To-Mole, Osage	.35
Boynton, Muskogee	.35	Frederick, Tillman	.35	Mehan, Payne	.35
Braman, Kay	.25	Garber, Garfield	.35	Mercer, Creek	.25
Branstetter, Osage	.35	Garber North, Garfield	.20	Meridian, Logan	.20
Breene, Osage	.35	George, Wagoner	.35	Mervine South, Kay	.35
Brinton, Okmulgee	.35	Gessman, Lincoln	.20	Milroy (Shallow), Stephens and	
Bristow, Creek	.25	Gillette, Wagoner	.35	Carter	.35
Bristow North, Creek	.35	Gilliland, Osage	.35	Mobbs, Wagoner	.35
Bristow West, Creek	.35	Glenn, Creek and Tulsa	.35	Montezuma, Okmulgee	.35
Britton, Oklahoma	.20	Goble, Wagoner	.35	Morgan, Okfuskee	.25
Brock, Carter	.35	Graham, Carter	.35	Morris, Okmulgee and McIntosh	.35
Broken Arrow, Tulsa and Wagoner	.35	Gray (Calvin), Pottawatomie	.20	Mounds, Creek, Okmulgee and Tulsa	.35
Brown, Garfield	.35	Gregory, Okfuskee	.35	Muskogee, Muskogee	.35
Broyles, Payne	.25	Gypsy Hill, Okfuskee and Okmulgee	.35	Muskogee, North, Muskogee	.35
Bruce, Creek	.35	Gypsy Hill Northwest, Okmulgee	.35	Natura, Okmulgee	.35
Bruce East, Creek	.35	Hallett, Pawnee	.35	Naval Reserve, Osage	.20
Bruner-Vern, Tulsa	.35	Hamilton Switch, Okmulgee	.35	Naval Reserve South, Osage	.20
Buel, Osage	.35	Hanbury, Comanche	.35	Nelagony, Osage	.25
Bulldog, Osage	.35	Happy Hollow, Osage	.35	Nuyaka South, Okmulgee	.35
Burbank (Osage), Osage	.35	Haskell, Muskogee and Okmulgee	.35	Nuyaka Southwest, Okmulgee	.35
Burbank (Kay), Osage	.20	Haydenville (Dutcher) Okfuskee	.25	New England, Osage	.35
Butler, Muskogee and Okmulgee	.35	Hector, Okmulgee	.35	Nicomah Park, Oklahoma	.20
Candy Creek, Osage, Washington	.35	Henryetta, Okmulgee	.35	Norfolk, Payne	.35
Candy Creek South, Osage	.35	Henryetta Northeast, Okmulgee	.35	Norfolk West, Payne	.20
Canfield, Pawnee	.35	Hensley, Okfuskee	.35	Oakman, Pontotoc	.35
Carey, Okfuskee	.25	Healdton, Carter and Jefferson	.35	Ochelata North, Osage and Washing-	
Castle South, Okfuskee	.35	Hewitt, Carter	.35	ton	.35
Cement (Fortuna and Permian),		Hickory Creek, Osage	.35	Okemah, Okfuskee	.35
Caddo	.35	Hickory Creek South, Osage	.35	Okemah West, Okfuskee	.35
Cement West (Noble-Oleson), Cad-		Hickory Grove, Creek	.25	Okesa, Osage	.35
do	.25	Hillsdale, Garfield	.35	Okfuskee, Okfuskee	.35
Clarita, Coal	.35	Hobart, Kiowa	.25	Oklahoma Central, Okmulgee and	
Clearview, Okfuskee	.35	Hoffman, McIntosh and Okmulgee	.35	Creek	.35
Cleveland, Pawnee	.35	Holdenville West, Hughes	.35	Oklahoma City (Arbuckle Lime), Ok-	
Coalton, Okmulgee and McIntosh	.35	Hominy, Osage	.35	lahoma	.35
Cole, Muskogee	.35	Hominy East, Osage	.35	Okmulgee, Okmulgee	.35
Cole, Payne	.35	Hominy Falls, Osage	.35	Olean, Creek	.35
Collinsville, Tulsa	.35	Hominy South, Osage	.35	Olive, Creek	.35
Comanche, Stephens	.35	Huffman, Pottawatomie	.35	Olympic, Okfuskee and Hughes	.35
Conservation, Pontotoc	.35	Independent, Creek, Tulsa and Ok-		Oneta, Wagoner	.35
Corine, Wagoner	.35	mulgee	.35	Osage City, Osage	.35
Council, Muskogee	.35	Ingalls Northeast, Payne	.25	Osage City East, Osage	.35
Country Club, Osage	.35	Iron Post, Creek	.35	Osage-Hominy, Osage	.35
Coweta, Wagoner	.35	Isom Springs, Marshall	.35	Oscar, Jefferson	.25
Cromwell (Gilcrease), Seminole	.25	Jackson, Seminole	.20	Overbrook, Love	.20
Cruce, Stephens	.35	Jenks, Tulsa	.35	Owasso, Tulsa	.35
Cushing, Creek and Payne	.35	Jennings, Pawnee and Creek	.35	Paden, Okfuskee	.35
Dalton, Osage	.35	Jesse (Gilcrease), Pontotoc	.25	Page, Osage and Tulsa	.35
Davenport, Lincoln	.35	Jolly Patton, Muskogee	.35	Papoose, Hughes and Okfuskee	.20
Davenport, North, Lincoln	.35	Josey, Okfuskee	.20	Pawhuska, Osage	.35
Dawson, Tulsa	.35	Kasishke, Osage	.35	Pawhuska West, Osage	.35
Deaner, Okfuskee	.35	Kasishke South, Osage	.35	Penn Creek, Osage	.35
Deep Fork, Creek	.35	Kaw, Osage	.20	Pershing, Osage	.35
Deer Creek, Grant	.25	Kellyville, Creek	.35	Pettit, Osage	.35
Dewey, Osage and Washington	.35	Keystone, Pawnee, Tulsa and Creek	.35	Pettiquah, Okfuskee and Lincoln	.35
Dill, Okfuskee	.20	Kidd, Seminole	.35	Phillipsville, Okmulgee	.35
Dilworth, Kay	.20	Kingston, Marshall	.35	Pickett-Prairie, Creek	.35
Domes, Osage	.35	Konawa, Seminole	.20	Piggot, Osage	.35
Donnelly, Creek	.20	Konawa East, Seminole	.25	Pine, Okmulgee	.35
Dora, Seminole	.25	Konawa South, Seminole and Pot-		Pioneer, Osage	.35
Duncan, North, Stephens	.35	tawatomie	.25	Platter, Osage	.35
Duncan, West, Stephens	.35	Knox, Grady and Stephens	.25	Pollyanna, Okmulgee	.35
Earlsboro, West, Pottawatomie	.25	Langston South, Logan	.20	Ponca City, Kay	.35
Ed Cox, Carter	.35	Lauderdale, Pawnee	.35	Pond Creek, Osage	.35
Edgewood, Osage	.35	Lawton, Comanche	.35	Poor Farm, Creek	.35
Edgewood South, Osage	.35	Lee Dome, Osage	.35	Price, Pawnee	.35
Edna, Creek	.20	Leonard, Tulsa and Wagoner	.35	Prue, Osage	.35
Edna, East, Okmulgee	.35	Lincreek, Lincoln and Creek	.35	Quapaw, Osage	.35
Elgin South, Osage	.35	Link, Muskogee	.35	Rainola, Stephens	.35
Empire, Stephens	.25	Little River East, Seminole	.20	Ramona, Osage and Washington	.35
Enfisco, Osage	.35	Loco, Stephens	.20	Red Bank, Creek	.20
Enos, Marshall	.35	Long, Hughes	.25	Red Fork, Tulsa	.35
		Lookout, Osage	.35		



Amount of increase (dollars per 42- gallon barrel)		Amount of increase (dollars per 42- gallon barrel)		Amount of increase (dollars per 42- gallon barrel)	
(34) Oklahoma—Con.: Pool and county:		(34) Oklahoma—Con.: Pool and county:		(41) Texas—Con.: Pool and county:	
Red River Bed, Tillman	\$0.35	Yahola, Muskogee	\$0.35	All pools in Wilbarger County (Ex-	
Reed, Garfield	.25	Yeager North, Hughes	.20	cepting: Consolidated, Electra-	
Ripley, Payne	.20	Youngstown, Okmulgee	.35	Ellenberger, Fargo, Harrold, Main,	
Robberson, Garvin	.35	(35) Oregon		Potts-Ellenberger, Rock Crossing	
Robinson, Muskogee	.35	(36) Pennsylvania: Pool and county:		(Canyon), Rock Crossing (Ellen-	
Romulus Southwest, Pottawatomie	.20	All pools producing Pennsylvania		berger), Rogers-McCrary).....	\$0.35
Rossanna, Seminole	.20	Grade crude oil in the State of		All pools in Young County (Except-	
Sac and Fox, Lincoln	.35	Pennsylvania	.75	ing: Allar, Allar Caddo, Anzac-	
Sacred Heart, Pottawatomie	.35	All other pools in the State of Penn-	.35	Graham, Briar Creek, Burns Lar-	
Sams (Oswego) Noble	.35	sylvania		more, Burns-Ragland Mississippi	
Sams (Pennsylvanian) Noble	.35	(37) Rhode Island		Lime, Burns-Ragland Strawn,	
Sancho, Seminole	.25	(38) South Carolina		Daws, Edmonds, Garvey, Halbert	
Sand Springs, Tulsa	.35	(39) South Dakota		Caddo, James, Kerlyn, Knight,	
Sapulpa, Creek	.35	(40) Tennessee: All pools in the State		Knox, Knox North (Caddo), Knox	
Sapulpa South, Creek	.35	of Tennessee	.35	Mississippi Lime, Lupton McLester,	
Sasakwa East, Seminole and Hughes	.25	(41) Texas: Pool and county:		Murray, Murray Caddo, Padgett	
Schulter, Okmulgee	.35	All pools in Archer County (Except-		Mississippi Lime, Sewell, Walsh,	
Searight East, Seminole	.35	ing: Burns Ickert, Cooper, Gar-		Williamson).....	.35
Seay, Jefferson	.35	rett, Holliday, Hull Silk Sikes, Hull		Adami, Webb	.35
Seltzer, Wagoner	.35	Silk-Sikes-Caddo, Kadane, Kadane		Agua Prieta, Duval	.35
Seminole East, Seminole	.20	Shallow, Luke, Mankings, Ord,		Angleton, Brazoria	.35
Seminole Northeast, Seminole	.20	Scotland, Scotland Mississippi		Appling, Jones	.25
Sheldon, Okfuskee	.35	Lime, Vogtsberger).....	.35	Aspermont, Stonewall	.25
Sheppard, Muskogee	.35	All pools in Baylor County (Except-		Aviators, Webb	.35
Sholem-Alechem, Carter and Steph-		ing: Rendham, Seymour).....	.35	Bateman, Bastrop	.20
ens	.25	All pools in Brown County	.35	Bee Creek, Caldwell	.35
Simmons, Muskogee	.35	All pools in Callahan County (Ex-		Bennett (W. S. Rotan), Fisher	.20
Simmons-Black, Okmulgee	.35	cepting: Seranton).....	.35	Bird Island, Kleberg	.25
Skedee, Pawnee	.35	All pools in Clay County (Excepting:		Blackwell, Coke	.25
Skellyville, Lincoln	.35	Antelope, Antelope Mississippi		Bob Rose, Caldwell	.35
Skiatook, Osage and Tulsa	.35	Lime, Burns Browning, Burns		Bolivar, Denton	.35
Slick, Creek	.20	Midway, Halsell, Hapgood, Joy		Bolt, Kimble	.35
Spaulding, Hughes	.20	Mississippi Lime, New York City		Bowles, Taylor	.35
Spaulding Southeast, Hughes	.35	Mississippi Lime, Ross, Scaling,		Brenham, Austin	.35
Spencer, Okmulgee, Tulsa and Wag-		Stephens, Watson, Wynn).....	.35	Bruni, Webb	.35
oner	.35	All pools in Coleman County (Ex-		Bruni East, Webb	.35
Stillwater, Payne	.25	cepting: Anzac-Morris, Coker,		Buchanan, Caldwell	.35
St. Louis East, Pottawatomie	.25	Gayle, Goldsboro, Jim Ned, Novice,		Burdette Wells, Caldwell	.35
St. Louis North, Pottawatomie	.25	Novice North, Overall, Silver Val-		Burnell South, Karnes	.20
Stone Bluff, Wagoner and Tulsa	.35	ley, Williams).....	.35	Caesar, Bee	.35
Stroud East, Creek	.25	All pools in Comanche County	.35	Camada, Jim Wells	.35
Summers, Okmulgee	.35	All pools in Cooke County (Except-		Calliham, McMullen and Live Oak	.35
Sunset, Osage	.35	ing: Bindle, Bindle Ellengerger,		Carbon, Eastland	.35
Swan, Seminole	.25	Dangle, Fleitman, Walnut Bend,		Cedar Creek, Bastrop	.35
Tatums, Carter	.20	Walnut Bend Winger, Walnutbend		Chapman Abbott, Williamson	.35
Tecumseh East, Pottawatomie	.25	Montgomery, Wilson, Woodbine	.35	Charamousa South, Duval	.20
Terlton, Pawnee and Creek	.35	All pools in Eastland County (Ex-		Charco Redona, Zapata	.35
Terlton North, Pawnee	.35	cepting: Carbon).....	.25	Chicon Lake, Medina	.35
Tibbens, Creek	.35	All pools in Erath County	.35	Chiltipin, Duval	.35
Tidal-Osage, Osage	.35	All pools in Foard County (Except-		Clabberhill, Andrews	.12
Tipton, Jackson	.25	ing: Johnson).....	.25	Clark, Guadalupe	.25
Tonkawa, Kay and Noble	.20	All pools in Haskell County	.35	Cole West, Webb	.25
Transcontinental, Muskogee	.35	All pools in Jack County (Except-		Collinsville, Grayson	.35
Traugh, Seminole	.20	ing: Birdwell, East Bryson, Ellis,		Colmena, Duval	.20
Tull, Creek	.35	Ellis-Strawn, Hoefle, McDonald,		Comitas, Zapata	.35
Turkey Mountain, Tulsa	.35	Meyers, Peek, Pursley, Weir, Wolfe,		Corsicana Shallow, Navarro	.35
Turley, Tulsa and Osage	.35	Worsham, Steed).....	.35	Cowden, Crane	.35
Tuskegee, Creek	.35	All pools in Jones County (Except-		Crockett, Crockett	.25
Twin Creek, Osage	.35	ing: Akard, Appling, Avoca, Avoca		Cuellar, Zapata	.35
Tyrola, Seminole	.20	North, Avoca West, Griffin, Grog-		Currie, Navarro	.25
Tyrola East, Seminole	.25	gan, Hardy, Noodle Central, Noodle		Dale, Caldwell	.35
Velma (Shallow) Stephens	.35	South, Sayles, Stitch, Strand,		Dale West, Caldwell	.35
Wagoner, Wagoner	.35	Triplett, Wimberly).....	.35	Damon Mound, Brazoria	.25
Wagoner South, Wagoner	.35	All pools in Montague County (Ex-		Deep Rock, Andrews	.25
Walker, Creek	.25	cepting: Benson, Bonita, Bowers,		Deupree, Bexar	.35
Walker West, Creek	.35	Chapman, McFarlin, Clinging-		Diamond Half, Goliad	.25
Walters, Cotton and Stephens	.35	smith, Dobson, Forestburg, Hil-		Dobbs, Ward	.25
Watkins, Osage	.20	dreth, Hulst and Owens, Illinois		Dunlap, Guadalupe and Caldwell	.35
Webster, Wagoner	.35	Bend, Mueller, Mueller-Caddo,		Eckert, Bexar	.35
Weleetka, Okfuskee	.25	Ringold, Rogers and Rogers, San-		Ellison Young, Caldwell	.35
Weleetka South, Okfuskee	.35	ders, Stoneburg, Turner).....	.35	El Tanguie, Starr	.35
Wetley, Seminole	.35	All pools in Palo Pinto County	.35	Emperor (Deep), Winkler	.25
Wetumka, Hughes	.20	All pools in Shackelford County (Ex-		Escobas, Zapata	.35
Wetumka South, Hughes	.35	cepting: Ivy, Nail, Roark-Nail)	.35	Ezzell, Live Oak and McMullen	.25
Wewoka (Hunton Lime), Seminole	.35	All pools in Stephens County (Ex-		Fairfield, Bexar	.35
Wheeler, Carter	.35	cepting: Brownville, Donnell, Hill,		Fleitmann, Cooke	.25
Whitetail, Osage	.35	Loving, Stroud Deep).....	.35	Fostoria, Montgomery	.25
Wiley, Tulsa	.35	All pools in Taylor County (Except-		Fromme, Pecos	.25
Wilcox, Creek and Okmulgee	.20	ing: Bowles, Lake Kirby, Merkel,		Frost, Starr	.35
Wildhorse, Osage	.35	Reddin, Reddin Frazier, Trent)	.20	Garza, Garza	.20
Wildhorse North, Osage	.35	All pools in Throckmorton County		Gas Ridge, Bexar	.35
Wildhorse South, Osage	.35	(Excepting: Batchler, Ewalt, Mc-		Gayle, Coleman	.20
Wilson, Pawnee	.25	Knight, Parratt).....	.35	Ginter, Angelina	.35
Wood, Creek	.25	All pools in Wichita County (Ex-		Goldsmith North, Ector	.20
Woolaroc, Osage	.35	cepting: Airport, Davidson, K. M.		Goodrich, Polk	.35
Woolsey, Stephens	.35	A., K. M. A. Ellenberger, West)	.35	Grayson, Reagan	.13
Wynona, Osage	.35			Grosbeck, Limestone	.25



		Amount of increase (dollars per 42- gallon barrel)
(41) Texas—Con.: Pool and county:		
Halley, Winkler	.....	\$0.20
Harper, Ector	.....	.20
Holbein, Jim Hogg	.....	.20
Huntington, Angelina	.....	.35
Humble, Harris	.....	.25
Hurdie, Upton	.....	.35
Jacob, McMullen	.....	.35
James, Young	.....	.20
Johnson, Foard	.....	.35
Kermit, Winkler	.....	.35
Killam, Webb	.....	.35
Killam North, Webb	.....	.35
Kimbrow, Travis	.....	.35
Knight, Young	.....	.25
Knox, Young	.....	.20
Kohler, Duval	.....	.35
Lake Kirby, Taylor	.....	.35
La Reforma, Starr	.....	.25
Las Animas, Jim Hogg	.....	.35
La Vernia, Guadalupe	.....	.35
Lehn, Pecos	.....	.35
Lentz, Bastrop	.....	.20
Live Oak, Crockett	.....	.35
Loma Novia, Duval	.....	.20
Loma Vista, Duval	.....	.35
Lopez, Webb and Duval	.....	.20
Los Olmos, Starr	.....	.35
Lost Lake, Chamber	.....	.35
Luby Deep, Nueces	.....	.20
Luling Branyon, Guadalupe and Caldwell	.....	.25
Lykes, Webb	.....	.35
Lytton Springs, Caldwell	.....	.35
Manila, Jim Hogg	.....	.35
Marion Co. Shallow, Marion	.....	.35
Masterson, Pecos	.....	.35
Matthews, Williamson	.....	.35
McMillan, Runnels	.....	.35
Mexia, Limestone	.....	.20
Minerva Rockdale, Milan	.....	.35
Mirando City, Webb	.....	.35
Mirando Valley, Zapata	.....	.35
Moore, Howard	.....	.25
Munson, McMullen	.....	.35
Mykawa, Harris	.....	.25
Netterville, Pecos	.....	.35
Noack, Williamson	.....	.35
Normanna, Bee	.....	.35
O'Connor McFadden, Refugio	.....	.20
Oilton, Webb	.....	.35
Old Batson, Hardin	.....	.35
Orange, Orange	.....	.20
Overall, Coleman	.....	.20
Panola Co. (Bethany), Panola	.....	.35
Payton, Pecos and Ward	.....	.25
Pecos Valley L. G., Pecos	.....	.35
Pecos Valley H. G., Pecos and Ward	.....	.35
Peters, Duval	.....	.20
Plummer, Bee	.....	.25
Potter, Marion	.....	.35
Pottsboro, Grayson	.....	.35
Potts-Ellenberger, Wilbarger	.....	.25
Powell, Navarro	.....	.20
Premont, Jim Wells	.....	.25
Pruett, Ward	.....	.35
Rancho Salo, Duval	.....	.35
Rancho Salo Extension, Duval	.....	.35
Randado, Jim Hogg	.....	.35
Rhodes, Cochran	.....	.35
Ricaby, Starr	.....	.35
Richards, Pecos	.....	.35
Richland, Navarro	.....	.25
Rio Grande, Starr	.....	.35
Riddle, Bastrop	.....	.20
Robinson, Duval	.....	.35
Roselyn, Harris	.....	.35
Rotan, Fisher	.....	.20
Royston, Fisher	.....	.20
Sadler, Grayson	.....	.35
Salt Flat, Caldwell	.....	.20
Sam Fordyce, Hidalgo	.....	.25
Sam Fordyce North, Starr	.....	.20
Sandhills West, Crane	.....	.20
Sandia, Jim Wells	.....	.35
Saratoga, Hardin	.....	.35

		Amount of increase (dollars per 42- gallon barrel)
(41) Texas—Con.: Pool and county:		
Sarnosa, Duval	.....	\$0.20
Scranton, Callahan	.....	.25
Scarborough, Winkler	.....	.20
Sharon Ridge (1700' Zone), Scurry and Mitchell	.....	.35
Sharon Ridge (2400' Zone), Scurry and Mitchell	.....	.25
Shearer, Pecos	.....	.20
Snyder, Howard	.....	.25
Somerset, Bexar and Atascosa	.....	.35
Sour Lake, Hardin	.....	.20
South Bosque, McLennan	.....	.35
South Liberty, Liberty	.....	.20
South Seven Sisters, Duval	.....	.35
Southton, Bexar	.....	.35
Spiller, Guadalupe	.....	.35
Spindletop, Jefferson	.....	.20
St. Charles, Aransas	.....	.25
Toborg, Pecos	.....	.25
Taylor Ina, Medina	.....	.35
Tehuacana, Limestone	.....	.20
Telferner, Victoria	.....	.25
Thrall, Williamson	.....	.35
Trent, Taylor	.....	.35
Triplet, Jones	.....	.25
Tuleta, Bee	.....	.35
Tulsita, Bee	.....	.35
Walnut Creek, Caldwell	.....	.35
Ward South, Ward	.....	.35
Waskom, Harrison	.....	.35
Webb Ray, Upton	.....	.35
West Andrews, Andrews and Ector	.....	.35
Westbrook, Mitchell	.....	.20
White & Baker, Pecos	.....	.03
White Creek, Live Oak	.....	.25
Wortham Shallow, Freestone	.....	.35
Van Shallow, Van Zandt	.....	.35
Victoria, Victoria	.....	.20
Vincent, Howard	.....	.20
Von Ormy, Bexar	.....	.35
Yoast, Bastrop	.....	.35
Zaboroski, Guadalupe	.....	.35
(42) Utah.		
(43) Vermont.		
(44) Virginia: Lee County, Lee	.....	.75
(45) Washington.	.....	
(46) West Virginia:		
All pools producing Pennsylvania Grade crude oil in the State of West Virginia	.....	.75
All other pools in West Virginia	.....	.35
(47) Wisconsin.		
(48) Wyoming: Pool and county:		
Big Muddy, Converse	.....	.20
Dewey, Weston	.....	.35
Elk Basin-Frontier Sand (Light Oil), Park	.....	.35
G. P. Lease, Carbon	.....	.35
Grass Creek, Frontier Sand (Light Oil), Hot Springs	.....	.25
Greybull, Big Horn	.....	.35
Hidden Dome, Washakie	.....	.35
Horse Creek, Laramie	.....	.35
Iron Creek, Natrona	.....	.35
Kirby Creek, Hot Springs	.....	.35
Mule Creek East, Niobrara	.....	.20
Mule Creek West, Niobrara	.....	.35
North La Barge, Sublette	.....	.35
Osage, Weston	.....	.35
Pilot Butte (Upper Light Oil), Pre- mont	.....	.35
Poison Spider, Natrona	.....	.25
Rex Lake, Albany	.....	.25
Salt Creek (Shale, First, Second and Third Wall Creek) Natrona	.....	.20
Salt Creek (Morrison), Natrona	.....	.25
Salt Creek West, (Shale), Natrona	.....	.35
Simpson Ridge, Carbon	.....	.35
Spring Valley, Vinta	.....	.35
Teapot (outside Naval Reserve), Natrona	.....	.35
Warm Springs West, Hot Springs	.....	.25

(b) "Applicant" means a person who is designated as eligible to file a claim

under the Stripper Well Compensatory Regulation of Defense Supplies Corporation.

(c) No maximum price increase is granted by this order to any pool discovered on or after January 1, 1944, unless such pool and the amount of the increase is specifically designated herein.

(d) An increase granted by this order to crude petroleum produced from a particular pool or horizon is applicable only to that portion of such production which is segregated and gauged separately from any crude petroleum for which an increase has not been authorized or for which a different increase has been authorized.

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

(f) This order shall become effective as of March 1, 1945.

Issued this 2d day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-5277; Filed, Apr. 2, 1945;  
11:49 a.m.]

#### Regional and District Office Orders.

#### LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register March 28, 1945:

##### REGION V

Dallas Order 1-F, Amendment 54, covering fresh fruits and vegetables in the Dallas Area, filed 10:32 a.m.

Dallas Order 1-F, Amendment 55, covering fresh fruits and vegetables in the Dallas Area, filed 10:32 a.m.

New Orleans Order 2-F, Amendment 64, covering fresh fruits and vegetables in certain areas in Louisiana, filed 10:32 a.m.

New Orleans Order 27-C, Amendment 3, covering poultry in certain counties in Louisiana, filed 10:33 a.m.

New Orleans Order 28-C, Amendment 3, covering poultry in certain counties in Louisiana, filed 10:32 a.m.

San Antonio Order 1-E, covering shell eggs in the San Antonio, Tex., Area, filed 10:31 a.m.

Wichita Order 4-F, Amendment 31, covering fresh fruits and vegetables in the Wichita Area, filed 10:39 a.m.

Wichita Order 4-F, Amendment 32, covering fresh fruits and vegetables in the Wichita Area, filed 10:39 a.m.

##### REGION VI

Green Bay Order 4-F, Amendment 5, covering fresh fruits and vegetables in certain counties in Wisconsin, filed 10:34 a.m.

Green Bay Order 5-F, Amendment 5, covering fresh fruits and vegetables in certain counties in Wisconsin, filed 10:34 a.m.

Green Bay Order 6-F, Amendment 5, covering fresh fruits and vegetables in certain counties in Wisconsin, filed 10:33 a.m.

Milwaukee Order 2-F, Amendment 58, covering fresh fruits and vegetables in Lane County, Wisconsin, filed 10:43 a.m.

Milwaukee Order 6-F, Amendment 9, covering fresh fruits and vegetables in the Milwaukee Area, filed 10:43 a.m.

Milwaukee Order 6-F, Amendment 10, covering fresh fruits and vegetables in Milwaukee County, Wis., filed 10:42 a.m.



Milwaukee Order 7-F, Amendment 9, covering fresh fruits and vegetables in the Milwaukee Area, filed 10:41 a. m.

Milwaukee Order 7-F, Amendment 10, covering fresh fruits and vegetables in certain cities in Wisconsin, filed 10:42 a. m.

Milwaukee Order 8-F, covering fresh fruit and vegetables in Dane County, Wis., filed 10:42 a. m.

Milwaukee Order 9-F, covering fresh fruits and vegetables in Fond du Lac and Sheboygan, Wis., filed 10:41 a. m.

Milwaukee Order 10-F, covering fresh fruits and vegetables in certain counties in Wisconsin, filed 10:41 a. m.

Omaha Order 10-F, covering fresh fruits and vegetables in Omaha, Nebr., and Council Bluffs, Iowa, filed 10:44 a. m.

Omaha Order 10-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Nebraska and Iowa, filed 10:45 a. m.

Omaha Order 10-F, Amendment 2, covering fresh fruits and vegetables in Iowa and Nebraska, filed 10:43 a. m.

Omaha Order 11-F, covering fresh fruits and vegetables in Lincoln, Nebr., filed 10:44 a. m.

Omaha Order 11-F, Amendment 1, covering fresh fruits and vegetables in certain cities in Nebraska, filed 10:45 a. m.

Omaha Order 11-F, Amendment 2, covering fresh fruits and vegetables in the Lincoln, Nebraska, Area, filed 10:43 a. m.

Omaha Order 12-F, covering fresh fruits and vegetables in certain counties in Nebraska, filed 10:44 a. m.

Peoria Order 5-F, Amendment 28, covering fresh fruits and vegetables in certain counties in Illinois, filed 10:46 a. m.

Sioux City Order 2-F, Amendment 62, covering fresh fruits and vegetables in certain cities in Iowa and Nebraska, filed 10:46 a. m.

Springfield Order 13-F, Amendment 2, covering fresh fruits and vegetables in certain cities in Illinois, filed 10:31 a. m.

Springfield Order 14-F, Amendment 4, covering fresh fruits and vegetables in certain cities in Illinois, filed 10:46 a. m.

Springfield Order 49, Amendment 4, covering poultry in certain counties in Illinois, filed 10:31 a. m.

#### REGION VIII

Fresno Order 1-F, Amendment 60, covering fresh fruits and vegetables in the Fresno, Calif., Area, filed 10:38 a. m.

Fresno Order 3-F, Amendment 45, covering fresh fruits and vegetables in the Fresno, Calif., Area, filed 10:38 a. m.

Fresno Order 2-F, Amendment 48, covering fresh fruits and vegetables in the Fresno, Calif., Area, filed 10:38 a. m.

Fresno Order 4-F, Amendment 20, covering fresh fruits and vegetables in the Fresno, Calif., Area, filed 10:37 a. m.

Fresno Order 6-F, Amendment 31, covering fresh fruits and vegetables in the Fresno, Calif., Area, filed 10:37 a. m.

Fresno Order 7-F, Amendment 10, covering fresh fruits and vegetables in the Fresno, Calif., Area, filed 10:37 a. m.

Nevada Order 6-W, covering dry groceries in certain areas in Nevada, filed 10:39 a. m.

Portland Order 4-F, Amendment 14, covering fresh fruits and vegetables in certain cities in Oregon and Washington, filed 10:37 a. m.

Portland Order 5-F, Amendment 13, covering fresh fruits and vegetables in certain cities in Oregon, filed 10:37 a. m.

Portland Order 6-F, Amendment 13, covering fresh fruits and vegetables in certain cities in Oregon, filed 10:37 a. m.

Portland Order 7-F, Amendment 12, covering fresh fruits and vegetables in certain cities in Oregon, filed 10:36 a. m.

Portland Order 8-F, Amendment 12, covering fresh fruits and vegetables in certain cities in Oregon, filed 10:36 a. m.

Portland Order 9-F, Amendment 12, covering fresh fruits and vegetables in certain cities in Oregon, filed 10:36 a. m.

Portland Order 10-F, Amendment 11, covering fresh fruits and vegetables in certain cities in Oregon, filed 10:36 a. m.

Portland Order 11-F, Amendment 11, covering fresh fruits and vegetables in certain cities in Oregon, filed 10:36 a. m.

Portland Order 12-F, Amendment 9, covering fresh fruits and vegetables in certain cities in Oregon, filed 10:36 a. m.

Portland Order 13-F, Amendment 9, covering fresh fruits and vegetables in certain cities in Oregon, filed 10:36 a. m.

Portland Order 14-F, Amendment 9, covering fresh fruits and vegetables in certain cities in Oregon, filed 10:36 a. m.

Portland Order 15-F, Amendment 9, covering fresh fruits and vegetables in certain cities in Oregon, filed 10:35 a. m.

Portland Order 16-F, Amendment 2, covering fresh fruits and vegetables in certain cities in Oregon, filed 10:35 a. m.

Portland Order 17-F, Amendment 2, covering fresh fruits and vegetables in certain cities in Oregon, filed 10:35 a. m.

Portland Order 18-F, covering fresh fruits and vegetables in the Hood River Area, filed 10:34 a. m.

Portland Order 19-F, covering fresh fruits and vegetables in the Dallas Area, filed 10:34 a. m.

Portland Order 20-F, covering fresh fruits and vegetables in the Celilo-Maupin-Wasco Area, filed 10:34 a. m.

Portland Order 21-F, covering fresh fruits and vegetables in the Pendleton Area, filed 10:35 a. m.

Portland Order 22-F, covering fresh fruits and vegetables in the Pilot Rock-Heppner-Hermiston Area, filed 10:35 a. m.

Portland Order 23-F, covering fresh fruits and vegetables in the La Grande Area, filed 10:35 a. m.

Portland Order 24-F, covering fresh fruits and vegetables in the Union-Wallowa-Enterprise Area, filed 10:35 a. m.

Portland Order 25-F, covering fresh fruits and vegetables in the Baker Area, filed 10:35 a. m.

Portland Order 26-F, covering fresh fruits and vegetables in the Haines, Pondosa, and Hereford Area, filed 10:35 a. m.

San Diego Order 1-F, Amendment 18, covering fresh fruits and vegetables in the San Diego Area, filed 10:39 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,  
Secretary.

[F. R. Doc. 45-5238; Filed, Mar. 31, 1945; 4:56 p. m.]

#### SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-1044]

#### ELECTRIC POWER & LIGHT CO. AND DALLAS POWER & LIGHT CO.

#### ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 28th day of March, A. D., 1945.

Electric Power & Light Corporation ("Electric"), a registered holding company, and its public utility subsidiary Dallas Power & Light Company ("Dallas") having filed a joint application-declaration, with amendments thereto, pursuant to the provisions of sections 6, 7, 9, 10 and 12 of the Public Utility Holding Company Act of 1935 regarding the issue by Dallas of 4½% Preferred Stock

and the exchange of such stock, share for share, for Dallas' outstanding 7% and \$6 Preferred Stock, the redemption of all unexchanged shares of 7% and \$6 Preferred stock; at the redemption price; the issue by Dallas to its common stockholders on a pro rata basis of warrants entitling them to purchase common stock of Dallas proposed to be issued and sold in an amount sufficient to redeem all unexchanged 7% and \$6 Preferred stock; and the agreement by Electric to purchase its aliquot portion of the common stock and such portion as is not purchased by the public common stockholders; and

Dallas having requested an exemption from the competitive bidding provisions of Rule U-50 in connection with the issue and sale of the 4½% Preferred stock and common stock; and

A public hearing having been held on said amended joint application-declaration after appropriate notice, and the Commission having examined the record and made and filed its findings and opinion based thereon; and

It is ordered, That the said amended joint application-declaration be, and the same hereby is, granted and permitted to become effective except, however, as to all legal fees to be paid in connection with the proposed transactions as to which jurisdiction be and the same hereby is reserved.

It is further ordered, That Dallas be, and hereby is, exempt from the provisions of Rule U-50 in the proposed issue and sale of its 4½% Preferred stock and common stock.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 45-5175; Filed, Mar. 31, 1945; 9:39 a. m.]

[File No. 50-9]

#### TRUSTEES UNDER PENSION TRUST AGREEMENT

#### ORDER GRANTING EXEMPTION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 30th day of March 1945.

Trustees under Pension Trust Agreement dated December 14, 1937, as amended, a subsidiary of Associated Gas and Electric Company, a registered holding company, having filed an application pursuant to Rule U-100 promulgated under the Public Utility Holding Company Act of 1935, for exemption from the requirements of Rule U-44, promulgated under section 12 (d) of the act, with respect to the sale by said Trustees in the open market for cash during the calendar year 1945 of the following securities:

Security	Principal amount
Associated Gas & Electric Co.: 5½% convertible investment certificates extended to 1943.....	\$124,240
Associated Gas & Electric Corporation: 8% gold bonds due 1940.....	152,070
3¾% income debentures due 1978 .....	139,700
4% income debentures due 1978..	355,380
4½% income debentures due 1978 .....	29,140



It appearing to the Commission that the requirements of Rule U-44, as applied to such transactions, are not necessary or appropriate in the public interest, or for the protection of investors or consumers;

*It is ordered*, Pursuant to said Rule U-100, that the application be, and hereby is, granted forthwith.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 45-5249; Filed, Apr. 2, 1945;  
9:32 a. m.]

[File No. 70-1040]

ASSOCIATED ELECTRIC CO.

ORDER PERMITTING DECLARATION TO BECOME  
EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 30th day of March, A. D. 1945.

Associated Electric Company having filed a declaration pursuant to section 12 (b) of the Public Utility Holding Company Act of 1935, regarding its proposal to advance to its subsidiary utility company, Manila Electric Company, on open account, without interest, such sums up to an aggregate of \$2,500,000 as Manila Electric Company may from time to time require for the purpose of rehabilitating its personnel and physical facilities, and for other corporate purposes; and

Said declaration having been filed on March 1, 1945 and having been amended, and notice of said filing having been duly given in the form and manner prescribed in Rule U-23, promulgated pursuant to said act, and the Commission not having received a request for a hearing with respect to said declaration within the period specified in said notice, or otherwise and not having ordered a hearing thereon; and

The Commission observing no basis for adverse findings under section 12 (b) or any other applicable section of the act;

*It is hereby ordered*, Pursuant to Rule U-23 and the applicable provisions of said act, that the aforesaid declaration, as amended, be, and hereby is, permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 45-5250; Filed, Apr. 2, 1945;  
9:33 a. m.]

[File Nos. 7-785, 7-786]

PAN AMERICAN AIRWAYS CORP., ET AL.

ORDER SETTING HEARING ON APPLICATIONS TO  
EXTEND UNLISTED TRADING PRIVILEGES

At a regular session of the Securities and Exchange Commission, held at its

office in the City of Philadelphia, Pa., on the 31st day of March, A. D., 1945.

In the matter of applications by the Boston Stock Exchange to extend unlisted trading privileges to Pan American Airways Corporation, Capital Stock, \$2.50 Par Value, File No. 7-785; Western Pacific Railroad Company, Common Stock, No Par Value, File No. 7-786.

The Boston Stock Exchange, pursuant to section 12 (f) of the Securities Exchange Act of 1934, and Rule X-12F-1 promulgated thereunder, having made application to the Commission to extend unlisted trading privileges to the above-mentioned securities;

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

*It is ordered*, That the matter be set down for hearing at 10:00 a. m. on Thursday, April 19, 1945, at the office of the Securities and Exchange Commission, 82 Devonshire Street, Boston, Massachusetts, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

*It is further ordered*, That Edward McPartlin, or any other officer or officers of the Commission named by it for that purpose, shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby empowered to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 45-5251; Filed, Apr. 2, 1945;  
9:33 a. m.]

[File No. 70-1026]

NORTH WEST UTILITIES CO., AND LAKE  
SUPERIOR DISTRICT POWER CO.

ORDER PERMITTING DECLARATION TO BECOME  
EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 30th day of March, A. D. 1945.

North West Utilities Company, a registered holding company, and its subsidiary, Lake Superior District Power Company, having filed joint applications and declarations pursuant to the Public Utility Holding Company Act of 1935, particularly sections 7, 10 and 12 and the applicable rules thereunder, with respect to the following transactions:

1. Lake Superior District Power Company proposes to issue and to sell to North West Utilities Company (the owner of all the presently outstanding common stock of Lake Superior District Power Com-

pany) for \$75 in cash, one additional share of common stock of the company of the par value of \$75 thereby increasing the total number of outstanding shares to 35,600 shares of the par value of \$75 each; and North West Utilities Company proposes to acquire for \$75 in cash, one additional share of the common stock of Lake Superior District Power Company of \$75 par value.

2. Lake Superior District Power Company proposes upon the issuance of the one additional share (a) to reduce and change its authorized capital from \$11,235,025 composed of 70,000 shares of preferred stock of a par value of \$100 each and 56,467 shares of the common stock of a par value of \$75 each into an authorized capital of \$11,235,000 composed of 70,000 shares of preferred stock of the par value of \$100 each, and 211,750 shares of common stock of a par value of \$20 each; (b) to change the outstanding 35,600 shares of common stock of the par value of \$75 each into 133,500 shares of common stock of the par value of \$20 each by splitting each share of the par value of \$75 into 3.75 shares of a par value of \$20; and (c) to amend and restate Article Third of the Articles of Organization of the company to reflect the above changes in the authorized capital stock of the company; to eliminate from Article Third reference now contained therein to shares of preferred stock which have been retired and are no longer either authorized or outstanding shares of the company; to reduce the amount of unsecured debt which may be issued without authorization of the preferred stockholders; to grant preemptive rights to the common stock, except in certain cases; and to change the voting rights of the preferred stock and the common stock, as provided in the applications and declarations filed in this matter and as summarized in the proxy statement to be sent to the stockholders.

Lake Superior District Power Company also having proposed to solicit proxies in connection with a special meeting of the stockholders of the company to be held on or about April 10, 1945 to vote on the proposed amendments to the Articles of Organization and having filed copies of the proposed notice of special meeting of stockholders, proxy and proxy statement; and

Lake Superior District Power Company having requested that the declaration with respect to the proxy solicitation material be considered and disposed of independently of the principal transactions and that the Commission enter its separate order permitting said declaration as to all such proxy solicitation material to become effective;

It appearing that the solicitation of authorizations of stockholders as proposed to be conducted, does not make it necessary or appropriate in the public interest or for the protection of investors or consumers or to prevent the circumvention of the provisions of the act or the rules and regulations thereunder, that the Commission issue any order with respect thereto other than an order per-



mitting the declaration as to such solicitation to become effective;

*It is therefore ordered,* That, without passing upon the merits of the application or declaration filed pursuant to sections 7, 10 and 12, the declaration as to solicitation of authorizations be and it is hereby permitted to become effective forthwith.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 45-5252; Filed, Apr. 2, 1945;  
9:34 a. m.]

## WAR MANPOWER COMMISSION.

[Amtd. 1]

ROCHESTER, N. Y., AREA

### EMPLOYMENT STABILIZATION PROGRAM

The Employment Stabilization Program for the Rochester Area dated August 16, 1944 is hereby amended as follows:

1. Section 9 is hereby amended by inserting after the words "Under the circumstances set forth below, a new employee" in the first line, the words "whether male or female," and by deleting paragraph (a) and renumbering the other paragraphs so that the same shall read as follows:

Sec. 9. *Workers who may be hired only upon referral by the United States Employment Service.* Under the circumstances set forth below, a new employee, whether male or female, may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or with the consent of, the United States Employment Service:

(a) The new employee is to be hired for work in a critical occupation or his statement of availability indicates that his last employment was in a critical occupation;

(b) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30 day period;

(c) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work: *Provided*, That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration: *And provided further*, That such individual may be hired for non-agricultural work for a period not to exceed 6 weeks without or presentation of a statement of availability;

(d) The new employee's last regular employment was in an essential or locally needed activity, and is to be hired for work in a less essential activity.

2. Section 10 is hereby amended by deleting from the title thereof, the word "male" so as to read as follows: "Stand-

ards governing referral of workers subject to priority referral."

Dated: March 15, 1945.

RUSSELL C. MCCARTHY,  
Area Director.

Approved: March 16, 1945.

ANNA M. ROSENBERG,  
Regional Director.

[F.R. Doc. 45-5215; Filed, Mar. 31, 1945;  
12:41 p. m.]

APPLETON-NEENAH-MENASHA, LA CROSSE,  
AND OSHKOSH, WIS., AREAS

### MINIMUM WARTIME WORKWEEK

Designation of the Appleton-Neenah-Menasha, Wisconsin, labor market area, the La Crosse, Wisconsin, labor market area and the Oshkosh, Wisconsin, labor market area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region VI by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Appleton-Neenah-Menasha, Wisconsin, labor market area, the La Crosse, Wisconsin, labor market area and the Oshkosh, Wisconsin, labor market area as subject to the provisions of Executive Order No. 9301.

1. For the purpose of this designation, the above-mentioned areas shall include:

*Appleton-Neenah-Menasha* labor market area includes the following counties: Outagamie, Waupaca and the townships of Clayton, Menasha, Neenah, Winchester and Wolf River in Winnebago county.

*La Crosse* labor market area includes the following counties: La Crosse and Monroe.

*Oshkosh* labor market area includes the following counties: Townships of Algoma, Black Wolf, Nekimi, Nepouskun, Omro, Oshkosh, Poygan, Rushford, Utica, Vinland and Winneconne in Winnebago county.

2. The effective date of this designation is April 15, 1945.

3. Not later than the effective date, each employer in the designated areas shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of forty-eight hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of forty-eight hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than forty-eight hours for those workers engaged

in employment in which the employer claims that a workweek of forty-eight hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

"Minimum wartime workweek" as used in this order means a workweek of forty-eight hours, except in cases where a workweek of forty-eight hours (a) would be impracticable in view of the nature of the operations, (b) would not contribute to the reduction of labor requirements, or (c) would conflict with any Federal, State or local law or regulation limiting hours of work. In such cases, "minimum wartime workweek" means the greatest number of hours (less than forty-eight) feasible in the light of the nature of the operations, the reduction of labor requirements or the applicable Federal, State and local law or regulation, as the case may be.

Date of issuance: March 3, 1945.

W. H. SPENCER,  
Regional Director,  
Region VI.

[F. R. Doc. 45-5216; Filed, Mar. 31, 1945;  
12:41 p. m.]

## WAR PRODUCTION BOARD.

[C-292]

CONSOLIDATED FOODS, INC.

### CONSENT ORDER

Consolidated Foods, Inc., an Ohio corporation, with offices at 1105 Dorr Street, Toledo, Ohio, is engaged in the manufacture of potato chips, pretzels, Julienne potatoes and popcorn. The company is charged by the War Production Board with having used, during the first three quarters of 1944, 43,608 pounds of containerboard content in excess, and 248,855 square feet of containerboard content in excess of its quota for containerboard content for fibre shipping containers, in violation of War Production Board Limitation Order L-317. Consolidated Foods, Inc., admits the violation as charged, does not desire to contest the charge, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Consolidated Foods, Inc., the Regional Compliance Chief, and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered, That:*

(a) During the second quarter of 1945, Consolidated Foods, Inc. shall reduce its use of containerboard content for fibre shipping containers by 43,608 pounds and by 248,855 square feet under the quota it would otherwise be entitled to use during this period as specified by the provisions of Limitation Order L-317, unless otherwise authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Consolidated Food, Inc. from any restriction, pro-



hibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(c) The restrictions and prohibitions contained herein shall apply to Consolidated Foods, Inc., its successors and assigns, or persons acting on its behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly on any such action.

Issued this 30th day of March 1945.

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

[F. R. Doc. 45-5168; Filed, Mar. 30, 1945;  
5:04 p. m.]

[C-293]

NICOLAY-DANCEY, INC.

#### CONSENT ORDER

Nicolay-Dancey, Inc., a Michigan corporation, with offices at 5801 Grandy Avenue, Detroit, Michigan, is engaged in the manufacture and distribution of potato chips, and is charged by the War Production Board with having used, during the second, third and fourth quarters of 1944, container board content of its fibre shipping containers in the amount of 917,663 feet in excess, and 85,488 pounds in excess of its quota, in violation of Limitation Order L-317. Nicolay-Dancey, Inc., admits the violation as charged, does not desire to contest the charge, and had consented to the issuance of this order.

Wherefore, upon the agreement and consent of Nicolay-Dancey, Inc., the Regional Compliance Chief, and the Regional Attorney, and upon the approval of the Compliance Commission, *It is hereby ordered, That:*

(a) During each of the second, third and fourth quarters of 1945 beginning April 1, 1945, and ending January 1, 1946, Nicolay-Dancey, Inc., shall reduce its use of containerboard content of new fibre

shipping containers by 305,887 square feet and by 28,498 pounds under the quota it would otherwise be entitled to use during this period as specified by the provisions of Limitation Order L-317, unless otherwise authorized in writing by the War Production Board.

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

(c) The restrictions and prohibitions contained herein shall apply to Nicolay-Dancey, Inc., its successors and assigns, or persons acting on its behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

Issued this 30th day of March 1945.

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

[F. R. Doc. 45-5169; Filed, Mar. 30, 1945;  
5:04 p. m.]

#### WAR SHIPPING ADMINISTRATION.

##### "SONOMA"

##### DETERMINATION OF VESSEL OWNERSHIP

Notice of determination by War Shipping Administrator pursuant to section 3 (b) of the act approved March 24, 1943, (Public Law 17-78th Congress).

Whereas on March 22, 1943 title to the vessel "Sonoma" (Official Number 230322) (including all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the act approved March 24, 1943, (Public Law 17-78th Congress), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time

prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the act of June 6, 1941 (Public Law 101, Seventy-Seventh Congress)), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking; *Provided however, That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner.* \* \* \*

and

Whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

Dated: March 31, 1945.

E. S. LAND,  
Administrator.

[F. R. Doc. 45-5284; Filed, Apr. 2, 1945;  
11:51 a. m.]