



# FEDERAL REGISTER

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## Regulations

### TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Federal Security Agency

PART 170—REGULATIONS FOR THE ENFORCEMENT OF THE FEDERAL TEA ACT

#### TEA STANDARDS

Pursuant to the authority of sections 2 and 3 of the Federal Tea Act (29 Stat. 604; 35 Stat. 163; as amended 41 Stat. 712; 21 U.S.C. 41), the tea standards that were fixed and established by the Federal Security Administrator on February 17, 1942 (7 F.R. 1428, § 170.19 (b)) shall be in force and effect from May 1, 1945, until April 30, 1946.

WATSON B. MILLER,  
*Acting Administrator.*

APRIL 13, 1945.

[F. R. Doc. 45-6104; Filed, Apr. 17, 1945; 10:52 a. m.]

### TITLE 32—NATIONAL DEFENSE

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 984—LEAD

[General Preference Order M-38, Revocation of Direction 1]

#### LEAD FROM METALS RESERVE CO.

Direction 1 to General Preference Order M-38 is hereby revoked. Lead from Metals Reserve Company may now be obtained in accordance with the provisions of paragraph (e) of Order M-38 as amended March 31, 1945.

This action shall not be construed to affect in any way any liability or penalty incurred under said direction.

Issued this 17th day of April 1945.

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

[F. R. Doc. 45-6134; Filed, Apr. 17, 1945; 11:27 a. m.]

#### PART 1010—SUSPENSION ORDERS

[Suspension Order S-675, Revocation]

#### WESTERN FAMILY PUBLISHING CO., INC.

Suspension Order No. S-675 was issued January 12, 1945, against the Western Family Publishing Company, Inc., a co-partnership owned by Paul L. Mitchell and A. E. Seymour with its principal offices in Los Angeles, California. An appeal was filed on February 7, 1945. The case was reviewed by the Deputy Chief Compliance Commissioner, as a result of which on March 15, 1945, he issued a decision stating that the respondent shall be entitled to a termination of the suspension order as soon as it has presented to the War Production Board evidence that it has in fact effected reductions of paper consumption under its quota totalling 4.427 tons since January 1, 1945. Such evidence has been presented to the War Production Board and having been found satisfactory the Chief Compliance Commissioner has directed that Suspension Order No. S-675 be revoked forthwith.

In view of the foregoing: *It is hereby ordered, That:*

Section 1010.675, Suspension Order No. S-675 be revoked.

Issued this 17th day of April 1945.

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

[F. R. Doc. 45-6121; Filed, Apr. 17, 1945; 11:27 a. m.]

#### PART 1010—SUSPENSION ORDERS

[Suspension Order S-755]

#### SAUGATUCK GRAIN & SUPPLY CO.

Saugatuck Grain & Supply Company, a corporation located in Saugatuck, Connecticut, is primarily a dealer in

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#### NOTICE

The 1943 Supplement to the Code of Federal Regulations, covering the period June 2, 1943, through December 31, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at \$3.00 per book.

Book 1: Titles 1-31, including Presidential documents in full text.  
Book 2: Titles 32-50, with 1943 General Index and 1944 Codification Guide.

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fuel, feed, and grain and does in addition a small amount of business as a dealer in lumber. In May and June of 1944, Saugatuck Grain & Supply Company applied, without authorization, preference ratings of AA-2X to two purchase orders for 16,892 square feet of fir plywood lumber, in violation of Priorities Regulation No. 3. The president of the corporation was aware that he was not entitled to use such ratings and its actions constituted wilful violations of that regulation. In addition, between May 20, 1944 and July 10, 1944 the company sold and delivered 5,040 square feet of softwood plywood without proper ratings or other authority, which actions constituted grossly negligent violations of Limitation Order L-150-a. These violations have diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.755 *Suspension Order No. S-755.* (a) Saugatuck Grain & Supply Company shall not for four months from the effective date of this order receive or accept delivery of any lumber or plywood. This prohibition shall not apply to lumber or plywood in transit for delivery to it on the effective date of this order.

(b) Nothing contained in this order shall be deemed to relieve Saugatuck Grain & Supply Company 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 Sauga-

tuck Grain & Supply Company, its successors or assigns, or any persons acting in its behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(d) This order shall take effect on April 17, 1945.

Issued this 10th day of April 1945.

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

[F. R. Doc. 45-6122; Filed, Apr. 17, 1945;  
11:27 a. m.]

PART 3175—REGULATIONS APPLICABLE TO  
THE CONTROLLED MATERIALS PLAN

[CMP Reg. 4, as Amended Apr. 7, 1945,  
Amdt. 1]

Section 3175.4 *CMP Regulation 4* is hereby amended as follows:  
Strike paragraph (m) (2) (iv).

Issued this 17th day of April 1945.

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

[F. R. Doc. 45-6123; Filed, Apr. 17, 1945;  
11:27 a. m.]

PART 3175—REGULATIONS APPLICABLE TO  
THE CONTROLLED MATERIALS PLAN

[CMP Reg. 9A, as Amended Apr. 17, 1945]

PARTS AND MATERIALS FOR REPAIRMEN

§ 3175.9a *CMP Regulation 9A*—(a) *What repairmen can buy materials and parts under this regulation.* Anyone in the business of making repairs may buy materials and parts under this regulation. This includes such persons as farm machinery repair shops, blacksmiths shops, electricians, radio repair shops, plumbers, refrigeration repair shops, boiler repair shops, motor rewinders, electrical contractors, automotive repair shops, upholstery repair shops, bicycle repair shops, and carpenters. It also includes repair shops which are owned by the persons for whom the repair work is done if the repair shops are distinct and separable, if that person can segregate the purchases of his repair shop from his other purchases, and if he employs at least one person who spends his full time on maintenance and repair. It also includes persons who recondition or rebuild damaged or used items for resale.

(b) *How much materials a repairman can buy.* Each calendar quarter a repairman may buy, under this regulation, up to 20 tons of carbon and alloy steel, a total of 500 pounds of copper and copper base alloy brass mill and foundry products, and 200 pounds of aluminum, in the forms listed in Schedule I. Only the following kinds of repairmen may buy any copper wire, and they must not buy more than the amount which this paragraph says they may. Refrigeration repairmen, domestic appliance repairmen, electricians, electrical contractors, and radio repairmen may buy \$75 worth of copper wire in a calendar quarter, or 10% of what they used in making repairs

in 1941, whichever is more. However, none of these repairmen may use the second way of finding out how much wire he may buy (10% of 1941) unless he has actual records in his possession which show how much copper wire he used for repairs in 1941, and in addition, unless he actually figures out and keeps the figures in his possession showing how much wire he is permitted to buy in each quarter. This new limitation applies immediately. Any repairman who has already bought more than these amounts cannot buy any more copper wire during the first quarter of 1945. Any repairman who has not yet bought more, can only buy in the whole quarter the amount permitted in this paragraph. Any repairman who buys any steel, copper or aluminum under this paragraph must keep a separate record of the amount which he buys in each quarter. It is not sufficient that he merely keep the copies of his purchase orders with copies of his other purchase orders. A repairman may buy as much other material and repair parts as he needs for his maintenance and repair work, subject to the inventory restrictions of paragraph (f).

(c) *How to buy materials under this regulation.* (1) When buying materials and parts under this regulation a repairman must put on his order a certification in substantially the following form:

CMP allotment symbol V-3; Preference Rating AA-3; Repairmen under CMP Regulation 9A

The undersigned purchaser certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board, that, to the best of his knowledge and belief, the undersigned is authorized under applicable War Production Board regulations or orders to place this delivery order, to receive the items ordered for the purpose for which ordered, and to use any preference rating or allotment number or symbol which the undersigned has placed on this order.

He must sign the certification himself, or as described in Priorities Regulation No. 7. An order for controlled materials bearing this certification is an authorized controlled material order under all CMP regulations.

(2) If a repairman does repair work for persons who have the right to use an allotment symbol to buy controlled materials and a preference rating of AA-3 or higher to buy non-controlled materials and parts for their own maintenance, and repair, the repairman may use that rating and symbol to buy what he needs to do their work or to replace in inventory what he has already used for that purpose.

(d) *How a repairman can get more controlled materials.* (1) The War Production Board may authorize repairmen who do work primarily of an industrial nature to buy up to 2000 pounds of copper wire and a total of 2000 pounds of copper and copper base alloy brass mill and foundry products, and to use the preference rating AA-2. To get this authority, a repairman must apply to the War Production Board, Reference CMP Regulation No. 9A, Washington (25), D. C., by letter giving information showing what kind of work he is doing, and what kind of customers he has.

(2) If a repairman needs to buy more controlled materials a quarter than he can get under this regulation including what an industrial repairman can get under paragraph (1), he should fill out and send Form CMP-4B to the War Production Board, Washington (25), D. C. The War Production Board may allot him controlled materials and assign him a preference rating. If he gets an allotment, he may not buy any controlled materials or non-controlled materials or parts under this regulation in any calendar quarter for which he gets an allotment.

(e) *What kind of work a repairman may do with materials or parts bought under this regulation.* (1) A repairman may use what he buys under this regulation only to do maintenance and repair work described in this paragraph, or else described in directions to this regulation. He may not use what he buys to make products, such as repair parts, which he does not expect to use himself in making repairs.

(2) "Maintenance" means the minimum upkeep necessary to continue a building, machine or piece of equipment in sound working condition, and "repair" means the restoration of a building, machine or piece of equipment to sound working conditions when it has been rendered unsafe or unfit for service by wear and tear, damage, failure of the parts or the like: However, neither maintenance, nor repair includes the improvement of any building, machine or piece of equipment with material of a better kind, quality, or design.

(3) No repairman may use any material which he gets under this regulation to do any of the following kinds of work even if he normally considers it part of his maintenance and repair work. These restrictions are necessary because there is only enough material available to permit the most essential repairs. Attention is called to the fact that if a repairman does any prohibited work with materials obtained under this regulation, the War Production Board may revoke the right to buy materials under this regulation and even under any other order or regulation of the War Production Board. In addition any such work is a crime and, on conviction, a repairman can be punished by a fine or imprisonment or both.

(i) New cord may not be supplied for a vacuum cleaner, washer, refrigerator, iron, radio, lamp, fixture, or any other electrical appliance or piece of equipment where it is possible, by patching, by the use of insulating tape, or by shortening, to put the old cord in condition for reasonably good service for the remainder of 1945. However, a repairman may supply new cord when the building or electrical codes prohibit patching or the use of insulating tape in repairing old cord, or where shortening is impracticable (i. e., where the worn out portion of the cord cannot be cut off and the plug attached to the shortened cord).

(j) New cord may not be used to assemble or make up a new connecting

or extension cord, for resale or gift purposes, except as outlined in paragraph (e) (3) (i). Other provisions are made by the War Production Board for the manufacture of appliance and extension cords.

(iii) No additional wiring of any kind may be installed in any building except to the extent permitted by Direction 2 to this Regulation. If wiring is in fact damaged it may be replaced, but only the minimum amount necessary to make the repair may be used.

(iv) The conversion of a vase or other object into a lamp is the manufacture of a lamp and not repair. The use of copper wire in such manufacturing is prohibited by Conservation Order M-9-c.

(4) A repairman may use what he buys under this regulation to recondition or rebuild a damaged or used item which he plans to sell, but he may not use it to replace material or parts which are still usable, nor to replace material or parts solely to improve it from its original design.

(f) *Restrictions on inventory.* A repairman may not accept delivery of any item of parts or materials bought under this regulation if his inventory of that item of parts or materials is or would be accepting delivery become larger than he needs to continue his repair and maintenance service for a 60-day period, according to his current method of operation. A repairman may not accept delivery of any item of copper wire if his inventory of that item is or would be accepting delivery become more than he needs for a 15-day period. However, if the supply of any item which he has on hand is less than the permitted amount, he may accept delivery of the smallest commercial amount of that item which his distributor normally sells, even if that will increase his supply beyond the amount specified.

(g) *Effect of other orders and regulations.* (1) Repairmen buying and using parts and materials under this regulation are subject to all applicable provisions of the other orders and regulations of the War Production Board as amended from time to time. Attention is specifically called to the provisions of Conservation Order M-9-c and M-9-c-4 which limit the use of copper, Order M-126 which limits the use of steel, and Order L-41 which forbids construction (including wiring and piping) except under certain conditions. Information concerning these orders can be secured from the nearest War Production Board field office.

(2) No item appearing on List A or B of Priorities Regulation No. 3, (such as automotive repair parts) may be bought under this regulation.

(3) Certain orders of the War Production Board require special applications for some materials and parts. An example of this type of order is M-328, Textiles. A repairman will not be able to buy these materials and parts under this regulation. Generally his supplier can tell him if a special application is needed.

(g-1) *Certain items may not be rated by a repairman.* No repairman may use the AA-3 rating assigned by this regulation to buy any of the following items. These items are made available to re-

pairmen and retailers on a pro-rata basis without the use of ratings, and a repairman does not need a rating to get his fair share.

The following radio repair items:

Capacitors (CMP Code No. 500).  
Microphones and loudspeakers (CMP Code No. 505).  
Resistors (CMP Code No. 506).  
Transformers (CMP Code No. 510).  
Tubes (CMP Code No. 511).

Paint.

(h) *Communications.* Any communications or appeals under this regulation should be made by writing a letter to the War Production Board, Reference CMP Regulation 9A, Washington (25), D. C.

Issued this 17th day of April 1945.

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

#### SCHEDULE I<sup>1</sup>

##### STEEL

Carbon steel (including wrought iron):

Bars, cold finished.  
Bars, hot rolled or forged.  
Ingots, billets, blooms, slabs, die blocks, tube rounds, skelp, and sheet and tin bar.  
Pipe, including threaded couplings of the types normally supplied on threaded pipe by pipe mills.  
Plates.  
Rails and track accessories.  
Sheets and strip.  
Steel castings.  
Structural shapes and piling.  
Tin plate, terne plate, and tin mill black plate.  
Tubing.  
Wheels, tires, and axles.  
Wire rods, wire and wire products.  
Alloy steel (including stainless):  
Bars, cold finished.  
Bars, hot rolled or forged.  
Ingots, billets, blooms, slabs, die blocks, tube rounds, sheet bar.  
Pipe including threaded couplings of the types normally supplied on threaded pipe by pipe mills.  
Plates, all plates (including rolled armor plate in the form and shape to which it is rolled by the steel mill and prior to any subsequent fabrication) and including nickel clad and stainless clad.  
Track accessories.  
Sheets and strip.  
Structural shapes.  
Steel castings.  
Tubing.  
Wheels, tires and axles.  
Wire rods, wire, and wire products.

##### COPPER AND COPPER-BASE ALLOY PRODUCTS

I. Brass mill products (for the purpose of this regulation):

Alloy sheet and strip:  
Alloy plate, sheet, and strip (including strip equivalent of ammunition cups and discs).  
Alloy rods, bars and wire including extruded shapes:  
Alloy rods, bars and wire (including extruded shapes and ammunition slugs).  
Alloy seamless tubing and pipe:  
Alloy seamless tubing and pipe.  
Brass mill copper products:  
Plate, sheets, and strip.  
Rods, bars, and wire including extruded shapes (not including wire bars and ingot bars, or rod and wire for electrical conduction).  
Tube and pipe.

<sup>1</sup> This schedule is identical in substance with Schedule I of CMP Regulation 1.

##### II. Wire mill copper products:

Wire and cable (bare, insulated, armored, and copper-clad steel) for electrical conduction.

##### III. Foundry copper and copper-base alloy products:

Castings (before machining).

##### ALUMINUM

Rod, bar, wire and cable:

Rod and bar.  
Wire (wire covers maximum diameter under  $\frac{3}{8}$ " in rounds, ovals, squares, hexagons, octagons, and rectangles).  
Cable (electrical transmission only).

Rivets:

Rivets.  
Forgings, pressings and impact extrusions:  
Forgings and pressings (before machining).  
Impact extrusions.

Castings:

Cylinder head castings for air-cooled engines.  
Heat treated sand castings, except cylinder heads.  
Non-heat treated sand castings.  
Heat treated permanent mold castings.  
Non-heat treated permanent mold castings.

Cold-chamber die castings.  
Gooseneck die castings.

Other castings (including rotor, centrifugal, plaster, etc.)

Shapes, rolled or extruded:

Rolled structural shapes (angle, channels, zees, tees, etc.).

Extruded shapes.

Sheet, strip, plate and foil:

Sheet, strip and plate.

Foil (0.005" and thinner).

Tubing and tube blooms:

Tubing.

Tube blooms (tube redraw stock).

Ingot and powder:

Powder (including atomized, granular, flake, paste and pigment).

Ingot, pig, billets, slabs, etc.

##### INTERPRETATION 1

###### REPAIR PARTS

Paragraph (b) of CMP Regulation 9A assigns a preference rating of AA-3 to a repairman to buy repair parts and materials for carrying on his repair work. The term "repair parts and materials" does not include any complete item ordinarily used by itself. For instance, a repairman can use the rating to buy grates which he requires in repairing furnaces, but cannot buy a complete furnace by use of the rating. Similarly, an industrial repairman could buy a gear needed to repair a lathe but could not buy a complete lathe. (Issued Dec. 15, 1943.)

##### INTERPRETATION 2

###### RESPONSIBILITIES OF DISTRIBUTORS OF MATERIALS AND PARTS TO REPAIRMEN

(a) A distributor who receives an order under CMP Regulation No. 9A is entitled to rely upon the customer's certification that he is entitled to place the order, and is not required to find out whether his customer is complying with the regulation, unless he knows or reasonably believes otherwise. However, in the case of copper tubing which a distributor bought under Direction 1, the distributor must know or reasonably believe that his customer is a refrigeration, automotive, or gas or oil burner repairman. If he delivers materials or parts under those circumstances in good faith, he is not responsible even though in fact his customer was not entitled to buy the materials or parts, or used them to do work not permitted by paragraph (e) of the regulation.

(b) Sometimes a distributor will receive both MRO orders and V-3 orders from the same customer. Paragraph (g-1) of CMP Regulation 5, and paragraph (c) (2) of

CMP Regulation 9A, allow a repairman to use his customer's MRO symbol and rating to get materials needed for repair, in addition to materials bought with the rating and symbol assigned by CMP Regulation 9A. Hence, unless he knows or has reason to believe that his customer does not have the right to use both symbols and the related preference ratings, the distributor may rely upon the customer's certification that he is entitled to use them. (Issued April 15, 1944.)

## INTERPRETATION 3

## PURCHASE OF LUMBER UNDER ORDER L-335

(a) A repairman using lumber on a construction job he does for another person is not entitled to certify his lumber orders that he places with lumber suppliers. Under Order L-335, which governs the distribution of lumber, a contractor doing construction for another person is not considered the consumer of the lumber that he uses. The person for whom the construction work is being done is considered the consumer of the lumber and he is the one that is entitled to

place the certification on the lumber order that the contractor places with his supplier. This provision also applies to a repairman that does construction work for another person. Construction means the putting up, altering or repairing of any sort of a structure including a building, road, bridge, dam, sewer and similar jobs. It also includes the installation of equipment or fixtures in such a structure. A consumer may authorize the contractor or repairman to act as his agent in certifying a lumber delivery order and in such a case the contractor or the repairman signs the required certification "as duly authorized official" of the consumer. The contractor does not use his rating but the rating of the person for whom the construction work is being done. Even though a repairman may himself have a rating he cannot use it to get lumber for that construction job. After August 1, the effective date of Order L-335, repairmen placing orders for lumber required on construction jobs they do for other persons must either certify as agents for the persons for whom they do the work or have their lumber order certified by such persons. Lumber distributors have been allocated a small amount of lumber for civilian repairs and maintenance work and this lumber can be sold on uncertified and unrated orders. Repairmen may buy that type of lumber from lumber distributors the same as any other person, but only a limited amount of such lumber is available to distributors.

(b) A repairman doing other repair which is not construction, may use the CMP-9A rating and the certification under paragraph (q) (1) of L-335 to get lumber needed for such repairs, provided he does not get more than 50,000 board feet a calendar quarter for all purposes (except construction). In such a case, he should apply on Form WPB-3640. (Issued Aug. 4, 1944.)

## INTERPRETATION 4

CMP Regulation 9A includes "captive repair shops". This includes "captive repair shops" owned by any person, including a farmer, which meet the requirements of the regulation. (Issued July 27, 1944.)

[F. R. Doc. 45-6124; Filed, Apr. 17, 1945; 11:27 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS  
[Order L-335, Direction 2a as Amended  
Apr. 17, 1945]

RESTRICTION ON DELIVERY AND RECEIPTS OF  
WESTERN PINE LUMBER

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

(a) *What this direction does.* This direction restricts the delivery by sawmills and distributors and the receipt by consumers of Western pine lumber produced by sawmills located in the States of Washington, Oregon, California, Idaho, Montana, Wyoming, Nevada, Utah, Colorado, Arizona, New Mexico, and South Dakota which currently produce 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 when in operation. For the purposes of this direction Western pine means Idaho white pine, Ponderosa pine, and sugar pine.

(b) *Deliveries prohibited except on orders bearing special certificate.* No sawmill of the kind described in paragraph (a) above and no distributor may deliver Western pine lumber except on orders bearing one of the certificates described in paragraphs (g) and (h) below. These certificates may not be accepted by a sawmill unless they bear an "authorization" number.

(c) *Restriction on placement of orders by Class I consumers.* Except as authorized on Form WPB-3640 (or by letter amending the authorization on Form WPB-3640) a Class I consumer may not place an order with a lumber supplier to obtain Western pine lumber. The usual authorization on Form WPB-3640 for a Class I consumer to receive lumber generally may not be construed as an authorization to receive Western pine lumber. If the authorization on Form WPB-3640 (or letter from the War Production Board amending the authorization) states specifically that the Class I consumer may receive a specified amount of Western pine lumber then the Class I consumer may order and receive within the quarter for which the authorization is valid the amount (but no more) stated on the authorization. A Class I consumer authorized to receive Western pine lumber must use the certificate described in paragraph (g) below in addition to the regular certificate required by Order L-335. The certificate described in paragraph (g) below will not be valid and cannot be accepted by a distributor or sawmill unless the "authorization" number assigned to the Class I consumer is inserted in the space provided in the certificate. If the copy of Form WPB-3640 that the Class I consumer receives says that he may receive a specified amount of Western pine lumber then his authorization number is the number appearing in the upper right hand margin of that copy. If his authorization to receive Western pine lumber is by letter amending his authorization on Form WPB-3640 then the number will be assigned to him in that letter. All applications for authorization to order and receive Western pine lumber, whether filed on Form WPB-3640 or as a request by letter for reconsideration of a former action on Form WPB-3640, shall include a statement specifying fully the use to which such lumber is to be put and the quantity of lumber required for such use. Within the available supply, authorization will be granted only for essential purposes where substitutes cannot be used. Letters of request should be addressed to the War Production Board, Washington 25, D. C., Ref. L-335, Direction 2a, and letters requesting reconsideration must indicate the code letters and number appearing on the Form WPB-3640 in the box marked "For WPB Use Only".

(d) *Placement of orders by consumers other than Class I consumers.* Unless authorized in writing by the War Production Board or by paragraph (e) below no Class II consumer or farmer may place an order with a lumber supplier to obtain Western pine lumber. If a Class II consumer or farmer is authorized by the War Production Board in writing or by paragraph (e) below to receive Western pine lumber he must use the

certificate provided for in paragraph (g) below on his orders for such lumber. That certificate will not be valid and may not be accepted unless the "authorization" number (assigned by the War Production Board) is inserted in the space provided for in the certificate. Requests for authorization to order and receive Western pine lumber 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 2a stating fully the use to which such lumber is to be put and the quantity required. Within the available supply authorizations will be granted only for essential purposes where substitutes cannot be used.

(e) *Class II Consumer who received authorization in first quarter of 1945 entitled to same authorization in second quarter.* Any Class II consumer who received an authorization to order and accept delivery of a specified amount of Western pine lumber in the first quarter of 1945 and who needs the same or smaller amount of Western pine lumber in the second quarter of 1945 for the same purpose is permitted to use the certification described in paragraph (g) below and the authorization number assigned to him by the War Production Board in the first quarter of 1945 to order from his supplier for delivery in the second quarter of 1945 the amount of Western pine lumber actually required by him in the second quarter, provided, he does not order more than he was authorized to order in the first quarter of 1945. If such a Class II consumer needs more Western pine lumber in the second quarter of 1945 than he was authorized to receive in the first quarter in 1945 or needs it for a purpose other than the purpose for which he was authorized to receive in the first quarter then he must apply under paragraph (d) above for the additional amount or for the new purpose.

(f) *Limitation on manufacture of millwork out of Western pine lumber authorized under this direction.* Any Class I or Class II consumer who receives any Western pine lumber or has any Western pine lumber which he received on an order bearing the certificate described in paragraph (g) below is forbidden to use such Western pine lumber for millwork except in the manufacture of windows; sash; doors; window, sash, and door frames; window and door screens; trim and mouldings and cut stock for such items.

(g) *Certificate required of consumers.* Any consumer (including a Class I consumer) who is authorized to receive Western pine lumber must provide his lumber supplier with the following certificate which is in addition to the regular certificate required by Order L-335. This certificate may only be used by a consumer to obtain the quantity of Western pine lumber which he is specifically authorized by the War Production Board to receive.

I certify to the supplier and to the War Production Board that this order together with all other orders that I have placed for Western pine lumber does not exceed the amount that I have been specifically authorized by the War Production Board to receive under Direction 2a to Order L-335. My "authorization" number is \_\_\_\_\_

Consumer

By \_\_\_\_\_  
Duly authorized official

Date \_\_\_\_\_

(h) *Distributors extension of orders.* No distributor may place an order with a sawmill of the kind described in paragraph (a) above to get Western pine lumber except where the Western pine lumber is required for delivery on an order bearing one of the certificates shown in this direction or where the Western pine lumber is required to replace lumber in inventory which the distributor has delivered on an order bearing

such a certificate. In extending such an order the distributor shall use the following certificate:

I certify to the supplier and to the War Production Board that the amount of Western pine lumber covered by this order does not exceed the amount which I have sold on unextended orders certified under Direction 2a to Order L-335. These unextended orders bear the following "authorization" numbers -----

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

This certificate is in addition to the regular certificate required of distributors by Order L-335 and need only be used to get Western pine lumber from sawmills of the kind described in paragraph (a) above.

(i) *Production of small sawmills excepted.* This direction does not apply to Western pine lumber produced by sawmills smaller than the size sawmill referred to in paragraph (a) above. Consumers (including Class I consumers) and distributors may order and receive such lumber from these small sawmills without regard to the provisions of this direction or any restrictions on Form WPB-3640 against the receipt of Western pine lumber. However, such a small sawmill may not deliver lumber on an uncertified order unless permitted under paragraph (t) of Order L-335 or under Direction 7 to Order L-335.

(j) *Distributors' present inventory may be excepted.* If a distributor wishes to dispose of Western pine lumber which he received before December 31, 1944 without requiring his customer to give him one of the certificates described in paragraphs (g) and (h) above, he may do so but he is not required to deliver any Western pine lumber (even on a rated order) unless such a certificate is supplied by his customer. This applies also to Western pine lumber which the distributor ordered from a sawmill before December 2, 1944 if it is placed in transit by the sawmill before December 31, 1944. The restrictions of this Direction and any restrictions on Form WPB-3640 against receipt of Western pine lumber do not apply to Western pine lumber that a consumer is able to get from this source.

(k) *Provisions of Order L-335 and other directions.* In the event there is any conflict between the provisions of this Direction and the provisions of Order L-335 or any other direction, the provisions of this Direction shall govern. However, nothing in this Direction shall prevent a sawmill from delivering Western pine lumber to a consumer or a distributor on an uncertified order or on an order bearing only the regular certificate described in paragraph (q) of Order L-335, or the receipt of such lumber by a consumer or a distributor when specific authorization for such delivery has been granted under the terms of paragraph (t) of Order L-335.

Issued this 17th day of April 1945.

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

[F. R. Doc. 45-6125; Filed, Apr. 17, 1945;  
11:29 a. m.]

**PART 3285—LUMBER AND LUMBER PRODUCTS**  
[Order L-335, Direction 7, as Amended Apr. 17, 1945]

**DELIVERIES OF CERTAIN LUMBER ON UNCERTIFIED AND UNRATED ORDERS**

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

(a) *What this direction does.* This direction permits the movement of certain low grade lumber and culls and rejects on uncertified orders.

(b) *Delivery and receipt of graded or mill run lumber.* Any sawmill or any distributor that accumulates #4 or lower grades of Douglas fir, or E grade Douglas fir, #4 or lower grades of Southern yellow pine, #4 or lower grades of Western hemlock, or E grade Western hemlock, #4 or lower grades of Sitka spruce, redwood dunnage, or #3 or lower grades of cypress, and who has not been offered certified orders for such lumber is authorized to deliver that lumber on uncertified and unrated orders to any person.

(c) *Delivery of lumber by a distributor who gets it on uncertified orders.* A distributor that receives lumber on an uncertified order may in turn deliver that lumber on uncertified and unrated orders provided such delivery does not interfere with the filling of a certified order. This provision does not apply to lumber that a distributor gets on an uncertified order on a "special sale" under Priorities Regulation No. 13. It also does not apply where the distributor has agreed to sell only on certified orders the lumber released from a sawmill under the provisions of paragraph (t) of Order L-335 and where this agreement has been confirmed by letter from the War Production Board.

(d) *Deliveries and receipts of culls and rejects.* Any lumber supplier may deliver culls and rejects on uncertified and unrated orders, and any lumber distributor or consumer may receive culls and rejects. However, no lumber may be treated as cull and reject under this direction if the supplier charges more than 85 percent of the price allowed him by the Office of Price Administration for the lowest standard grade of the same species.

- (e) [Deleted Apr. 17, 1945.]  
(f) [Deleted Apr. 17, 1945.]  
(g) [Deleted Apr. 17, 1945.]

Issued this 17th day of April 1945.

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

[F. R. Doc. 45-6133; Filed, Apr. 17, 1945;  
11:29 a. m.]

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

[Conservation Order M-328B, Revocation of Direction 1]

General Direction 1 to Order M-328B is revoked. This revocation does not affect any liabilities incurred under the direction.

Issued this 17th day of April 1945.

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

[F. R. Doc. 45-6129; Filed, Apr. 17, 1945;  
11:28 a. m.]

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

[Conservation Order M-328B, Revocation of Direction 2]

Direction 2 to Order M-328B is revoked. This revocation does not affect

any liabilities incurred under the direction.

Issued this 17th day of April 1945.

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

[F. R. Doc. 45-6130; Filed, Apr. 17, 1945;  
11:28 a. m.]

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

[Conservation Order M-328B, Revocation of Direction 3]

**CHILDREN'S SNOW SUITS PLAN NO. 1**

Direction 3 to Order M-328B is revoked. This revocation does not affect any liabilities incurred under the direction.

Issued this 17th day of April 1945.

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

[F. R. Doc. 45-6131; Filed, Apr. 17, 1945;  
11:28 a. m.]

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

[Conservation Order M-328B, Revocation of Direction 4]

**CHILDREN'S APPAREL PLAN NO. 2**

Direction 4 to Order M-328B is revoked. This revocation does not affect any liabilities incurred under the direction.

Issued this 17th day of April 1945.

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

[F. R. Doc. 45-6132; Filed, Apr. 17, 1945;  
11:28 a. m.]

**PART 3293—CHEMICALS**

[General Allocation Order M-300, Schedule 68 as Amended Apr. 17, 1945]

**MALEIC ANHYDRIDE AND MALEIC ACID**

§ 3293.1068 *Schedule 68 to General Allocation Order M-300—(a) Definitions.* (1) "Maleic anhydride" means the anhydride of maleic acid in any form and from any source.

(2) "Maleic acid" means maleic acid in any form and from any source.

(b) *General restrictions.* Maleic anhydride and maleic acid are subject to allocation under General Allocation Order M-300 as Appendix A materials. The initial allocation date is November 1, 1943, when maleic anhydride and maleic acid were first put under allocation by Order M-214 (revoked). The allocation period is the calendar month and the small order exemption per person per month is 175 pounds aggregate of maleic anhydride and maleic acid.

(c) [Revoked Apr. 17, 1945]

(d) *Suppliers' applications on WPB-2946.* Each supplier seeking authorization to deliver shall file application on Form WPB-2946 (formerly PD-601). Filing date is the 22nd day of the month

before the requested allocation month. File separate sets of forms for maleic anhydride and maleic acid and for each plant of applicant. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref. M-300-68. 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.

(e) *Customers' application on Form WPB-2945.* Each person seeking authorization to use or accept delivery shall file application on Form WPB-2945 (formerly PD-600). Filing date is the 15th day of the month before the requested allocation month. File separate sets of forms for each supplier and specify in Grade Columns 1, 11 and 19 whether quantities indicated are maleic anhydride or maleic acid. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-68, and one copy (reverse side blank) to the supplier. The unit of measure is pounds. Fill in Column 3 in terms of the following:

Resins (Identify).  
Substituted drying oils (Identify).  
Fumaric acid.  
Wetting agents.  
Rubber.  
Leather processing.  
Miscellaneous.  
Other primary product (specify).  
Export (in original form).  
Inventory (in original form).  
Resale (in original form).

Specify end use in Column 4 as required by paragraph 11-a of Appendix E of Order M-300. Opposite resins or substituted drying oils in Column 3, specify in Column 4 "M-300-103" (or other order governing the resin or oil), without other end use description. Opposite fumaric acid in Column 3, specify in Column 4 "M-300-104" (however, when a person applies for maleic acid or anhydride to make fumaric acid all of which he will use to make resins or substituted drying oils, he shall list the resin or oil in Column 3 and the controlling resin or oil order in Column 4, without reference to the fumaric acid stage). Fill in other columns of Table I, and fill in Tables II and III, as indicated.

Fill in Table IV for each primary product listed in Column 3 of the application, except products under direct allocation, such as phthalic alkyd resins.

In Table V specify quantity of maleic anhydride and maleic acid used in previous month for each primary product (specify the product in Column 23, pounds of maleic anhydride in Column 24 and pounds of maleic acid in Column 25, all under the heading "Pounds consumed last month").

(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 Bu-

reau, Washington 25, D. C., Ref: M-300-68.

Issued this 17th day of April 1945.

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

[F. R. Doc. 45-6126; Filed, Apr. 17, 1945;  
11:27 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 103]

MALEIC, FUMARIC, "CARBIC" AND PENTAERYTHRITOL OILS AND RESINS

§ 3293.10103 *Schedule 103 to General Allocation Order M-300—(a) Definition.* "Maleic, fumaric, 'Carbic' and pentaerythritol oils and resins" means:

(1) Any reaction product of maleic, fumaric, or "Carbic" acid or anhydride, with a polyhydric alcohol, whether or not modified with other materials; or

(2) Any reaction product of technical grade pentaerythritol or its polymers with rosin or its derivatives or with polybasic acids, or with oils or their acids, whether or not modified with other materials. The term includes, but is not limited to synthetic resins, mixing varnishes and treated drying oils normally used in protective coatings. The term shall not include those synthetic resins or plastics which are allocated under Schedule 17 (acrylic resins), Schedule 19 (polystyrene), Schedule 34 (urea and melamine aldehyde resins), Schedule 54 (vinyl polymers), Schedule 59 (phthalic alkyd resins) or Schedule 87 (phenolic resins).

(b) *General provisions.* (1) Maleic, fumaric, "Carbic" and pentaerythritol oils and resins are subject to the provisions of General Allocation Order M-300 as Appendix B materials. The initial allocation date is June 1, 1945. The allocation period is the calendar month. The small order exemption is 125 pounds (solvent free basis) aggregate of all types per person per month.

(2) Deliveries of maleic, fumaric, "Carbic" and pentaerythritol oils and resins shall be made in accordance with applicable preference ratings, provided that after May 1, 1945, no supplier shall deliver against orders certified for any class of use a greater total quantity than he is specifically authorized to deliver for that class of use, and no supplier shall deliver against uncertified small orders, individually and in the aggregate, more than he is permitted under paragraph (c) of Order M-300.

(c) *Suppliers' applications on Form WPB-2947.* Each supplier seeking authorization to use or deliver shall file application on Form WPB-2947, on or before the 12th day of the month before the proposed month of delivery or use. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-103. The unit of measure is pounds, solvent free basis. File separate sets of forms for each of the following classes, marking on the upper right hand margin of the form the proper class designation:

Type A for oils or resins containing pentaerythritol but no maleic or fumaric acid or anhydride;

Type B for oils or resins containing both pentaerythritol and maleic or fumaric acid or anhydride;

Type C for oils or resins containing maleic acid or anhydride but no pentaerythritol;

Type D for all other oils or resins as defined in paragraph (a) above which are not included in Types A, B or C above.

In the heading of Column 1 write in "Grade" and strike out "Customer's Name and Delivery Destination". In Column 1 specify grade in terms of trade mark or code designation in the case of resins or oils containing more than 5% by weight (based on total weight of resin or oil, solvent free) of the following reactants in the aggregate: pentaerythritol, maleic acid or anhydride, fumaric acid. In the case of resins or oils containing 5% or less of these reactants specify "miscellaneous resins" or "miscellaneous oils" as the grade in Column 1. In Column 1a list each class of certified end use opposite each grade in Column 1, and list the requested quantity for each grade and class of use in Column 5 (customers' names shall not be specified). Following the various end uses listed in Column 1a for each specific grade, an aggregate quantity may be requested for each grade for delivery on uncertified exempt small orders (by specifying "aggregate small orders" in Column 1a and the total quantity in Column 5). Fill in Table II.

(d) *Customers' certificate of end use.*

(1) Each person placing purchase orders for delivery per month in the aggregate from all suppliers of more than 125 pounds (solvent free basis) of maleic, fumaric, "Carbic" and pentaerythritol oils and resins, shall furnish each supplier with a certified statement of proposed use, in the form prescribed in Appendix D of General Allocation Order M-300. End use for protective coating purposes shall be stated in terms of the end use groups of Direction 2 to M-300. For non-protective coating purposes, state primary product and specific end use. Proposed use may also be specified as "for resale on further authorization", "for resale on exempt small orders", and "for export" (specify destination and approved export license number or UNRRA requisition number). Customers' certified purchase orders should be sent to suppliers on or before the 5th day of the month preceding the proposed delivery month.

(2) The above certification requirements shall apply to orders placed or to be placed for delivery during May, 1945, as well as for delivery after the initial allocation date (June 1, 1945). On and after May 1, 1945, no supplier shall fill any order for a quantity required by this schedule to be certified unless the order has been certified, and no person who receives maleic, fumaric, "Carbic" or pentaerythritol oils or resins on a certified order shall use or redeliver such oils or resins for any purpose not covered by the certification, unless specifically authorized in writing by the War Production Board.

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

(f) *Communications to War Production Board.* Communications concerning this schedule shall be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-103.

Issued this 17th day of April 1945.

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

[F. R. Doc. 45-6127; Filed, Apr. 17, 1945;  
11:27 a. m.]

#### PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 104]

##### FUMARIC ACID

§ 3293.10104 *Schedule 104 to General Allocation Order M-300—(a) Definitions.* "Fumaric acid" means the isomer of maleic acid in any form and from any source.

(b) *General provisions.* Fumaric acid is subject to allocation under General Allocation Order M-300 as an Appendix A material. The initial allocation date is June 1, 1945. The allocation period is the calendar month and the small order exemption is 175 pounds of fumaric acid per person per month.

(c) *Special exemption.* A person who uses maleic anhydride or maleic acid to produce fumaric acid exclusively for his own use in the production of resins shall file application under Schedule M-300-68 and under the applicable resin schedule as if the resin were made directly from the maleic anhydride or maleic acid, and need not file application for authorization under this schedule.

(d) *Suppliers' applications on WPB-2946.* Each supplier seeking authorization to deliver shall file application on Form WPB-2946. Filing date is the 22nd day of the month before the requested allocation month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-104. 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.

(e) *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 15th day of the month before the requested allocation month. File separate sets of forms for each supplier. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-104, and one copy (reverse side blank) to the supplier. The unit of measure is pounds. Fill in Column 3 in terms of the following:

Resins (identify).  
Substituted drying oils (identify).

Wetting agents.  
Rubber.  
Leather processing.  
Miscellaneous.  
Other primary product (specify).  
Export (as fumaric acid).  
Inventory (as fumaric acid).  
Resale (as fumaric acid).

Specify end use in Column 4 as required by paragraph (11-a) of Appendix E of Order M-300. If resins or substituted drying oils are the product specified in Column 3, specify end use in Column 4 by listing the governing order (such as M-300-103). Fill in other columns of Table I, and fill in Tables II and III, as indicated.

Fill in Table IV for each primary product listed in Column 3 of the application, except products under direct allocation, such as fumaric resins under M-300-103.

In Table V specify quantity of fumaric acid used in previous month for each primary product (specify the product in Column 23, and pounds of fumaric acid in Column 24, all under the heading "Pounds consumed last month").

(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-300-104.

Issued this 17th day of April 1945.

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

[F. R. Doc. 45-6128; Filed, Apr. 17, 1945;  
11:28 a. m.]

#### Chapter XI—Office of Price Administration

##### PART 1301—MACHINE TOOLS

[MPR 1, Amdt. 8]

##### SECOND HAND MACHINE TOOLS

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

Maximum Price Regulation 1 is revised and amended in the following respects:

1. In section 9, paragraphs (b), (c) and (f) are hereby revoked.
2. In section 9, paragraphs (d) and (e) are redesignated (b) and (c), respectively.

This amendment shall become effective April 23, 1945.

Issued this 17th day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-6135; Filed, Apr. 17, 1945;  
11:41 a. m.]

<sup>28</sup> F.R. 10116, 13104; 9 F.R. 2135, 3075, 4220, 5723, 12021, 12209.

#### PART 1305—PROCEDURE

[Licensing Order 3, Revocation]

REQUIRING REGISTRATION OF DEALERS LICENSED TO SELL SECOND HAND MACHINE TOOLS OR EXTRAS, SECOND HAND MACHINES OR PARTS, ETC.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the Emergency Price Control Act of 1942, as amended, *It is ordered:*

Licensing Order No. 3 is hereby revoked.

This order shall become effective April 23, 1945.

Issued this 17th day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-6144; Filed, Apr. 17, 1945;  
11:42 a. m.]

#### PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RMPR 300]

##### RUBBER DRUG SUNDRIES

Maximum Price Regulation 300 is redesignated Revised Maximum Price Regulation 300 (Rubber Drug Sundries), and is revised and amended to read as set forth herein.

A statement of the considerations involved in the issuance of this regulation is issued simultaneously herewith and has been filed with the Division of the Federal Register.

Insofar as this regulation uses specifications and standards which were not, prior to such use, in general use in the trade or industry, or insofar as their use was not lawfully required by another Government agency, the Administrator has determined that no practicable alternative exists for securing effective price control with respect to the commodities and services subject to this regulation.

#### ARTICLE I—EXPLANATION OF THE REGULATION

- Sec.
1. What this regulation covers.
  2. Relationship to other regulations.
  3. Definitions.

#### ARTICLE II—PRICES AND PRICING METHODS

4. Maximum manufacturers' prices for rubber drug sundries listed in Appendix B.
5. Maximum manufacturers' prices for rubber drug sundries not listed in Appendix B which are the same as those dealt in by the manufacturer on December 1, 1941.
6. Maximum manufacturers' prices for rubber drug sundries not listed in Appendix B which are not the same as those dealt in by the manufacturer on December 1, 1941.
7. Maximum distributors' prices for rubber drug sundries.
8. Maximum prices; specific authorization.
9. Fractions of a cent.
10. Terms and conditions of sale.
11. Adjustable pricing.
12. Notification.

## ARTICLE III—MISCELLANEOUS

Sec.

13. Applications for adjustment.
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- Appendix D—Form for application for adjustment.

AUTHORITY: § 1315.1751 issued under 56 Stat. 23, 765; 57 Stat. 566; Public Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681.

## ARTICLE I—EXPLANATION OF THE REGULATION

SECTION 1. *What this regulation covers*—(a) *Transactions covered*. This regulation applies to sales of rubber drug sundries by manufacturers and distributors. "Rubber drug sundries" are the commodities listed in Appendix A.

(b) *Geographical applicability*. The provisions of this regulation apply to the 48 states of the United States and to the District of Columbia.

SEC. 2. *Relationship to other regulations*—(a) *Regulations superseded*. This regulation supersedes any other regulation issued by the Office of Price Administration, including the General Maximum Price Regulation, as to transactions covered by this regulation.

(b) *Sales for export*. The Second Revised Maximum Export Price Regulation covers export sales and sales to exporters of rubber drug sundries.

SEC. 3. *Definitions*. (a) When used in this regulation the terms:

(1) "Distributor" means a person who purchases rubber drug sundries, which are not finished, packaged, or assembled by him, from a manufacturer and who either resells them primarily to wholesalers or resells them primarily other than at retail under his own brand: *Provided*, That such person sells rubber drug sundries which the producer thereof does not sell directly to wholesalers or retailers. Distributor is to be distinguished from a wholesaler who is a person who buys a commodity and resells it, without substantially changing its form, to any person other than the ultimate consumer, except that a sale at wholesale shall include any sale by such person to an industrial or commercial user, the United States, any other government or any of its political subdivisions, any religious, educational, charitable, or other welfare institution, or any agency of any of the foregoing.

(2) "Manufacturer" means either of the following:

- (i) Any person engaged in the production of rubber drug sundries; or
- (ii) Any person who sells rubber drug sundries primarily other than at retail and who finishes, assembles, or packages the rubber drug sundries sold by him.

(3) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons or

legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any agency of any of the foregoing.

(4) "Purchaser of the same class" and "class of purchaser" refer to the practice adopted by the seller in setting different prices for sales to different purchasers or kinds of purchasers (for example, manufacturer, wholesaler, jobber, retailer, government agency, public institution, individual consumer) or for purchasers located in different areas or for different quantities or grades or under different conditions of sale.

(5) "Rubber drug sundries" means the articles set forth in Appendix A.

(6) "Rubber" means substitute rubber and all forms and types of rubber, including synthetic and reclaimed rubber.

(7) "Synthetic rubber" means a material obtained by chemical synthesis, possessing the approximate physical properties of natural rubber, when compared in either the vulcanized or unvulcanized condition, which can be vulcanized with sulphur or other chemicals with the application of heat, and which, when vulcanized, is capable of rapid elastic recovery after being stretched to at least twice its length at temperatures ranging from 0° F. to 150° F. at any humidity.

(8) "Substitute rubber" means a substance made in whole or in part by a chemical process or from natural gums, resins, or oils which in physical properties sufficiently resembles natural or synthetic rubber to replace either of them for particular uses, including uses where only some and not all of the physical characteristics of natural or synthetic rubber are needed, and which serves the same use as natural or synthetic rubber in the particular application in which it is applied.

(b) Unless the context otherwise requires, the definitions set forth in the General Maximum Price Regulation shall apply to other terms used herein.

## ARTICLE II—PRICES AND PRICING METHODS

SEC. 4. *Maximum manufacturers' prices for rubber drug sundries listed in Appendix B*—(a) *Applicability and maximum prices*. This section applies to sales by manufacturers of the rubber drug sundries listed in Appendix B. The maximum manufacturers' prices for the rubber drug sundries covered by this section shall be the price for the rubber drug sundry listed in Appendix B.

(b) *Reports*. Every manufacturer who produces, sells, or delivers hot water bottles whose maximum prices are established by this section shall report to the Office of Price Administration, Washington, D. C., each brand name which he uses for Hospital Grade, Consumer Grade I, and Consumer Grade II hot water bottles, respectively, by May 8, 1945, or within fifteen days after he starts production of a bottle bearing that brand name, whichever is later.

SEC. 5. *Maximum manufacturers' prices for rubber drug sundries not listed in Appendix B which are the same as those dealt in by the manufacturer on December 1, 1941*—(a) *Applicability*. This section applies to sales by manufac-

turers of all rubber drug sundries, except those covered by section 4, which are the same as a rubber drug sundry which the manufacturer delivered or offered for delivery on December 1, 1941. A rubber drug sundry shall be deemed to be the same as a rubber drug sundry delivered or offered for delivery by the manufacturer on December 1, 1941:

(1) If it is identical to a rubber drug sundry which the manufacturer delivered or offered for delivery on December 1, 1941;

(2) If it differs from a rubber drug sundry which the manufacturer delivered or offered for delivery on December 1, 1941, only by reason of the changes made necessary by the substitution of buna-S (GR-S) or butyl (GR-I) for natural rubber ("natural rubber" means crude rubber, natural latex, reclaimed rubber, or scrap rubber); or

(3) If it has the same use as a rubber drug sundry delivered or offered for delivery by the manufacturer on that date, and if its factory costs do not differ from the factory costs of that rubber drug sundry by more than five percent. Factory costs shall be determined in accordance with the provisions of paragraph (e) of section 6.

(b) *Maximum prices*. The maximum price for a sale by a manufacturer of any rubber drug sundry covered by this section shall be determined as follows:

(1) The manufacturer shall first determine the base price to that class of wholesaler to which he sold the largest volume of rubber drug sundries during the calendar year 1942, in accordance with the next paragraph (c). If the manufacturer did not sell that rubber drug sundry to wholesalers during the calendar year 1942, the manufacturer shall determine the base price to that class of retailers to which he sold the largest volume of rubber drug sundries during the calendar year 1942.

(2) The manufacturer shall then subtract the differentials set forth in paragraphs (d) and (e), if applicable. These differentials reflect the decreased cost of certain synthetic and substitute rubbers and the decrease in costs resulting from the removal of the federal excise tax on rubber products.

(3) The price calculated in the manner just set forth is the manufacturer's maximum price to that class of purchaser whose base price he must determine under paragraph (c). The manufacturer shall determine his maximum price for sales to other classes of purchasers by adjusting this price to reflect the differentials that the manufacturer had in effect to other classes of purchasers on December 1, 1941.

(c) *Base price*. The base price shall be the first applicable of the following prices:

(1) The price stated in the published price list of the manufacturer in effect on December 1, 1941, for a rubber drug sundry which is the same as the rubber drug sundry being priced, less all discounts, allowances, and other deductions which the manufacturer had in effect on December 1, 1941, for sales to the class of purchaser which he is required to select by paragraph (b) (1).

(2) The price the manufacturer regularly quoted, other than through the medium of published price lists, for a rubber drug sundry which is the same as the rubber drug sundry being priced, to the class of purchaser which he is required to select by paragraph (b) (1).

(3) The highest price at which the manufacturer during the period July 1 to December 1, 1941, inclusive, delivered, or if no delivery was made, at which he offered to deliver a rubber drug sundry, which is the same as the rubber drug sundry being priced, to the class of purchaser which he is required to select by paragraph (b) (1).

(d) *Differentials for synthetic or substitute rubber*—(1) *Applicability*. This paragraph applies to all rubber drug sundries which contain the same type of synthetic or substitute rubber that they contained on December 1, 1941. However, this paragraph applies to such rubber drug sundries only if the price of the synthetic or substitute rubber was lower on August 1, 1943, than it was on December 1, 1941.

(2) *Calculation of the differential*. The differential for synthetic or substitute rubber which must be subtracted from the base price shall be determined by multiplying the number of pounds of each type of synthetic or substitute rubber required to produce the rubber drug sundry by the difference between the price for the synthetic or substitute rubber in effect on December 1, 1941, and the price for the synthetic or substitute rubber in effect on August 1, 1943. If the manufacturer on December 1, 1941, sold several sizes of rubber drug sundries at the same price to the same class of purchasers, he shall use the same differential for all the sizes or styles that he sold on December 1, 1941, at the same price to the same class of purchasers. This differential shall be calculated by the method set forth in this subparagraph except that in applying that method the manufacturer shall use the procedure he customarily used on December 1, 1941, to arrive at a uniform price for the different sizes or styles. If the manufacturer used no such customary procedure on December 1, 1941, he shall use as the basis for calculating the differential the size or style of which he sold the largest quantity during the period January 1, 1943, to June 30, 1943, inclusive.

(e) *Differential for Federal excise tax*. If, on December 1, 1941, the manufacturer did not bill the Federal excise tax on rubber products separately, he shall deduct the amount of such tax from the prices determined in accordance with the provisions of paragraph (b) of this section.

Sec. 6. *Maximum manufacturers' prices for rubber drug sundries not listed in Appendix B which are not the same as those dealt in by the manufacturer on December 1, 1941*—(a) *Applicability*. This section applies to sales by manufacturers of all rubber drug sundries, except those covered by sections 4 and 5.

(b) *Maximum prices*. The maximum price of any rubber drug sundry covered by this section shall be determined as follows:

(1) The manufacturer shall first select the rubber drug sundry he must use in determining the maximum price of the rubber drug sundry being priced. The method for selecting this rubber drug sundry is explained in paragraph (d) of this section.

(2) The manufacturer shall then determine his maximum price for the sale of that rubber drug sundry to the class of wholesalers to which he sold the largest volume of rubber drug sundries during the calendar year 1942. This maximum price shall be determined in accordance with section 5. If the manufacturer did not sell that rubber drug sundry to wholesalers during the calendar year 1942, he shall determine the maximum price for the sale of the rubber drug sundry to that class of retailers to which he sold the largest volume of rubber drug sundries during the calendar year 1942. This price shall be determined in accordance with section 5.

(3) The manufacturer shall then add to or subtract from the price determined in accordance with subparagraph (2) the amount by which the "factory costs" of the rubber drug sundry being priced are greater or less than the "factory costs" of the rubber drug sundry used as a basis for pricing. "Factory costs" of both rubber drug sundries shall be determined in accordance with paragraph (e) of this section.

(4) The resultant price is the manufacturer's maximum price for the sale of the rubber drug sundry being priced to that class of purchasers for which he must determine a maximum price under subparagraph (2). The manufacturer shall then determine his maximum price for sales of the rubber drug sundry being priced to other classes of purchasers by adjusting this price to reflect the differentials that the manufacturer had in effect to other classes of purchasers on December 1, 1941.

(5) If, subsequently, the article is modified sufficiently to result in a change of more than five percent in its factory costs, its maximum price must be recomputed in accordance with the provisions of this section. Factory costs must be determined in accordance with the provisions of paragraph (e) of this section.

(c) *Recomputation of the maximum price*. If a rubber drug sundry covered by this section is produced or supplied by the manufacturer for a period of 3 months without being modified, the maximum price of such rubber drug sundry shall be redetermined by substituting actual labor hours and actual quantity of materials for the estimated labor hours and quantity of materials used in the original computation of the maximum price and the report required by paragraph (f) shall be filed. This report shall be made between 90 and 105 days after the manufacturer begins production or supply of the rubber drug sundry. If the manufacturer's production experience during the first three months of production is inadequate to determine his costs accurately, he may request and receive approval from the Office of Price Administration, Washington, D. C., for a further period of re-

computation. This request must be made at the time of the first recomputation.

(d) *Method of selecting the rubber drug sundry used in determining the maximum price*. The manufacturer shall use the first applicable of the following rubber drug sundries, which he offered for sale on December 1, 1941, in determining the maximum price of the rubber drug sundry being priced:

(1) The rubber drug sundry which would be the same as the rubber drug sundry being priced but for changes in specifications that have taken place since December 1, 1941.

(2) The rubber drug sundry manufactured by the same processes as the rubber drug sundry being priced. If there is more than one rubber drug sundry which is manufactured by the same processes as the rubber drug sundry being priced, the manufacturer shall use that one of those rubber drug sundries whose direct labor costs are nearest to the direct labor costs of the rubber drug sundry being priced. Direct labor costs shall be determined in accordance with the provisions of paragraph (e) (1) of this section.

(3) The rubber drug sundry having the same use as the rubber drug sundry being priced. If there is more than one rubber drug sundry which has the same use as the rubber drug sundry being priced, the manufacturer shall use that one of those rubber drug sundries whose direct labor costs are nearest to the direct labor costs of the rubber drug sundry being priced. Direct labor costs shall be determined in accordance with the provisions of paragraph (e) (1) of this section.

(4) The rubber drug sundry whose direct labor costs are nearest to the direct labor costs of the rubber drug sundry being priced. Direct labor costs shall be determined in accordance with the provisions of paragraph (e) (1) of this section.

(e) *Computation of factory costs*. The factory costs of a rubber drug sundry shall be the sum total of direct labor costs, direct materials costs including waste, and factory overhead costs. The direct labor costs shall be determined by multiplying the estimated number of hours of each type of labor required in the manufacture of the rubber drug sundry by the wage rates determined in accordance with subparagraph (1) of this paragraph. The direct materials costs shall be determined by multiplying the estimated quantity of each type of material required in the manufacture of the rubber drug sundry by the materials prices determined in accordance with subparagraph (2) of this paragraph. Waste shall be determined by applying the same methods as were used or would have been used by the manufacturer in similar production on December 1, 1941, adjusted to reflect the estimated quantity of waste in the production of the rubber drug sundry being priced. Factory overhead costs shall be determined in the manner set forth in subparagraph (3) of this paragraph.

(1) *Wage rates*. The wage rates used in the calculations of factory costs shall

be the basic wage rates in effect in the manufacturer's plant on December 1, 1941, for each class of labor involved in the production of the rubber drug sundry. If the manufacturer did not employ a given class of labor on December 1, 1941, he shall use the wage rate paid on December 1, 1941, by the nearest employer operating under comparable conditions who employed that class of labor on that date.

(2) *Materials prices.* The price of synthetic or substitute rubber used in the calculations of factory costs shall be the price in effect on August 1, 1943. The price of any other materials used in these calculations shall be the highest price charged on December 1, 1941, by the manufacturer's supplier, not to exceed the applicable maximum price. If the material was not delivered or offered for delivery by the manufacturer's supplier on December 1, 1941, the material price shall be the first price at which the manufacturer's supplier offered to sell the material to a purchaser of the same class as the manufacturer after December 1, 1941, or the maximum price for the material established by the Office of Price Administration, whichever is lower. The manufacturer's supplier shall be his December 1941 supplier of the material or, lacking a December 1941 supplier of the material, his most recent supplier of the material. If neither of these exists, it shall be his potential supplier. For the purposes of this subparagraph (2) if the manufacturer shall receive a written statement from the seller that the material is being sold at a price which is not in excess of the maximum price established by the Office of Price Administration, and if the manufacturer shall have no cause to doubt the accuracy of the statement, the price as stated by the seller shall be deemed not to be in excess of the maximum price established by the Office of Price Administration.

When used in this subparagraph (2) the phrase "highest price charged on December 1, 1941," means:

(i) The highest price at which the seller delivered, or if he did not deliver, at which he offered the commodity for delivery, on December 1, 1941, to the same manufacturer in a quantity normal for that manufacturer;

(ii) If the seller made no such delivery or offer for delivery on December 1, 1941, to the same manufacturer, the highest price at which the seller delivered, or if he did not deliver, at which he offered the commodity for delivery, on December 1, 1941, to a purchaser of the same class as the manufacturer in a quantity normal for that purchaser;

(iii) If the seller made no such delivery or offer for delivery on December 1, 1941, to the same manufacturer or to a purchaser of the same class, the highest price at which the seller delivered, or if he did not deliver, at which he offered the commodity for delivery, on December 1, 1941, to a purchaser of a different class, in a quantity normal for that purchaser, adjusted to reflect the seller's customary differential between the two classes of purchasers.

(3) *Factory overhead costs.* Factory overhead costs shall be determined by us-

ing the same methods and the same rates that the manufacturer used on December 1, 1941, in determining the factory overhead costs of the rubber drug sundry that he is required by paragraph (d) of this section to use as a basis for determining the maximum price of the rubber drug sundry being priced. It shall include only those costs which the manufacturer on December 1, 1941, used in calculating the factory overhead.

(f) *Reports and approvals of maximum prices—(1) When reports must be filed.* A report of a maximum price computed under paragraph (b) must be filed within 10 days after a manufacturer receives orders totaling \$25 or more for the item being priced. A report of a recomputation of a maximum price under paragraph (c) must be filed within the time specified in paragraph (c). Reports shall be filed with the Office of Price Administration, Washington, D. C., upon a copy of Form No. 696-2341 contained in Appendix C, and shall set forth all the information required by that form.

(2) *Sales pending approval of maximum prices.* After a report is required, a manufacturer may not accept further payments until the required report is filed. Pending approval of a maximum price for which a report is required, orders may be accepted and invoices issued at the proposed maximum price, but a notification that the proposed price is subject to the approval of the Office of Price Administration must appear on all quotations and invoices. If the price approved by the Office of Price Administration is less than that set forth in the invoices required to carry such notification, all such invoices which have been issued must be changed to the approved maximum price and if payments in excess of the approved maximum price have been collected, refunds must be made.

(3) *Approval of reported prices.* The Office of Price Administration may approve or disapprove proposed maximum prices or may approve a maximum price that differs from the proposed maximum price but which is consistent with the level of maximum prices fixed by this regulation. The proposed maximum price, however, shall be deemed to be approved unless within 15 days after the mailing of the report (or within 15 days after the mailing of all additional information which may have been requested), the Office of Price Administration notifies the manufacturer that his proposed maximum price has not been approved or that action thereon has been deferred pending receipt of further information. The Office of Price Administration may at any time adjust an approved maximum price (not to apply retroactively) so as to make it consistent with the level of prices otherwise established by the regulation.

**Sec. 7. Maximum distributors' prices for rubber drug sundries—(a) Applicability.** This section applies to sales of rubber drug sundries by distributors. A "distributor" is defined in paragraph (a) (1) of section 3.

(b) *Maximum prices for rubber drug sundries listed in Appendix B.* The maximum distributors' prices for rubber

drug sundries which are listed in Appendix B shall be the prices for such rubber drug sundries set forth in that appendix. The distributor shall file the same report as that required of manufacturers by section 4 (b).

(c) *Maximum prices for rubber drug sundries not listed in Appendix B.* The maximum distributors' price for a rubber drug sundry not listed in Appendix B shall be determined as follows: The distributor shall multiply the purchase price (determined in accordance with subparagraph (1) below) of the commodity being priced by the percentage (determined in accordance with subparagraph (2) below) which he used in pricing a rubber drug sundry which he sold on December 1, 1941.

(1) The purchase price shall be the net invoiced cost before cash discounts, not to exceed the applicable maximum price. If actual cost is not available, the distributor shall use the net invoiced cost before cash discounts as estimated by his supplier, not to exceed the maximum price. If the invoiced cost is not on a delivered basis, the distributor shall add actual cost of transportation to his place of business.

(2) The percentage which the distributor must use shall be determined as follows:

(i) The distributor shall use, in determining this percentage, the first applicable of the following rubber drug sundries, which he offered for sale on December 1, 1941, and which he purchased from the same class of seller.

(a) The rubber drug sundry which is identical to the rubber drug sundry being priced.

(b) The rubber drug sundry which is the same as the rubber drug sundry being priced, except for differences which do not result in a change in the price at which the distributor purchases the article.

(c) The rubber drug sundry which has the same use as the rubber drug sundry being priced. If there is more than one rubber drug sundry which has the same use as the rubber drug sundry being priced, the distributor shall use that one of those rubber drug sundries which is most like the rubber drug sundry being priced in design, construction, and the price line in which it is sold.

(ii) The distributor should then determine the price at which on December 1, 1941, he was offering to sell that rubber drug sundry to a purchaser of the same class as the person to whom he is selling the rubber drug sundry being priced.

(iii) The distributor should then determine the percentage by dividing this selling price by the purchase price of the rubber drug sundry selected in accordance with the provisions of subparagraph (1).

(d) *Exception.* This paragraph (d) is applicable to any rubber drug sundry listed in paragraph (h) of Appendix A which is the same as a rubber drug sundry offered for sale by the distributor on January 1, 1941. Notwithstanding any other provisions of this section, if the price the distributor had in effect on January 1, 1941, for such rubber drug

sundry was higher than the price determined in accordance with the preceding provisions of this section, the maximum price for that rubber drug sundry shall be the price the distributor had in effect to a purchaser of the same class on January 1, 1941.

**Sec. 8. Maximum prices; specific authorization—(a) Applicability.** This section is applicable to sales by manufacturers or distributors of any rubber drug sundry which cannot be priced under sections 4, 5, 6, or 7 of this regulation.

(b) *Reports.* The seller may request a price for one or more commodities or a method for determining the maximum prices of a class of commodities. A seller who seeks a maximum price under this section shall file with the Office of Price Administration, Washington, D. C., an application setting forth:

(1) A description in detail of the rubber drug sundry or class of rubber drug sundries for which a maximum price or a price determining method is sought (including the manufacturing process);

(2) A statement of the facts which make it necessary for the seller to establish the maximum price under this section;

(3) The proposed maximum price or pricing method;

(4) The current estimated direct labor, direct materials, factory overhead and total costs of producing the rubber drug sundry in the case of a manufacturer, and the current purchase price in the case of a distributor; and

(5) A statement of the reasons why the seller believes that the proposed price is in line with the level of maximum prices established by this regulation.

(c) *Maximum prices.* After receipt of this application the Office of Price Administration will establish in writing a maximum price or a method of determining the maximum price for the rubber drug sundry for which a price authorization is sought. The maximum price thus established shall be a price consistent with the level of maximum prices established by this regulation. Until the seller receives this authorization he shall not receive payment for the rubber drug sundry being priced.

**SEC. 9. Fractions of a cent.** Notwithstanding any other provisions of this regulation, maximum prices determined under this regulation shall be adjusted to the nearest fraction of a cent that the manufacturer or distributor customarily used on December 1, 1941, in pricing rubber drug sundries in the same line.

**SEC. 10. Terms and conditions of sale—(a) Discounts and allowances.** No seller shall change the allowances, discounts, or other price differentials which he had in effect during the base period, for the same or similar rubber drug sundries if such change results in a higher net price.

(b) *Transportation charges.* No manufacturer shall require any purchaser, and no purchaser shall be permitted, to pay a larger proportion of transportation costs incurred in the delivery of rubber drug sundries, than the seller required purchasers of the same class to pay

during December 1941 on deliveries of the same or similar commodities.

(c) *Credit charges.* Charges for the extension of credit may be added to the maximum prices established by this regulation if: (1) the seller on December 1, 1941, required payment of a separately stated additional charge for the extension of credit by purchasers of the same class on sales of rubber drug sundries; (2) the amount charged for the extension of credit is not in excess of the charge in effect on December 1, 1941, for the extension of credit involving the same amount and term on sales of rubber drug sundries; and (3) such charges are quoted and billed separately. No seller may require as a condition of sale that the purchaser must buy on credit.

**SEC. 11. Adjustable pricing.** If the seller wishes, he may agree with the buyer to charge a price higher than the maximum price permitted by this regulation if that higher price becomes the legal maximum price by the time delivery is made. But he may not charge a price which is higher than the maximum price in effect at the time of delivery unless (1) he has filed an application for adjustment under section 13; or (2) he is specifically authorized to do so by the Office of Price Administration. Under the provisions of section 13 he may deliver at a price to be adjusted upward in accordance with the action taken by the Office of Price Administration on his application for adjustment. Also, upon request by a seller, the Office of Price Administration may authorize the seller to deliver at a price which may be adjusted upward after delivery in accordance with action taken by the Office of Price Administration. This authorization will be given only where: (1) a request for a change in the applicable price is pending; (2) authorization is necessary to promote distribution or production; and (3) it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended.

**SEC. 12. Notification—(a) Notification of price charged.** Every manufacturer and distributor shall give each person purchasing rubber drug sundries from him an invoice showing the date of the transaction and the price charged for each type, brand and grade of rubber drug sundries sold.

(b) *Notification of maximum retail and wholesale prices of rubber drug sundries.* Every manufacturer and distributor of rubber drug sundries shall notify his customers of the maximum wholesale and retail prices as set forth in subparagraphs (1) and (2) of this paragraph. This requirement is not applicable to sales of rubber drug sundries to a distributor or to a manufacturer who only finishes, assembles, or packages rubber drug sundries or does any combination of these functions. In such cases, such purchasers are required to give the notification required by subparagraphs (1) and (2).

(1) *Notification to wholesalers.* Before or at the time of the first delivery of any rubber drug sundry to a wholesaler, other than a dental, surgical, or hospital supply house, after April 23, 1945, the manufacturer or distributor

shall notify the wholesaler of the maximum price of that article. This notification shall include the brand and the type or description of the rubber drug sundry and the maximum wholesale price applicable thereto. For such rubber drug sundries of a type that are sold at retail, this notification shall include also the maximum retail price and a statement that the wholesaler is required by Revised Maximum Price Regulation No. 301 to notify any retailer to whom he sells that rubber drug sundry of the maximum retail price, unless the manufacturer or distributor has marked the rubber drug sundry or the unit of sale container in which it is sold at retail with the maximum retail price.

(2) *Method by which the manufacturer or distributor calculates the maximum retail and wholesale price for notification to wholesalers.* The manufacturer or distributor shall determine the maximum retail and wholesale price as follows:

(i) For rubber drug sundries listed in Table I of Appendix B of Revised Maximum Price Regulation No. 301, the applicable maximum prices shall be those listed in such tables;

(ii) For other rubber drug sundries, the manufacturer or distributor shall first calculate the base price. This price is his maximum price for the sale of the rubber drug sundry in question to that class of wholesalers to which he sold the largest volume of rubber drug sundries during the calendar year 1942. The manufacturer or distributor will then calculate the maximum retail and wholesale price by multiplying the base price by the percentages shown in the following table:

	Percentage by which the manufacturer's or distributor's base price to be multiplied
To determine maximum wholesale prices, other than for a dental, surgical, or hospital supply house.....	133½
To determine maximum retail prices, except for a mail-order house.....	233½

a. Whenever the retail price, calculated in this manner, results in a price which is less than 5 cents, the maximum retail price shall be 5 cents. This rule shall not be used for those multiples of a commodity which are normally sold by retailers at a price which, when figured on a unit basis, is lower than the price per unit charged by them when they sell the commodity singly. For example, if the retail price for a particular nipple, calculated in the manner set forth in the text, is 3½ cents each and retailers normally sell that nipple at 5 cents each and three for 10 cents, the maximum retail price would be 5 cents each and three for 10 cents.

b. Whenever the retail price, calculated in the manner set forth in the text, results in a price which is 5 cents or over and involves a fractional cent, the maximum retail price shall be the nearest cent.

(3) *Notification to retailers, other than mail-order houses.* Before or at the time of the first delivery of any rubber drug sundry to a retailer after April 9, 1945, the manufacturer or distributor shall notify the retailer of the maximum retail price of that article unless the manufacturer or distributor has marked the maximum retail price on the rubber drug

sundry or on the unit of sale container in which it is sold at retail. This notification shall include the brand and the type or description of the rubber drug sundry and the maximum retail price applicable thereto. The notification required by this subparagraph shall also be given to dental, surgical, and hospital supply houses.

(4) *Method by which the manufacturer or distributor determines the maximum retail price for notification to retailers.* The manufacturer or distributor shall determine the maximum retail price as follows:

(i) *Rubber drug sundries listed in Table I, Appendix B of Revised Maximum Price Regulation No. 301.* For rubber drug sundries listed in Table I of Appendix B of Revised Maximum Price Regulation No. 301, the maximum retail price shall be the maximum price listed in such table.

(ii) *Rubber drug sundries for which the manufacturer or distributor can calculate a maximum wholesale price.* The manufacturer or distributor shall calculate the maximum retail prices of those rubber drug sundries for which he can calculate a maximum wholesale price in accordance with the provisions of sections 5, 6, or 7 of this regulation as follows:

The manufacturer or distributor shall first calculate the base price. This price is his maximum price for the sale of the rubber drug sundry in question to that class of wholesalers to which he sold the largest volume of rubber drug sundries during the calendar year 1942. The manufacturer or distributor will then calculate the maximum retail price by multiplying the base price by 233½ percent.

(iii) *Rubber drug sundries for which the manufacturer or distributor cannot calculate a maximum wholesale price.* The manufacturer or distributor shall calculate the maximum retail prices of those rubber drug sundries for which he cannot determine a maximum wholesale price in accordance with the provisions of sections 5, 6, or 7 of this regulation as follows:

The manufacturer or distributor shall first calculate the base price. This price is his maximum price for the sale of the rubber drug sundry in question to that class of retailers to which he sold the largest volume of rubber drug sundries during the calendar year 1942. The manufacturer or distributor will then calculate the maximum retail price by multiplying the base price by 210 percent.

(5) *Rubber drug sundries to which this paragraph is not applicable.* Anything in this paragraph (b) to the contrary notwithstanding, paragraph (b) is not applicable to the types of rubber drug sundries listed in paragraph (h) of Appendix A.

(c) *Notification to mail-order houses of the prices to be used by the mail-order house as a basis for determining its maximum prices for rubber drug sundries, other than those listed in Table I, Appendix B of Revised Maximum Price Regulation 301.* Before or at the time of the first delivery of any rubber drug sundry, other than those listed in Table I,

Appendix B of Revised Maximum Price Regulation 301, except those listed in paragraph (h) of Appendix A, to a mail-order house, the manufacturer or distributor shall notify the purchaser of the price that the purchaser must use as a basis for determining his maximum price. This figure is the manufacturer's or distributor's maximum price for a sale of the particular rubber drug sundry to that class of sellers at wholesale which during the calendar year 1942 purchased the largest quantity of rubber drug sundries from the manufacturer or distributor. If the manufacturer or distributor cannot calculate the maximum wholesale price of the rubber drug sundry in question in accordance with the provisions of sections 5, 6, or 7 of this regulation, the manufacturer or distributor shall notify the mail-order house of the manufacturer's maximum price to the class of sellers at retail which during the calendar year 1942 purchased the largest quantity of rubber drug sundries from the manufacturer.

#### ARTICLE III—MISCELLANEOUS

SEC. 13. *Applications for adjustments*—(a) *Application by a manufacturer that is not based upon a proper decrease of other prices*—(1) *Who may receive an adjustment.* The manufacturer's maximum price for rubber drug sundries established by this regulation may be adjusted in the case of an essential producer of an essential rubber drug sundry. An "essential rubber drug sundry" is one which contributes to the effective prosecution of the war. An "essential producer" is one whose output of rubber drug sundries cannot be reasonably expected to be replaced at prices lower than the proposed adjusted maximum price. In addition, any person who has entered into or proposes to enter into a war contract (as defined in subparagraph (5)) or a subcontract thereunder, is an essential producer of rubber drug sundries.

(2) *When adjustments may be granted*—(i) *In general.* The Office of Price Administration, any regional office, or such other offices as may be authorized by order issued by the appropriate regional office, may adjust the maximum price in the case of an essential producer of an essential rubber drug sundry upon the basis of information submitted by the manufacturer or of other information. It may make that adjustment whenever it finds that the maximum price of a commodity is at such a level that (taking into account the costs thereof, the profits position of the manufacturer, and the nature of his business) production of the commodity is impeded or threatened and that the adjustment would not cause an increase in the cost of living.

(ii) *Factors which may be considered.* (a) The following factors are relevant to consideration of whether production of the commodity is impeded or threatened:

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

the current total unit costs of the commodity.

(2) Whether, and by what amount, the manufacturer's current over-all profits, before income and excess profit taxes, are greater or less than his average over-all profits during the normal base period, increased by 7 percent of the additional capital investment contributed entirely by the manufacturer, or its stockholders, since the normal base period. Capital investment will be construed as including accumulated profits.

(3) Whether the proposed price is higher than the price prevailing in the industry.

(4) Whether the manufacturer's sales of the commodity represent only a very small part of his total sales.

(5) Whether the manufacturer previously sold the commodity, or a commodity of the same type, at a price which was below its total unit costs.

(b) The following factors are relevant to consideration of whether the adjustment would cause an increase in the cost of living:

(1) Whether the rubber drug sundry or a commodity in the production of which it is used, is of a type sold to civilian consumers other than industrial consumers.

(2) If such is the case, whether the increase in price allowed by the adjustment would be absorbed prior to sale to a non-industrial consumer.

(3) Whether, if the applicant did not produce the rubber drug sundry, his output would be replaced by the same or a substitute commodity at prices equal to or higher than the proposed adjusted maximum price.

(3) *How the manufacturer proceeds in applying for an adjustment*—(i) *In general.* An application for adjustment under this paragraph (a) shall be filed in accordance with Revised Procedural Regulation No. 1 and shall be made on a copy of Form OPA 696-2342 set out in Appendix D of this regulation. Although there are no printed copies of this form, copies of this regulation which contain this form and the instructions for completing it may be obtained from any district, state or regional office of the Office of Price Administration. If the manufacturer's total sales in the calendar year 1942, or in the fiscal year ending in 1942, exceeded \$500,000, the application shall be filed with the Office of Price Administration, Washington, D. C. If the manufacturer's total sales during that period did not exceed \$500,000, the application shall be filed with the regional office of the Office of Price Administration located in the same region in which the manufacturer's business is located.

(ii) *Application based on proposed wage or salary increase to be authorized by the National War Labor Board.* A manufacturer who believes that the conditions for an adjustment set forth in this paragraph (a) would exist if the National War Labor Board should grant a pending application for wage or salary increase, may file an application for adjustment under this paragraph. Applications for adjustment of maximum prices based on wage or salary increases requiring approval of the National War

Labor Board must also comply with Supplementary Order No. 28, which requires, among other things, that an application for adjustment in such case be filed within 15 days after an application for a wage or salary adjustment has been filed with the National War Labor Board, or, in a disputed wage proceeding, within 15 days after the employer receives notification that the National War Labor Board has taken jurisdiction of the dispute.

(4) *Prices for deliveries made pending disposition of the application.* A manufacturer who has filed an application under this paragraph (a) may contract or agree that deliveries made during the pendency of the application shall be at a specific price which is higher than the existing maximum price which the manufacturer wants to have adjusted. But no payment in excess of that existing maximum price may be received until the application is finally disposed of, and at that time the price received may not exceed the maximum price as determined by the Office of Price Administration.

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

(i) The maximum price for the commodity;

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

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

(5) *Definitions*—(i) *Normal base period.* The term "normal base period" means the period 1936-1939. If the applicant believes that the period 1936-1939 is not a normal base period for him he shall state why he believes it is not and shall designate another period which he believes is normal and the reasons therefor. If the Office of Price Administration finds either that the entire industry of which the applicant is a part was operating during the greater part of the period 1936-1939 at an unusually depressed level, or that because of unusual conditions prevailing during that period, the applicant's plant was operating at an unusually depressed level in comparison to other plants in the industry, and in addition that some other period prior to January 1, 1941, is a normal base period, such other period may be considered. The mere fact that the rate of production has increased since 1936-1939 will not be deemed evidence that production during that period was at an "unusually depressed level." If the manufacturer was not in business prior to January 1, 1941, he shall state that fact in his application.

(ii) *Over-all profits.* The term "over-all profits" means net profit resulting from the operation of all divisions of the manufacturer before the creation of any reserves, except ordinary reserves for depreciation and bad debts, and before income and excess profit taxes. Where affiliated interests exist, the term "over-all profits" means the consolidated net profit before the creation of any reserves, except ordinary reserves for deprecia-

tion and bad debts, and before income and excess profit taxes.

(iii) *Subcontract.* The term "subcontract" means any purchase, order, or agreement to perform all or any part of the work, or to make or furnish any commodity, required for the performance of another contract or subcontract.

(iv) *Total unit costs.* The term "total unit costs" means the direct unit cost of labor, materials, and subcontracted services, plus a proportion of factory overhead, administrative, and other expenses, based on actual operating experience, properly allocable to the production of the commodity, but does not include provisions for income or excess profit taxes. In evaluating total unit costs, the Office of Price Administration will determine whether the allocation of factory overhead, administrative and other expenses is based on a representative period of continuous, normal production.

(v) *War contract.* The term "war contract" means any contract with the United States, or any agency thereof, or with the government, or any agency thereof, of any country whose defense the President deems vital to the defense of the United States, under the terms of the Lend-Lease Act, for the sale of rubber commodities purchased (a) for the ultimate use of the armed forces of the United States or for lend-lease purposes, or (b) by any government (or agency thereof) of any country whose defense the President deems vital to the defense of the United States under the terms of the Lend-Lease Act, or (c) for use in the production or manufacture of any commodity described in (a) or (b).

(b) *Application by a manufacturer based upon an appropriate decrease of other prices*—(1) *Who may receive an adjustment under this paragraph.* Adjustments under this paragraph will be granted only in the case of an essential producer of an essential rubber drug sundry. The meaning of these terms is explained in paragraph (a) (1) of this section.

(2) *When adjustment may be granted.* The Office of Price Administration, any regional office, or such other offices as may be authorized by order issued by the appropriate regional office, may make an adjustment of the maximum price in any case in which the manufacturer agrees to make and (simultaneously with any increase in the maximum price that may be authorized under this paragraph (b)) makes a reduction in the selling price of other commodities which will equal or exceed the total dollar amount of the adjustment granted under this paragraph.

(3) *What an application under this paragraph must show.* An application for price adjustment under this paragraph (b) shall contain information indicating that the manufacturer is an essential producer of an essential rubber drug sundry and that if the proposed adjustment is granted, the gross dollar amount of sales of the commodities affected by the adjustment will not be greater than it would have been in the absence of the adjustment. In any case, where such an adjustment is granted,

the Office of Price Administration will require appropriate reports relating to the commodities affected.

(4) *How the manufacturer proceeds in applying for an adjustment.* An application for an adjustment under this paragraph (b) shall be filed in accordance with Revised Procedural Regulation No. 1. If the manufacturer's total sales for the calendar year 1942, or for the fiscal year ending in 1942, exceeded \$500,000, the application shall be filed with the Office of Price Administration, Washington, D. C. If the manufacturer's total sales during that period did not exceed \$500,000, the application shall be filed with the regional office of the Office of Price Administration located in the same region that the applicant's business is located.

(c) *Application by a manufacturer under a combination of both paragraphs (a) and (b).* A manufacturer who desires to apply for an adjustment under paragraph (b) may, at the time he applies under that paragraph, also apply under paragraph (a), if the facts of his case entitled him to do so. In such case, the office considering his application will give the adjustment available under paragraph (a) before applying paragraph (b).

(d) *Procedural Regulation No. 6, superseded.* No application for adjustment filed under Procedural Regulation No. 6 by a manufacturer after June 15, 1944, with respect to rubber drug sundries will be granted.

(e) *Adjustment for sales by distributors.* The maximum price for sales of rubber drug sundries by distributors may be adjusted in an order issued under this section.

SEC. 14. *Petitions for Amendment.* Any person seeking a modification of any provision of this Revised Maximum Price Regulation No. 300 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

SEC. 15. *Records.* To aid in the enforcement of this regulation the following records are required 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:

(a) *Records of sales.* Every manufacturer and distributor engaged in the business of selling rubber drug sundries shall keep for inspection by the Office of Price Administration complete and accurate records of every sale of rubber drug sundries, including:

(1) The date thereof; (2) the name and address of the buyer; (3) The quantity of each class, kind, type, condition, and grade of rubber drug sundries sold; and (4) the price per unit received.

(b) *Records of the bases on which maximum prices are determined.* Every manufacturer and distributor subject to the provisions of this Revised Maximum Price Regulation No. 300 shall keep for inspection by the Office of Price Administration, in addition to the records required by paragraph (a) of this section, complete and accurate records of the following:

(1) Published price lists, discount sheets and all other regularly quoted prices in effect on December 1, 1941.

(2) For those rubber drug sundries for which there were no published price lists or other regularly quoted prices in effect on December 1, 1941, the highest price at which he delivered or if he did not deliver, at which he offered to deliver, each of those rubber drug sundries during the period July 1 to December 1, 1941, inclusive.

(3) In the case of manufacturers, labor rates, materials prices and waste and factory overhead rates that he had in effect on December 1, 1941.

(4) Detailed cost estimate sheets and other data showing the calculations of prices of all rubber drug sundries sold or delivered after January 31, 1943, for which the maximum price must be determined in accordance with the provisions of sections 6 or 7 of this regulation.

(c) *Records of notifications of maximum prices given to wholesalers and retailers.* Every manufacturer and distributor subject to the provisions of this Revised Maximum Price Regulation 300 shall keep for inspection by the Office of Price Administration, in addition to the records required by paragraphs (a) and (b) of this section, exact copies of all notifications of maximum prices given to purchasers.

**Sec. 16. Reports.** Every manufacturer and distributor subject to the provisions of this Revised Maximum Price Regulation No. 300 shall file, if he has not already done so, with the Office of Price Administration, Washington, D. C., on or before May 8, 1945, a report stating the maximum prices established by this Revised Maximum Price Regulation No. 300 for all rubber drug sundries, other than those listed in Appendix B, which he was producing on February 1, 1943, the method by which he determined those maximum prices, and the discounts, allowances, and other price differentials in effect on December 1, 1941.

**Sec. 17. Federal and State taxes.** Any tax upon, or incident to, the sale, delivery, or processing of rubber drug sundries imposed by any statute of the United States or statute or ordinance of any State or subdivision thereof shall be treated as follows in determining the seller's maximum price: If the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased. The tax on the transportation of all property imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable price of any rubber drug sundry, be treated as though it were an increase of 3 percent in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated

as a tax for which a charge may be made in addition to the maximum price.

**Sec. 18. Transfers of business or stock in trade.** If the business, assets, or stock in trade are sold or otherwise transferred after January 31, 1943, and the transferee carries on the business or continues to deal in the same type of commodities, in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over, to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions of this regulation.

**Sec. 19. Compliance.—(a) Prices which may be charged.** On and after April 23, 1945, regardless of any contract or other obligation, no manufacturer or distributor shall sell or deliver, and no person shall buy or receive in the course of trade or business any rubber drug sundry at a price higher than the maximum price fixed by this regulation. No person shall agree, offer, solicit, or attempt to do any of the foregoing. Lower prices may, of course, be charged.

(b) *Evasion.* The price limitations set forth in this Revised Maximum Price Regulation No. 300 shall not be evaded whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase of or relating to rubber drug sundries, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying-agreement or other trade understanding, or otherwise.

(c) *Enforcement.* Persons violating any provision of this Revised Maximum Price Regulation No. 300 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided by the Emergency Price Control Act of 1942, as amended.

**Sec. 20. 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.

#### APPENDIX A—RUBBER DRUG SUNDRIES COVERED BY THE REGULATION

When used in this Revised Maximum Price Regulation 300 the term "rubber drug sundries" means the articles listed in paragraphs (a) to (j), inclusive, of this section, when made in whole or in part of rubber, but does not include the articles listed in paragraph (k) of this section.

**NOTE:** Many of the items included in this list are not permitted to be produced out of crude, latex, synthetic, reclaimed or scrap rubber by the War Production Board.

- (a) Water bottles, ice bags, syringes and other flat goods, including but not limited to:  
Air cushions  
Bedpans  
Combination syringes  
Face and baby bottles  
Fountain syringes  
Hot water bottles  
Ice bags and caps  
Invalid rings and cushions
- (b) The following baby supplies:  
Breast pumps  
Breast shields  
Feeding nipples  
Infant bottle combinations  
Nipple shields  
Nursery bottle caps  
Pacifiers  
Teething rings
- (c) Rubber tubing, stopples, and irrigators for medical, surgical, dental, mortuary, veterinary and laboratory purposes, including but not limited to:  
Catheters  
Irrigators  
Rubber policemen  
Stopples  
Tubes and tubing
- (d) The following dental supplies:  
Dental dams  
Dental separating strips and mouth props  
Orthodontia bands  
Plaster bowls  
Rubber denture, denture suction and model formers
- (e) Bulbs and bulb goods for medical, surgical, dental, mortuary, veterinary and laboratory purposes, including but not limited to:  
Atomizers  
Bulb syringes  
Cautery bulb sets  
Chip blower bulbs  
Household bulb syringes  
Pulitzer syringes  
Sinus bulb sets  
Spray douches
- (f) Rubber gloves and finger cots, including but not limited to:  
Autopsy and mortuary gloves  
Household gloves and cots  
Industrial gloves and cots  
Medical and surgical gloves and cots  
Obstetrical gloves and sleeves
- (g) The following hospital and surgical supplies:  
Air mattresses and pillows  
Obstetricians' aprons  
Operating cushions  
Patients' bibs and throws  
Surgeons' aprons  
Urologists' aprons
- (h) Prophylactics and other devices for the prevention of disease, including but not limited to:  
Diaphragms  
Fitting rings  
Pessaries  
Prophylactics  
Vaginal applicators
- (i) Hard rubber goods for medical, surgical, dental, veterinary, mortuary and laboratory equipment and parts, including but not limited to:  
Stoppers  
Syringes  
Tubes, pipes, connections and accessories
- (j) The following miscellaneous rubber articles and rubber parts:  
Acid bottles, rubber  
Blood pressure bags, bulbs and tubing  
Blood transfusion connectors  
Brain surgery caps  
Caps and closures  
Colonic bags  
Colostomy outfits  
Crutch parts

TABLE II—MINIMUM PHYSICAL SPECIFICATIONS FOR CERTAIN RUBBER DRUG SUNDRIES<sup>1</sup>

Items	Minimum tensile strength (per sq. in.) on day of manufacture	Minimum ultimate elongation (per cent) on day of manufacture	Minimum tensile strength (per sq. in.) after boiling	Resistance to heat (%) <sup>2</sup>	Minimum wall thickness (in.)
Hot water bottles: Hospital Grade (cloth inserted 2 quart)			(7)		0.020
Hospital Grade (molded)	1,250	500	600	80	0.028
Consumer Grade I or II	900	500	400	75	0.025
Combination syringes (molded)	1,250	500	600	80	0.028
Hospital Grade I or II	900	500	400	75	0.025
Fountain syringes (molded)	900	500	350	75	0.025
Hospital Grade I or II	800	500	350	75	0.025
Ice caps and bags (molded)	900	500	350	75	0.025
Invalid rings (molded)	900	500	350	75	0.025
Invalid rings (cloth inserted)	900	500	350	75	0.025
Tubing for combination syringes (4 3/8" lengths)	500	250			0.030

<sup>1</sup> Testing and sampling shall be done by the methods provided by Federal Specifications ZZ-R-601, ZZ-B-581, ZZ-B-586, ZZ-1-121, ZZ-C-796, and ZZ-C-791 and all emergency specifications.  
<sup>2</sup> After 6 days in boiling water and 24 hours after removal in the case of hospital grade bottles, and after 4 days in boiling water and 24 hours after removal in the case of consumer grade bottles and combination syringes.  
<sup>3</sup> Percent of original tensile strength after 7 days in air at 158° F. and 24 hours after removal.  
<sup>4</sup> The article shall withstand a compressed oxygen test ("bomb" test) for 10 days at 48 to 52 pounds pressure per square inch and at a temperature of 70° C. without becoming significantly softer or stiffer than the original, shall not be tacky, and shall show no other change which might adversely affect its serviceability.  
<sup>5</sup> After boiling in water for 6 continuous days, the bottle shall be free from blisters and other defects which might affect its serviceability.  
<sup>6</sup> This includes all civilian bottles whose maximum prices to wholesalers are \$0.45 each, or higher.  
<sup>7</sup> This includes all bottles whose maximum prices to wholesalers are less than \$0.48 per each.  
<sup>8</sup> This includes all civilian combination syringes bearing the same brand names as the hot water bottles which must meet the specifications for hospital grade hot water bottles.  
<sup>9</sup> This includes all combination syringes bearing the same brand names as the hot water bottles which must meet the specifications for hospital grade hot water bottles.  
<sup>10</sup> This includes all fountain syringes bearing the same brand names as the hot water bottles which must meet the specifications for Consumer Grade I and II hot water bottles.

TABLE I—MAXIMUM MANUFACTURERS' AND DISTRIBUTORS' PRICES FOR CERTAIN RUBBER DRUG SUNDRIES<sup>1</sup>

Items	Maximum prices for sales by manufacturers and distributors	
	To wholesalers <sup>2</sup>	To mass retail-ers <sup>3</sup>
Hot water bottles: Hospital Grade (cloth inserted 2 quart)	\$1.13	\$0.61
Hospital Grade (molded)	.55	.47
Consumer Grade I or II	.47	.43
Fountain Syringes (molded) equipped with 4 3/8" regular flow tubing, stopper, shut-off and screw socket:		
Hospital grade:		
Group I attachments	.57	.63
Group II attachments	.62	.69
Group III attachments	.82	.91
Consumer Grade I:		
Group I attachments	.49	.54
Group II attachments	.60	.69
Group III attachments	.73	.81
Consumer Grade II:		
Group I attachments	.41	.45
Group II attachments	.46	.50
Group III attachments	.65	.72
Combination syringes (molded) equipped with 4 3/8" regular flow tubing, stopper, shut-off, and screw socket:		
Hospital Grade:		
Group I attachments	.70	.77
Group II attachments	.76	.83
Group III attachments	.95	1.03
Consumer Grade I:		
Group I attachments	.61	.68
Group II attachments	.66	.74
Group III attachments	.85	.93
Consumer Grade II:		
Group I attachments	.53	.58
Group II attachments	.63	.69
Group III attachments	.77	.84
Combination syringe attachment sets—to include 4 3/8" regular flow tubing, stopper, shut-off, and screw sockets:		
Group I attachments	.15	.17
Group II attachments	.20	.22
Group III attachments	.40	.44
Ice Caps (molded)	.48	.53
Invalid rings and cushions (molded—all rubber):		
Size 12 inches	1.05	1.20
Size 14 inches	1.17	1.30
Size 16 inches	1.30	1.44
Size 18 inches	1.55	1.72
Invalid rings and cushions (cloth inserted):		
Size 12 inches	1.26	1.40
Size 14 inches	1.32	1.47
Size 16 inches	1.61	1.61
Size 18 inches	1.71	1.90

<sup>1</sup> These maximum prices are subject to the terms and conditions set forth in section 10.  
<sup>2</sup> "Wholesaler" means any seller at wholesale and includes dental, surgical, and hospital supply houses.  
<sup>3</sup> "Mass retail-ers" means any seller at retail who is not a mass retailer.  
<sup>4</sup> "Hospital Grade" hot water bottle is one that bears a brand name which the manufacturer or distributor placed on bottles whose maximum net price on December 1, 1941, for sales to wholesalers was from \$0.45 to \$0.55. "Net price," as used in this footnote, means the lowest net price arrived at after deducting all discounts except cash discounts. The manufacturer or distributor is required to report the brand name he uses for the Hospital Grade hot water bottles in accordance with the provisions of section 4 (b) or 7 (b).  
<sup>5</sup> A brand name which the manufacturer or distributor placed on bottles that he sold on or after November 1, 1941, which either bore a different brand name on January 18, 1943, or which was not used by the manufacturer or distributor on December 1, 1941, if such written permission to classify a brand name as Consumer Grade I was given under Maximum Price Regulation 300 between February 1, 1943 and January 1, 1945, such brand name shall continue to be classified as Consumer Grade I. "Net price," as used in this footnote, means the lowest net price arrived at after deducting all discounts except cash discounts. The term "Consumer Grade II" hot water bottle is defined in footnote 7. The manufacturer or distributor is required to report the brand name he uses for Consumer Grade I hot water bottles in accordance with the provisions of section 4 (b) or 7 (b).  
<sup>6</sup> A "Consumer Grade II" hot water bottle is one which cannot meet the requirements for a Consumer Grade I hot water bottle set forth in the preceding footnote 6. The manufacturer or distributor is required to report the brand name he uses for Consumer Grade II bottles in accordance with the provisions of section 4 (b) or 7 (b). Once a brand name has been reported for use on a Consumer Grade II bottle, bottles bearing that brand name may not be sold at a price in excess of the Consumer Grade II maximum price.  
<sup>7</sup> "Group I attachments" consist of 2 slip pipes, adult rectal and vaginal, consist of 2 screw pipes, adult rectal and vaginal plus screw pipe connections.  
<sup>8</sup> "Group II attachments" consist of 3 screw pipes, infant rectal, adult rectal, and balloon vaginal plus screw pipe connections.  
<sup>9</sup> If a fountain or combination syringe (or attachment set) includes an accessory which is not listed in this table, the maximum price for the syringe (or attachment set) shall be determined by adding to the maximum price listed for the syringe or attachment set without that accessory the maximum price of the unlisted accessory. The maximum price of the unlisted accessory shall be determined under sections 5 to 8, whichever is first applicable.  
<sup>10</sup> Specifications. The specifications listed in Table I shall apply to all hot water bottles, fountain syringes, combination syringes, ice caps, invalid rings and tubing for combination syringes whose maximum prices are established under this regulation.

APPENDIX B—MAXIMUM MANUFACTURERS' AND DISTRIBUTORS' PRICES FOR CERTAIN RUBBER DRUG SUNDRIES

Items	Maximum prices for sales by manufacturers and distributors
	To mass retail-ers <sup>3</sup>
Dilators	
Cushions—ear, elbow and heel	
Evacuators	
Foot appliances and parts—corrective, rubber	
Funnels, rubber	
Hagner bags	
Inhalation bags and face pieces (medical, surgical, dental, veterinary and laboratory)	
Insufflators	
Intravenous connectors	
Medicine droppers and bulbs	
Microscope covers	
Orsat bags	
Orthopedic pads and parts, rubber	
Parts for medical, surgical, veterinary and mortuary instruments	
Parts for acoustic aids	
Prostatic bags	
Prosthetic devices and parts, rubber	
Rubber bands and cushions for artificial limbs	
Rubber suppositories	
Sinus pads and bags	
Spatulas, rubber	
Spint cushions	
Thermapeutic applicators	
Thermometer cases, rubber	
Tourniquets	
Truss parts	
Umbilical belts	
Urinals, individual wear	
Veterinary sleeves	
X-ray sheets, gloves, aprons and cooling hose	
All other rubber articles and parts for medical, surgical, orthopedic, pharmaceutical and laboratory purposes, provided that rubber is the component material of chief weight.	

(k) The term "rubber drug sundries" does not include the following articles:  
 Adhesive tape  
 Medicated footpads and plasters  
 Sanitary belts  
 Supporters (men's athletic)  
 Surgical elastic bandages  
 Surgical elastic supports  
 Surgical stockings  
 Surgical tape  
 Suspensories  
 Trusses

APPENDIX C—MAXIMUM MANUFACTURERS' AND DISTRIBUTORS' PRICES FOR CERTAIN RUBBER DRUG SUNDRIES

Items	Maximum prices for sales by manufacturers and distributors
	To mass retail-ers <sup>3</sup>
(a) Certain flat goods—(1) Maximum prices. The maximum prices for sales by manufacturers and distributors of the rubber drug sundries listed in Table I and when made of natural rubber or buna-S (GR-S) shall be the prices listed in that table. The specifications of the items priced in Table I will be found in subparagraph (2) of this paragraph.	

(2) Specifications. The specifications listed in Table I shall apply to all hot water bottles, fountain syringes, combination syringes, ice caps, invalid rings and tubing for combination syringes whose maximum prices are established under this regulation.

(3) *Seconds.* The maximum price for a factory second or a rubber drug sundry listed in Table II which does not meet the minimum specifications set forth in that table shall be 75 percent of the price in Table I for a sale of the same type of rubber drug sundry to the same class of purchasers.

(b) *Glass molded neoprene surgical tubing.*

(1) *Applicability.* This paragraph is applicable to sales by manufacturers and distributors of neoprene glass molded surgical tubing which can meet Federal Specifications E-ZZ-C101a and is made in one of the sizes listed in Table III contained in subparagraph (2).

(2) *Sales to a wholesaler.*

(i) When a manufacturer or distributor sells one gross or more of the tubing covered by this paragraph and when that tubing is packaged, his maximum price is the price stated in the following table. These prices are subject to the cash discount that he had in effect for a purchaser of the same class on December 1, 1941.

TABLE III—MAXIMUM MANUFACTURERS' AND DISTRIBUTORS' PRICES FOR GLASS MOLDED NEOPRENE SURGICAL TUBING FOR SALES TO WHOLESALERS

Items	French size	Maximum prices
		<i>Per dozen</i>
Catheters, 16" long, funnel, solid tip, one velvet eye.	8 to 22	\$2.16
Female catheters, 7" long, funnel, solid tip, one velvet eye.	24 to 30	2.40
Robinson catheters, 16" long, funnel, hollow tip, two eyes.	10 to 22	2.16
Whistle tip catheters, 16" long, funnel, open end, one eye.	24 to 30	2.40
Rectal tubes, 20" long, funnel, open end, one eye.	8 to 22	2.75
Colon tubes, 30" long, funnel, open end, one eye.	24 to 30	2.99
Colon irrigator tubes, 52" long, funnel, one depressed eye, one cut eye, solid bullet tip.	8 to 22	2.75
Stomach tubes, 60" long, funnel, open end, one eye.	22 to 28	3.20
Nasal feeding tubes, with funnel, open end only.	30 to 32	3.60
Malecot catheters, funnel self retaining, four wing.	22 or 28	3.85
Coode catheters (Tiemann type)	30 or 32	4.20
Glass finished tubing, 5' lengths, for stethoscope.	36 or 40	8.20
Levine tubes, 48" long, 4 side eyes, 4 ring markings, tube only—no fittings.	44 or 48	9.95
Rehuss tubes, 48" long, marking: 1 ring 19", 2 rings 26", 3 rings 31" from end of tube, tube only—no fittings.	22	5.88
Black tip Levine tube (Wangenstein type) weighted tip, 4 rings, 9 eyes, tube only—no fittings.	28	6.78
Small funnels—1½ oz., for use with sizes 16 to 26, stomach tubes—with hard rubber connections.	30	7.18
Large funnels—3½ oz., for use with sizes 27 to 40, stomach tubes—with hard rubber connections.	32	7.50
Stomach tubes, 60" long, with funnel only, open end, one eye.	16-20"	6.92
	22-36"	8.68
	12 to 20	6.56
	22 to 30	7.18
	32 to 40	8.40
	12 to 20	3.92
	22 to 30	4.48
	26	6.20
	10 to 16	5.28
	12 to 16	4.20
	14 of 16	12.30
		2.28
		2.47
		<i>Each</i>
	22	.68
	28	.86
	30	.89
	32	.94
	22	1.08
	28	1.25
	30	1.30
	32	1.34

(ii) When the tubing is packed in bulk, the manufacturer or distributor shall determine the maximum price by deducting the price differential he had in effect on December 1, 1941, for bulk packing from the price stated in this table. When the manufacturer or distributor sells less than one gross, he shall determine the maximum price by adding the percentage differential that he had in effect on December 1, 1941, for sales of less than one gross of the type of article to the prices listed in the table. The cash discounts that he had in effect for pur-

chasers of the same class on December 1, 1941, shall be applicable.

(3) *Sales to a distributor or other manufacturer.* The maximum price for a sale by a manufacturer or distributor to a distributor or another manufacturer of any tubing covered by this paragraph shall be 75 percent of the price listed in Table III for tubing of the same size.

(4) *Sales to a retailer.* The maximum price for a sale by a manufacturer or distributor to a retailer of any of the tubing covered by this section shall be 133½ percent of the price listed in Table III for tubing of the same size.

(c) *Neoprene bulbs and bulb goods.* The maximum manufacturers' and distributors' price of neoprene bulbs and bulb goods shall be determined as follows:

(1) The manufacturer or distributor shall first determine the maximum price for the sale of natural rubber bulbs or bulb goods of the same type and size to that class of wholesalers to which he sold the largest volume of rubber drug sundries during the calendar year 1942. If he did not sell that rubber drug sundry to wholesalers during 1942, he shall determine the maximum price for the sale of natural rubber bulbs or bulb goods of the same type and size to that class of retailers to which he sold the largest volume of rubber drug sundries during the calendar year 1942. The maximum price for the natural rubber bulbs or bulb goods shall

be determined in accordance with the applicable provisions of sections 5 or 7.

(2) The manufacturer shall then add a differential to this price. This differential shall be \$0.05 per each for breast pump bulbs and for bulb goods containing breast pump bulbs. For other neoprene bulbs and bulb goods containing neoprene bulbs, the differential shall be determined by reference to the following table:

Size of bulbs (in ounces):	Price differential (each)
Less than 3	\$0.03
3	.04
4	.05
5	.06
6	.07
7	.08
8	.09
9	.10
10 and over	.11

(3) The price determined in the manner just set forth is the manufacturer's and distributor's maximum price to that class of purchasers for which he must calculate a maximum price for the natural rubber bulbs or bulb goods under subparagraph (1). He shall determine his maximum price for sales of the neoprene bulbs or bulb goods to other classes of purchasers by adjusting this price to reflect the differentials that he had in effect to other classes of purchasers on December 1, 1941.

APPENDIX C—FORM FOR REPORTS OF MAXIMUM PRICES DETERMINED UNDER SECTION 6

OPA Form 696-2341	Form Approved Budget Bureau No. 18-R678-3	Name of Company
UNITED STATES OF AMERICA		Address—Number and Street
OFFICE OF PRICE ADMINISTRATION		City and State
MANUFACTURER'S REPORT OF MAXIMUM PRICE OF RUBBER DRUG SUNDEY		Submitted by
Required by section 6 of Revised Maximum Price Regulation No. 300		Title
Read instructions carefully before you fill out this form.		Date

NOTE: There are no printed copies of this form. You may reproduce it in a manner convenient to you, omitting as much of the instructions as you wish.

Instructions for Part I

Indicate by a check (x) your reason for filing this report and reason for selecting the article used as a basis for pricing.

- A. Reason for filing this report:  
If you submit this report for a reason other than a new product or changed specifications, you should check "other" and state the reason for your filing this report.
- B. Reason for selecting the article used as a basis for pricing:  
The method of selection should follow the order and procedure as outlined in paragraph (d) (1), (2), (3), and (4) of section 6. If "the same process" is the basis for selection of a comparable item, and if there is more than one article made by the same process, the one chosen must also have the nearest direct labor costs to the item being priced. The same procedure is to be followed if the basis of selection is "the same use."

PART I

- A REASON FOR FILING THIS REPORT
- Production of a new product.
  - Change in specifications which resulted in an increase or decrease of more than 5% in factory costs.
  - Other (specify).
- B REASON FOR SELECTING THE ARTICLE USED AS A BASIS FOR PRICING
- It is the same as the article being priced except for changes in specifications.
  - It is manufactured by the same process as the article being priced, and it also has the nearest direct labor cost of the articles manufactured by the same process.
  - It has the same use as the article being priced, and it also has the nearest direct labor cost of the articles having the same use.
  - It has the nearest direct labor cost to the article being priced.

PART II

Special instructions for Part II and III

PART II

- A. Description of Article:  
Fill in the information requested for both the article being priced and the article being used as a basis for pricing. However, catalogue pictures and descriptions of the article, if available, may be fastened to this report in place of the information requested by items 1 to 6, inclusive.
- B. Computation of Factory Costs:  
1. *Direct materials.* For natural and reclaim rubber, the December 1, 1941 prices should be used in your calculations. For synthetic and substitute rubber, the prices to be used are the August 1,

- 1943 prices. Prices for other direct materials and extra materials must be the prices in effect to you on December 1, 1941.
- Direct labor.* December 1, 1941 labor rates for each class of labor should be used in your calculations.
  - Factory overhead.* Factory overhead costs should be determined by applying the same methods and the same rates you used on December 1, 1941.
  - Waste losses.* Apply the same methods that you used on December 1, 1941. If a charge for waste losses is included in any of the above elements of cost, do not make the entry in this space.
  - Maximum price column (a).* This maximum price is established by Revised Maximum Price Regulation 300 and is your base price for the article used as a basis for pricing. You must add

the increase or deduct the decrease in factory costs (item 5, col. (c)) from this price in order to derive the maximum price of the article being priced.

6. Maximum price column (b). This price is the highest price which you may charge for the article being priced to that class of wholesalers to which you sold the largest dollar volume of rubber drug sundries during the calendar year 1942. This price is your base price. If you cannot calculate a maximum wholesale price, your base price is the highest price which you may charge for the article being priced to that class of retailers to which you sold the largest dollar volume of rubber drug sundries during the calendar year 1942.

PART III

Method by which factory overhead was computed. The rates used and the bases to which the rates were applied shall be the same rates and the same bases which you had in effect on December 1, 1941. Your method of allocating factory overhead should be specifically stated if you use other than actual costs.

PART II

Table with 3 columns: Article, Article used as a basis for pricing, Article being priced. Rows include product type, material composition, size, catalogue No., innovation in manufacturing process, and attachments.

B COMPUTATION OF FACTORY COST Indicate production unit used in this calculation (per hundred, dozen, gross, etc.)

Table with 4 columns: Elements of cost, Article used as a basis for pricing December 1, 1941 costs, Article being priced December 1, 1941 costs, Increase or decrease in factory costs. Rows include direct materials, direct labor, factory overhead, waste losses, total factory costs, maximum base price of article used as a basis for pricing, and maximum base price of article being priced.

\* Use your December 1, 1941 prices for natural and reclaimed rubber. Synthetic and substitute rubber prices must be based upon prices specifically directed by Maximum Price Regulation 300 at the time this report is filed out.

PART III

METHOD BY WHICH FACTORY OVERHEAD WAS COMPUTED A. Method used in allocating factory overhead (check in applicable box below): 1. Actual Cost Standard Cost Other Cost (specify). 2. Labor Cost Labor Hours Machine Hours. Explain if "Other" or Combination. B. State below rates used and bases to which the rates were applied:

APPENDIX D—FORM FOR APPLICATION FOR ADJUSTMENT OF THE MAXIMUM PRICES OF RUBBER DRUG SUNDRIES

Form OPA 696-2342 Approval Waived by Bureau of the Budget

UNITED STATES OF AMERICA OFFICE OF PRICE ADMINISTRATION WASHINGTON, D. C.

APPLICATION FOR ADJUSTMENT OF MAXIMUM PRICES UNDER REVISED MAXIMUM PRICE REGULATION 300

Company Name Address (Street) (City) (State)

NOTE: If any difficulty is experienced in completing this form, it may be taken to the nearest OPA district accountant, who will give his assistance in its preparation.

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

SCHEDULE A

1. Describe the company's business. 2. Designate and describe the rubber drug sundries for which a price increase is requested. 3. Present the following information for each rubber drug sundry listed in 2 above. NOTE: If more than one rubber drug sundry is being reported, present the required information on another sheet. (a) Dollar volume of unfilled orders. (b) Unit volume of unfilled orders. 4. Present a statement why it is believed that the company is an essential supplier of an essential rubber drug sundry. This shall include: (a) Whether the sale of the rubber drug sundry is part of a war contract or subcontract which the company has entered into, or proposes to enter into. (1) Identification of contract (2) Name of purchaser (3) Address of purchaser (Street) (City) (State) (b) The civilian requirement which the rubber drug sundry is designed to meet. (c) Whether similar rubber drug sundries are sold by competitors. If yes, give names and addresses of competitors and their prices for such rubber drug sundries.

SCHEDULE B

Important: If you have submitted any of the following information on Office of Price Administration Financial Report Forms A and B for certain periods or have furnished same on a previous application for adjustment of a maximum price, you may omit these periods in your present report. Where affiliated interests exist, consolidated statements as well as statements for the subsidiary should be submitted. 1. Submit Balance Sheets and Profit and Loss Statements for the years 1936-1939. The balance sheets should include an analysis of surplus accounts. Should the applicant prefer, this information will be obtained by the Office of Price Administration directly from the Bureau of Internal Revenue, if available. 2. Submit Balance Sheets and Profit and Loss Statements for the fiscal years ending 1942, 1943, and for the most recent fiscal year and succeeding accounting periods. (Note: Each balance sheet must contain an analysis of surplus accounts, and each profit and loss statement must contain a detailed breakdown of cost of goods sold, administrative expense, selling expense, the total amount of officers' salaries and the number of officers.) 3. Are the salaries and wages of all your employees in compliance with the maximum established by the Office of Economic Stabilization? (Yes or No) If no, state exceptions.

SCHEDULE C

UNIT PRICE AND UNIT COST INFORMATION Designation of the rubber drug sundry. NOTE: If more than one rubber drug sundry is involved, prepare and file separate reports on this schedule for each rubber drug sundry that you consider necessary to convey an adequate understanding of the situation which gave rise to this application. 1. Price data.—(a) Net realized price:

Table with 3 columns: Ceiling price 1941, Requested price. Rows include (List) (gross) price, Net realized price, Net realized price at maximum discount and/or commission.

(b) Total sales for the above designated item only for the last 2 fiscal years and the expired portion of the current fiscal year:

Table with 3 columns: 1941, 1942, Months ending 1941. Rows include Total unit volume of sales, Total dollar volume of sales (net).

(c) Indicate whether the current maximum price is a list or established price... or a formula price... (check one) Price used since (Month) 1941

(d) State the reasons for the need of the requested price increase.

2. Unit cost data: (In presenting unit cost data, be sure to include only costs actually incurred. In the case of a seller other than a manufacturer, submit information only on the applicable items of cost.) (Material cost must represent actual cost. State separately any charges added to costs of materials. In the case of a seller other than a manufacturer, direct material cost means the price at which the seller purchased the rubber drug sundry.) (Where standard costs are used, adjust costs for over- or under-absorption during the period to which the costs apply, if possible.) (If the rubber drug sundry covered by the application was not manufactured during the base period, the cost data for that month must be computed in accordance with the procedure outlined in the applicable section of the regulation for determining your maximum price. Under items (f), (g), and (h) include only costs borne by the seller and not billed separately to the buyer.)

Table with 3 columns: Ceiling date costs Dec. 1941, Current date costs 1941. Rows include (a) Direct material, (b) Direct labor, (c) Factory overhead, (d) Selling expense, (e) Administrative expense, (f) Freight out, (g) Installation expense, (h) Other expense, (i) Total cost per unit.

(j) What method is used in allocating factory overhead? 1. Standard ( ) ; Actual ( ) ; Other ( ) . (Check one) 2. Direct labor cost ( ) ; Direct labor hours ( ) ; Machine hours ( ) ; Other ( ) . (Explain separately if "Other" or combination) (Applicant) By (Title)

This regulation shall become effective April 23, 1945.

NOTE: All record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 17th day of April 1945. CHESTER BOWLES, Administrator. [F. R. Doc. 45-6140; Filed, Apr. 17, 1945; 11:43 a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT [RMPR 301]

RETAIL AND WHOLESALE PRICES FOR RUBBER DRUG SUNDRIES

Maximum Price Regulation 301 is redesignated Revised Maximum Price Regulation 301 (Retail and Wholesale Prices for Rubber Drug Sundries), and is re-

vised and amended to read as set forth herein.

A statement of the considerations involved in the issuance of this regulation is issued simultaneously herewith and has been filed with the Division of the Federal Register.

Insofar as this regulation uses specifications and standards which were not, prior to such use, in general use in the trade or industry, or insofar as their use was not lawfully required by another Government agency, the Administrator has determined that no practicable alternative exists for securing effective price control with respect to the commodities and services subject to this regulation.

#### ARTICLE I—EXPLANATION OF THE REGULATION

Sec.

1. What this regulation covers.
2. Relationship to other regulations.
3. Definitions.

#### ARTICLE II—PRICES AND PRICING METHODS

4. Maximum wholesale and retail prices of rubber drug sundries listed in Appendix B.
5. Maximum prices for sales at wholesale of rubber drug sundries not covered by section 4.
6. Maximum prices for sales at retail of rubber drug sundries not covered by section 4.
7. Maximum prices for sales of rubber drug sundries, other than those covered by section 4, by dental, surgical, or hospital supply houses.
8. Fractions of a cent.
9. Terms and conditions of sale.
10. Adjustable pricing.
11. Notification of maximum prices for sales at retail.

#### ARTICLE III—MISCELLANEOUS

12. Petitions for amendment.
13. Records.
14. Federal and state taxes.
15. Transfer of business or stock in trade.
16. Sales slips and receipts.
17. Licensing.
18. Compliance.

Appendix A—Definition of rubber drug sundries.

Appendix B—Maximum wholesalers' and retailers' prices for certain rubber drug sundries.

AUTHORITY: § 1315.1776 issued under 56 Stat. 23, 735; 57 Stat. 566; Public Law 283, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9323, 8 F.R. 4681.

#### ARTICLE I—EXPLANATION OF THE REGULATION

SECTION 1. *What this regulation covers*—(a) *Transactions covered.* This regulation applies to all sales at wholesale and retail of rubber drug sundries which were produced after January 31, 1943, and to all sales at wholesale and retail of rubber drug sundries produced before February 1, 1943, which the seller purchased after April 23, 1945. The maximum prices of rubber drug sundries produced before February 1, 1943, which the seller bought before April 24, 1945, are established by the General Maximum Price Regulation.

(b) *Geographical applicability.* The provisions of this regulation apply to the 48 states of the United States and to the District of Columbia.

SEC. 2. *Relationship to other regulations*—(a) *Regulations superseded.* This regulation supersedes any other regulation issued by the Office of Price Administration, including the General Maximum Price Regulation, as to transactions covered by this regulation.

(b) *Sales for export.* The Second Revised Maximum Export Price Regulation covers export sales and sales to exporters of rubber drug sundries.

SEC. 3. *Definitions.* (a) When used in this regulation the term:

(1) "Rubber drug sundries" means the commodities listed in Appendix A.

(2) "Rubber" means substitute rubber and all forms and types of rubber, including synthetic, reclaimed and balata rubber.

(3) "Sale at retail" or "selling at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user, except that (i) a "sale at retail" shall not include any sale by a producer, manufacturer, or fabricator of any commodity produced, manufactured, or fabricated by him, and (ii) a "sale at retail" shall not include any sale to the United States, any other government or any of its political subdivisions, any religious, educational, charitable or other welfare institution, or any agency of any of the foregoing.

(4) "Sale at wholesale" means a sale by a person who buys a commodity and resells it, without substantially changing its form, to any person other than the ultimate consumer, except that a sale at wholesale shall include any sale by such person to an industrial or commercial user, the United States, any other government or any of its political subdivisions, any religious, educational, charitable or other welfare institution, or any agency of any of the foregoing.

(b) Unless the context otherwise requires, the definitions set forth in the General Maximum Price Regulation shall apply to other terms used herein.

#### ARTICLE II—PRICES AND PRICING METHODS

SEC. 4. *Maximum wholesale and retail prices of rubber drug sundries listed in Appendix B.* This section applies to sales of the rubber drug sundries listed in Appendix B. The maximum prices for sales at wholesale and retail for the rubber drug sundries covered by this section shall be the prices for the rubber drug sundry listed in Appendix B. The manufacturer or distributor of these items is required to notify purchasers of the maximum wholesale and retail prices.

SEC. 5. *Maximum prices for sales at wholesale of rubber drug sundries not covered by section 4*—(a) *Applicability.* This section applies to sales at wholesale of all rubber drug sundries covered by this regulation except those covered by section 4.

(b) *Maximum prices.* The maximum price for a sale at wholesale of any rubber drug sundry covered by this section shall be the maximum price for the particular sale, furnished the wholesaler by the manufacturer or distributor in accordance with the provisions of section 12 of Revised Maximum Price Regulation

300. The wholesaler shall not sell or deliver the article until he has obtained such notification.

SEC. 6. *Maximum prices for sales at retail of rubber drug sundries not covered by section 4*—(a) *Sales at retail by persons other than mail-order houses*—(1) *Applicability.* This paragraph (a) applies to all sales at retail of rubber drug sundries covered by this regulation other than those covered by section 4, except those made by mail-order houses.

(2) *Maximum prices.* The maximum price for such sales shall be the maximum retail price furnished the retailer by the person from whom he purchased the rubber drug sundry. If that person is a wholesaler, he must furnish that maximum price in accordance with the provisions of section 11 of Revised Maximum Price Regulation 301. If that person is a manufacturer or distributor, he must furnish that maximum price in accordance with the provisions of section 12 of Revised Maximum Price Regulation 300. The retailer shall not sell or deliver the rubber drug sundry until he has obtained the maximum retail price from the person who sold it to him.

(b) *Sales by mail-order houses of rubber drug sundries purchased from a manufacturer or distributor*—(1) *Applicability.* This paragraph (b) applies to sales by mail-order houses of rubber drug sundries covered by this regulation which have been purchased from a manufacturer or distributor, except those covered by section 4.

(2) *Maximum prices.* The maximum price for such sales shall be determined as follows:

If the mail-order house is notified by the manufacturer or distributor of the manufacturer's or distributor's maximum price for the sale of the rubber drug sundry being priced to the class of sellers at wholesale which purchased the largest quantity of rubber drug sundries from him during the calendar year 1942, the mail-order house shall determine its maximum price by multiplying this figure by 200 percent for sales by mail and by 233½ percent for all other sales. If the mail-order house is notified by the manufacturer or distributor of the manufacturer's or distributor's maximum price for the sale of the rubber drug sundry being priced to the class of sellers at retail which purchased the largest quantity of rubber drug sundries from him during the calendar year 1942, the mail-order house shall determine its maximum price by multiplying this figure by 180 percent for sales by mail and by 210 percent for all other sales. The mail-order house shall not sell or deliver any rubber drug sundry covered by this section until it has obtained the notification required by section 12 of Revised Maximum Price Regulation 300.

(c) *Exception-sales of baby feeding nipples.* Notwithstanding any other provisions of this section, the maximum price for sales at retail of baby feeding nipples other than specially constructed baby feeding nipples shall in no case exceed three for \$0.25 or \$0.10 each whenever the purchaser requests less than three. As used in this paragraph

(c), the term "specially constructed baby feeding nipples" includes the following types: breast, semi-breast, valve, screw-on and cleft palate.

**SEC. 7. Maximum prices for sales of rubber drug sundries (other than those covered by section 4) by dental, surgical, or hospital supply houses—(a) Applicability.** This section applies to sales of rubber drug sundries by dental, surgical, or hospital supply houses, except those covered by section 4. The maximum prices for such sales shall be determined in accordance with the provisions of this section notwithstanding any other provisions of the regulation.

(b) *Maximum prices—(1) How the supply house calculates the maximum price.* Except as limited by subparagraph (3), a dental, surgical, or hospital supply house shall determine the maximum prices of rubber drug sundries, covered by this section, by using the same percentage mark-up over net invoiced cost which it used in pricing a rubber drug sundry which it offered for sale on December 1, 1941. The method of determining the maximum price is as follows: The supply house shall multiply the percentage determined in accordance with subparagraph (2) by:

(i) The supply house's net invoiced cost of the rubber drug sundry, if available, not to exceed the applicable maximum price; or

(ii) If actual cost is not available, the net invoiced cost of the rubber drug sundry as estimated by the supply house's supplier; provided that the supply house has no reason to believe that the price so estimated exceeds the maximum price.

(2) *How the supply house determines the percentage which must be used in determining the maximum price.* The percentage which the supply house must use in determining its maximum price shall be determined as follows:

(i) The supply house shall first determine what rubber drug sundry it must use in determining the percentage. That rubber drug sundry shall be the first applicable of the following rubber drug sundries which it offered for sale on December 1, 1941, and which it purchased from a seller of the same class as the rubber drug sundry being priced:

(a) The rubber drug sundry which is the same as the rubber drug sundry being priced.

(b) The rubber drug sundry which has the same use as the rubber drug sundry being priced. If there is more than one rubber drug sundry which has the same use as the rubber drug sundry being priced, the supply house shall use that one of those rubber drug sundries whose purchase price is nearest to the purchase price of the rubber drug sundry being priced.

(c) The rubber drug sundry whose purchase price is nearest to the purchase price of the rubber drug sundry being priced.

(ii) The supply house shall then determine the price at which it was offering to sell that rubber drug sundry to a purchaser of the same class on December 1, 1941.

(iii) The supply house shall then determine the percentage by dividing this

December 1, 1941 selling price (determined under (ii) above) by the net price in effect to it on the date on which it established that selling price.

(3) *Limit beyond which the maximum price determined under this paragraph may not go.* The maximum price determined under this paragraph may not exceed the maximum retail price furnished the supply house by the manufacturer or distributor in accordance with the provisions of section 12 of Revised Maximum Price Regulation 300. The supply house shall not sell or deliver the article until it has obtained such notification.

(c) *Maximum prices for rubber drug sundries that cannot be priced under paragraph (b).* The maximum price for a sale by a dental, surgical, or hospital supply house of a rubber drug sundry, covered by this section, that cannot be priced under paragraph (b) shall be a price in line with the level of maximum prices established by this regulation determined by the supply house after specific authorization from the Office of Price Administration. A supply house seeking such an authorization shall file with the Office of Price Administration in Washington, D. C., an application setting forth:

(1) A description of the rubber drug sundry in question;

(2) The price at which it purchased the rubber drug sundry;

(3) Its proposed pricing method; and

(4) A statement of the reasons why it believes that the use of this method will result in prices in line with the level of maximum prices established by this regulation.

After receipt of this report the Office of Price Administration will, in writing, establish a maximum price for the rubber drug sundry for which application is made.

**SEC. 8. Fractions of a cent.** Notwithstanding any other provisions of this regulation, maximum prices determined under this regulation shall be adjusted to the nearest fraction of a cent that the seller customarily used on December 1, 1941, in pricing rubber drug sundries in the same line.

**SEC. 9. Terms and conditions of sale—**

(a) *Discounts and allowances.* No seller shall change the allowances, discounts or other price differentials which he had in effect during the base period, for the same or similar rubber drug sundries, if such change results in a higher net price.

(b) *Transportation charges.* No seller shall require any purchaser, and no purchaser shall be permitted to pay a larger proportion of transportation costs incurred in the delivery of rubber drug sundries, than the seller required purchasers of the same class to pay during December 1941 on deliveries of the same or similar commodities.

(c) *Credit charges.* Charges for the extension of credit may be added to the maximum price established by this regulation if: (1) the seller during the base period required payment of a separately stated additional charge for the extension of credit by purchasers of the same class on sales of rubber drug sundries; (2) the amount charged for the extension of credit is not in excess of the charge

in effect during the base period for the extension of credit involving the same amount and term on sales of rubber drug sundries; and (3) such charges are quoted and billed separately. No seller may require as a condition of sale that the purchaser must buy on credit.

**SEC. 10. Adjustable pricing.** Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by an official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order.

**SEC. 11. Notification of maximum prices for sales at retail.** Every wholesaler shall notify the retailer of the maximum retail price of any rubber drug sundry delivered by him to the retailer, unless the maximum retail price has been marked on the rubber drug sundry or the unit of sale container in which it is sold at retail. This notification shall include the brand and the type or description of the rubber drug sundry and the maximum retail price applicable thereto. The wholesaler will be furnished this maximum retail price by the manufacturer or distributor in accordance with the provisions of section 12 of Revised Maximum Price Regulation 300. If the manufacturer or distributor has not notified the wholesaler of the maximum retail price, the wholesaler shall not sell or deliver the article until he has obtained such notification.

#### ARTICLE III—MISCELLANEOUS

**SEC. 12. Petitions for amendment.** Any person seeking a modification of any provision of this Revised Maximum Price Regulation 301 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

**SEC. 13. Records.** To aid in the enforcement of this regulation every seller is required to 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, shall remain in effect:

(a) *Records of purchases.* The seller must preserve all invoices showing purchases by him of rubber drug sundries produced after January 31, 1943.

(b) *Customary records of prices charged.* The seller must continue to keep records of the same kind as he has customarily kept showing the prices actually charged by him after January 31, 1943, for rubber drug sundries produced after January 31, 1943.

(c) *Notifications of maximum prices of rubber drug sundries.* The seller must preserve all notifications of maximum prices of rubber drug sundries received by him. These notifications shall be kept for inspection by any person during ordinary business hours.

Sec. 14. *Federal and State taxes.* Any tax upon, or incident to, the sale, delivery, or processing of rubber drug sundries imposed by any statute of the United States or statute or ordinance of any State or subdivision thereof, shall be treated as follows in determining the seller's maximum price: If the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any price vendor and separately stated and collected from the seller by the vendor from whom he purchased.

Sec. 15. *Transfers of business or stock in trade.* If the business, assets or stock in trade are sold or otherwise transferred after January 31, 1943, and the transferee carries on the business, or continues to deal in the same type of commodities in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions of this Revised Maximum Price Regulation 301.

Sec. 16. *Sales slips and receipts.* Any person who has regularly furnished customers with invoices, sales slips, receipts or similar documents shall continue to do so. Every person shall, regardless of previous custom, upon request of the customer, give such customer a signed receipt showing the date of the transaction, the type, brand and grade of the rubber drug sundries sold and the price charged therefor.

Sec. 17. *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

Sec. 18. *Compliance—(a) Prices which may be charged.* On and after May 17, 1945, regardless of any contract or other obligation, no person is permitted to sell or deliver at retail or wholesale and no person shall buy or receive at retail or wholesale any rubber drug sundry in the course of trade or business, at a price higher than the maximum price fixed by

this regulation. No person shall agree, offer, solicit, or attempt to do any of the foregoing. Lower prices may, of course, be charged.

(b) *Evasion.* The price limitations set forth in this Revised Maximum Price Regulation 301 shall not be evaded whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase of or relating to rubber drug sundries, alone or in conjunction with any other commodity or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding or otherwise.

(c) *Enforcement.* Persons violating any provisions of this Revised Maximum Price Regulation 301 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

#### APPENDIX A—DEFINITION OF RUBBER DRUG SUNDRIES

When used in this Revised Maximum Price Regulation 301 the term "rubber drug sundries" means the articles listed in paragraphs (a) to (i), inclusive, of this section, when made in whole or in part of rubber, but does not include the articles listed in paragraph (j) of this section.

NOTE: Many of the items included in this list are not permitted to be produced out of crude, latex, synthetic, reclaimed or scrap rubber by the War Production Board.

(a) Water bottles, ice bags, syringes, and other flat goods, including, but not limited to:

- Air cushions
- Bedpans
- Combination syringes
- Face and baby bottles
- Fountain syringes
- Hot water bottles
- Ice bags and caps
- Invald rings and cushions

(b) The following baby supplies:

- Breast pumps
- Breast shields
- Feeding nipples
- Infant bottle combinations
- Nipple shields
- Nursery bottle caps
- Pacifiers
- Teething rings

(c) Rubber tubing, stopples and irrigators for medical, surgical, dental, mortuary, veterinary and laboratory purposes, including, but not limited to:

- Catheters
- Irrigators
- Rubber policemen
- Stopples
- Tubes and tubing

(d) The following rubber dental supplies:

- Dental dams
- Dental separating strips and mouth props
- Orthodontia bands
- Plaster bowls
- Rubber denture, denture suction and model formers.

(e) Bulbs and bulb goods for medical, surgical, dental, mortuary, veterinary and laboratory purposes, including, but not limited to:

- Atomizers
- Bulb syringes
- Cautery bulb sets
- Chip blower bulbs
- Household bulb syringes

- Politzer syringes
- Sinus bulb sets
- Spray douches

(f) Rubber gloves and finger cots, including, but not limited to:

- Autopsy and mortuary gloves
- Household gloves and cots
- Industrial gloves and cots
- Medical and surgical gloves and cots
- Obstetrical gloves and sleeves

(g) The following hospital and surgical supplies:

- Air mattresses and pillows
- Obstetricians' aprons
- Operating cushions
- Patients' bibs and throws
- Surgeons' aprons
- Urologists' aprons

(h) Hard rubber goods for medical, surgical, dental, veterinary, mortuary and laboratory equipment and parts, including, but not limited to:

- Stoppers
- Syringes
- Tubes, pipes, connections and accessories

(i) The following miscellaneous rubber articles and rubber parts:

- Acid bottles, rubber
- Blood pressure bags, bulbs and tubing
- Blood transfusion connectors
- Brain surgery caps
- Caps and closures
- Colonic bags
- Colostomy outfits
- Crutch parts
- Dilators
- Cushions—ear, elbow and heel
- Evacuators
- Foot appliances and parts, corrective, rubber
- Funnels, rubber
- Hagner bags
- Inhalation bags and face pieces (medical, surgical, dental, veterinary and laboratory)
- Insufflators
- Intravenous connectors
- Medicine droppers and bulbs
- Microscope covers
- Orsat bags
- Orthopedic pads and parts, rubber
- Parts for medical, surgical, veterinary and mortuary instruments.
- Parts for acoustic aids
- Prostatic bags
- Prosthetic devices and parts, rubber
- Rubber bands and cushions for artificial limbs
- Rubber suppositories
- Sinus pads and bags
- Spatulas, rubber
- Splint cushions
- Therapeutic applicators
- Thermometer cases, rubber
- Tourniquets
- Truss parts
- Umbilical belts
- Urinals, individual wear
- Veterinary sleeves
- X-ray sheets, gloves, aprons and cooling hose
- All other rubber articles and parts for medical, surgical, orthopedic, pharmaceutical and laboratory purposes, provided that rubber is the component material of chief weight.

(j) The term "rubber drug sundries" does not include the following articles:

- Adhesive tape
- Medicated footpads and plasters
- Prophylactics and other devices for the prevention of disease
- Sanitary belts
- Supporters (men's athletic)
- Surgical elastic bandages
- Surgical elastic supports

Surgical stockings  
Surgical tape  
Suspenders  
Trusses

APPENDIX B—MAXIMUM WHOLESALERS' AND RETAILERS' PRICES FOR CERTAIN RUBBER DRUG SUNDRIES

(a) The maximum prices for sales at wholesale and retail (except sales by mail by mail-order houses) of the rubber drug sundries listed in Table I shall be the prices listed in that table.

TABLE I.—MAXIMUM WHOLESALERS' AND RETAILERS' PRICES FOR CERTAIN RUBBER DRUG SUNDRIES<sup>1</sup>

Items	Maximum prices for sales at wholesale	Maximum prices for sales at retail
Hot water bottles:		
Hospital Grade (cloth inserted, 2 quart).....	\$1.51	
Hospital Grade (molded) <sup>2</sup> .....	.74	\$1.30
Consumer Grade I <sup>3</sup> .....	.61	1.03
Consumer Grade II <sup>4</sup> .....	.49	.78
Fountain syringes (molded) equipped with 4/8" regular flow tubing, stopper, shut-off and screw socket:		
Hospital Grade:		
Group I attachments <sup>5</sup> .....	.76	1.33
Group II attachments.....	.84	1.45
Group III attachments <sup>6</sup> .....	1.09	1.92
Consumer Grade I:		
Group I attachments.....	.63	1.08
Group II attachments.....	.69	1.18
Group III attachments.....	.95	1.63
Consumer Grade II:		
Group I attachments.....	.51	.83
Group II attachments.....	.58	.98
Group III attachments.....	.83	1.38
Combination syringes (molded) equipped with 4/8" regular flow tubing, stopper, shut-off and screw socket:		
Hospital Grade:		
Group I attachments.....	.93	1.65
Group II attachments.....	1.00	1.75
Group III attachments.....	1.25	2.20
Consumer Grade I:		
Group I attachments.....	.79	1.38
Group II attachments.....	.86	1.48
Group III attachments.....	1.11	1.93
Consumer Grade II:		
Group I attachments.....	.68	1.13
Group II attachments.....	.74	1.23
Group III attachments.....	1.00	1.68
Combination syringe attachment sets—to include 4/8" regular flow tubing, stopper, shut-off and screw socket:		
Group I attachments.....	.20	.35
Group II attachments.....	.27	.50
Group III attachments.....	.54	.95
Ice caps (molded).....	.63	1.08
Invalid rings and cushions (molded—all rubber):		
Size 12 inches.....	1.44	2.50
Size 14 inches.....	1.56	2.75
Size 16 inches.....	1.74	3.05
Size 18 inches.....	2.07	3.60
Invalid rings and cushions (cloth inserted):		
Size 12 inches.....	1.68	2.95
Size 14 inches.....	1.76	3.10
Size 16 inches.....	1.94	3.40
Size 18 inches.....	2.28	4.00

<sup>1</sup> These prices are subject to the terms and conditions of sale set forth in section 9.

<sup>2</sup> When used in this Table I, the designations "Hospital Grade," "Consumer Grade I" and "Consumer Grade II" have the meanings given to them by Table I in Revised Maximum Price Regulation 300—Maximum Manufacturers' Prices for Rubber Drug Sundries.

<sup>3</sup> "Group I attachments" consist of 2 slip pipes, adult rectal and vaginal.

<sup>4</sup> "Group II attachments" consist of 2 screw pipes, adult rectal and vaginal, plus screw pipe connections.

<sup>5</sup> "Group III attachments" consist of 3 screw pipes, infant rectal, adult rectal, and balloon vaginal, plus screw pipe connections and rapid flow accessories.

(b) The maximum price for sales by mail by mail-order houses of any rubber drug sundry listed in Table I shall be the lower of the following:

(1) The price stated in Table I for sales at retail of the rubber drug sundry in question; or

(2) A price obtained by multiplying by 180 percent the manufacturer's or distribu-

tor's maximum price (as established by Revised Maximum Price Regulation 300) for the sale of the rubber drug sundry in question to mass distributors at retail.

This regulation shall become effective May 17, 1945.

NOTE: All record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 17th day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-6142; Filed, Apr. 17, 1945; 11:43 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[2d RMPR 150,<sup>1</sup> Amdt. 5]

FINISHED RICE AND RICE MILLING BY-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.

Second Revised Maximum Price Regulation 150 is amended in the following respects:

1. Section 9 (a) (1) is amended to read as follows:

(1) For finished rice consisting of not less than 96 percent of whole kernels and not more than 4 percent of broken kernels nor more than 1 percent of a variety other than the predominant variety, the maximum prices shall be as follows:

	Milled rice	Unpolished rice	Brown rice	Converted milled rice (when sold to the U. S. Government or any of its agencies)
Rexoro.....	\$8.25	\$7.40	\$6.75	\$9.05
Texas Patna.....	8.25	7.40	6.75	9.05
Bluebonnet.....	8.25	7.40	6.75	9.05
Nira.....	8.25	7.40	6.75	8.65
Fortuna.....	7.50	6.80	6.20	8.15
Edith.....	7.00	6.50	6.00	8.10
Prelude.....	7.00	6.50	6.00	8.10
Calady.....	6.65	6.10	5.85	7.90
Blue Rose.....	6.50	6.10	5.85	8.15
Magnolia.....	6.50	6.10	5.85	8.15
Ark Rose.....	6.50	6.10	5.85	8.15
Southern Pearl.....	6.50	6.10	5.85	8.15
California Pearl.....	6.50	6.10	5.85	7.75
Lady Wright.....	6.50	6.10	5.75	8.00
Zenith.....	6.50	6.10	5.85	8.15
Early Prolife.....	6.20	5.70	5.40	7.60
Any other variety.....	6.20	5.70	5.40	7.60

When unpolished rice is sold to the United States Government or any of its agencies, the maximum price shall be the maximum price for milled rice.

When converted milled rice is sold to any person other than the United States Government or any of its agencies, the maximum price shall be the maximum price for milled rice.

2. Subdivision (a) of section 9 (a) (2) (i) is changed to read as follows:

<sup>1</sup> 8 F.R. 11003, 12269.

(a)

Class	Maximum price
Second Heads—Rexoro, Nira, Fortuna, Bluebonnet and Texas Patna.....	\$6.00
Second Heads—any other variety.....	5.25
Screenings.....	4.50
Brewers.....	4.00

This amendment shall become effective April 23, 1945.

Issued this 17th day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-6136; Filed, Apr. 17, 1945; 11:41 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 271,<sup>1</sup> Amdt. 34]

POTATOES AND ONIONS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

Section 26 is amended by adding paragraph (c), to read as follows:

(c) For the state of Texas, from April 16, 1945 through May 15, 1945, the applicable price in Table II of section 24 is suspended and a price of \$2.75 per fifty pounds is substituted.

This amendment shall become effective April 16, 1945.

Issued this 16th day of April 1945.

CHESTER BOWLES,  
Administrator.

Approved: April 14, 1945.

WILSON COWEN,  
Assistant War Food Administrator.

[F. R. Doc. 45-6093; Filed, Apr. 16, 1945; 4:16 p. m.]

PART 1390—MACHINERY AND EQUIPMENT

[MPR 375,<sup>1</sup> Amdt. 5]

SALES OF USED INDUSTRIAL SEWING MACHINES AND RENTAL RATES FOR NEW AND USED INDUSTRIAL SEWING MACHINES

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

Maximum Price Regulation 375 is revised and amended in the following respects:

1. Section 1390.161 (a) is hereby revoked.

2. In § 1390.161, paragraphs (b), (c), (d) and (e) are redesignated (a), (b), (c) and (d), respectively.

3. Section 1390.162a (b) is hereby revoked.

This amendment shall become effective April 23, 1945.

<sup>1</sup> 8 F.R. 15587, 15663; 9 F.R. 2298, 3589, 4027, 4647, 5379, 6151, 7504, 7771, 7852, 8931, 9356, 9783, 10089, 10199, 10981, 10778, 12270, 12475, 13262; 10 F.R. 1334, 2248, 2969.

<sup>2</sup> 8 F.R. 5887, 7114; 9 F.R. 3855, 4196, 7853, 12026.

Issued this 17th day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-6137; Filed, Apr. 17, 1945;  
11:41 a. m.]

**PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT**

[MPR 465, Amdt. 7]

**USED PRESSURE VESSELS AND USED ENCLOSED ATMOSPHERIC PRESSURE VESSELS**

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

Maximum Price Regulation 465 is amended in the following respects:

1. Section 12a is hereby revoked.
2. Section 15 (b) is hereby revoked.

This amendment shall become effective April 23, 1945.

Issued this 17th day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-6138; Filed, Apr. 17, 1945;  
11:41 a. m.]

**PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS**

[RO 10, Amdt. 29]

**FOOD RATIONING REGULATIONS FOR THE VIRGIN ISLANDS**

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Ration Order 10 is amended in the following respects:

1. Section 1407.623 (a) (1) is added to read as follows:

(1) Rice.

2. Section 1407.662 is added to read as follows:

§ 1407.662 *Transfers to consumers.*

(a) Notwithstanding the terms of any contract, agreement or commitment, regardless of when made, a distributor or other person may transfer a rationed commodity to a consumer, and a consumer may accept such transfer, only under the following conditions:

(1) At the time of transfer the transferor shall require presentation of a valid War Ration Book or Certificate issued to the transferee or a person on whose behalf he is acting and shall detach from such War Ration Book stamps designated for the particular commodity and for the period in which the transfer is made, or shall require surrender of a valid certificate having a weight value equal to the quantity of the rationed commodity transferred.

3. Section 1407.687 is added to read as follows:

§ 1407.687 *Designation of consumer ration periods and weight value of stamps valid therein.*

Ration period	Red stamp valid during period (Book No. 2)	Weight value of stamp (pounds of rice)
April 6 to April 7, 1945	Stamp No. A-1	1
April 8 to April 14, 1945	Stamp No. A-2	1
April 15 to April 21, 1945	Stamp No. A-5	1
April 22 to April 28, 1945	Stamp No. A-8	1
April 29 to May 5, 1945	Stamp No. B-1	1
May 6 to May 12, 1945	Stamp No. B-2	1
May 13 to May 19, 1945	Stamp No. B-5	1
May 20 to May 26, 1945	Stamp No. B-8	1

4. Section 1407.704 is added to read as follows:

§ 1407.704 *Designation of amount of rationed commodity allowed per person served by institutional users.* (a) For computing the amount of a ration for institutional users pursuant to §1407.703, the allowance for such users shall be calculated as follows:

(1) The average monthly consumption of rice during January, February and March 1945, expressed in pounds, shall be multiplied by 66%. Present rice inventories shall be deducted from this figure and the resulting figure shall be the maximum amount of rice that may be transferred to such institution during any calendar month.

(2) Ration allowances to institutional users shall be granted by the Director, or the Assistant Director, through the issuance of Purchase Certificates.

This amendment shall become effective at 8:00 a. m., April 6, 1945.

Issued this 17th day of April 1945.

JACOB A. ROBLES,  
Territorial Director,  
Virgin Islands.

Approved:

JAMES P. DAVIS,  
Regional Administrator,  
Region IX.

[F. R. Doc. 45-6143; Filed, Apr. 17, 1945;  
11:42 a. m.]

**PART 1418—TERRITORIES AND POSSESSIONS**  
[RMFR 183, Amdt. 71]

**GROCERY ITEMS 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:

1. Section 24, Table 8, is amended by deleting the item Tomato Paste, S & W case of 72/8 oz. can and by changing one item to read as follows:

Item and brand name	Unit—Case of—	Price at wholesale	Price at retail, per unit
Tomato Sauce: S & W.	72/8 oz. can	\$4.75	\$0.08

2. Section 25 Table 10 is amended by changing one item to read as follows:

Item and brand name	Unit—Case of—	Price at wholesale	Price at retail, per unit
Canned tomatoes: Fancy solid pack: Exquisite.	24/#2½ can	\$5.20	\$0.27

3. Section 30 Table 16 is amended by changing one item to read as follows:

Item	Price at wholesale per 110 pounds	Price at retail, per pound
Garbanzos	\$9.10	\$0.10

4. Section 35 Table 21 is amended by deleting the price "to wholesale" and changing the price "at wholesale" of "All Types of Hard and Soft Wheat Flour" from ".042¢ per pound to .0435¢ per pound.

5. Section 35 Table 22 is amended by changing the price "at wholesale" of "Corn Meal" from "\$4.15 per 100 lbs." to "\$4.30 per 100 pounds."

6. Section 42 Table 33h is amended by changing two items to read as follows:

Item and brand names	Unit	Price at wholesale	Price at retail, per unit
Stuffed Manzanilla Olives, thrown: Rosedale	12/#12 paragon or 7½ oz. net.	\$4.70	\$0.49
	24/#8 paragon or 5 oz. net.	4.35	.24

7. Section 42 Table 33i is amended by changing one item to read as follows:

Item and brand name	Unit	Price at wholesale	Price at retail
Seedless raisins: S & W	Pound	\$0.18	\$0.22

8. Section 45 Table 37 is amended by changing two items to read as follows:

Items and brand names	Unit	Price at wholesale	Price at retail
Figs Feet, dry salt	Pound	\$0.0875	\$0.11
Pork Loins, frozen regular	Pound	.325	.40

9. Section 47 Table 39 is amended by changing two items to read as follows:

Items and brand names	Unit	Price at wholesale	Price at retail (per unit)
Laundry soap in cakes: All brands.	Pound	\$0.095	\$0.11
Powdered soap: Victoria.	24/2 lb. pkg.	7.20	.36

10. Section 64, Table 57 is amended to read as follows:

\* 8 F.R. 12625, 16170; 9 F.R. 287, 2091, 2692, 3578, 3855, 7854, 12026.  
\* 7 F.R. 6887, 8523, 8607, 10707; 8 F.R. 1394, 2315, 3843, 4190, 4892, 5268, 7017; 9 F.R. 2233, 2478, 2656, 2746, 3652.

TABLE 57—MAXIMUM PRICES FOR STRAIGHT FEED

Oats (red or white):	Per 100 lbs. bag
Sales to wholesalers.....	\$3.60
Sales to others than wholesalers.....	4.00

This amendment shall become effective April 23, 1945.

Issued this 17th day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-6141; Filed, Apr. 17, 1945;  
11:42 a. m.]

## PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426, Amdt. 95]

## FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

Section 15, Appendix H, paragraph (b) is amended in the following respects:

1. In Table 5, Maximum Prices for Eggplant, footnote 5 is amended to read as follows:

<sup>3</sup> During the period beginning April 16 and ending May 20, 1945, in Item 1, Columns 5 and 6, "\$3.60" is substituted for "\$3.50"; in Item 2, Columns 5 and 6, "\$2.40" is substituted for "\$2.35"; and in Item 3, Column 5, "8 cents per pound" is substituted for "7.8 cents per pound".

2. In Table 6, Maximum Prices for Sweet Peppers, footnote 4 is amended to read as follows:

<sup>4</sup> During the period beginning April 16 and ending May 20, 1945, for sweet peppers for sale f. o. b. shipping points in Florida and for sale in wholesale receiving points east of and including Chicago, Illinois, the Column 5 price shall be for Item 1—\$5.10, for Item 3—\$3.40, and for Item 5—12.1 cents per lb.

This amendment shall become effective April 16, 1945.

Issued this 16th day of April 1945.

CHESTER BOWLES,  
Administrator.

Approved April 14, 1945.

WILSON COWEN,  
Assistant War Food  
Administrator.

[F. R. Doc. 45-6094; Filed, Apr. 16, 1945;  
4:16 p. m.]

<sup>3</sup> 8 F.R. 16409, 16294, 16519, 17372; 9 F.R. 790, 902, 1581, 2008, 2023, 2091, 2493, 4030, 4086, 4088, 4434, 4786, 4787, 4877, 5926, 5929, 6104, 6198, 6420, 6711, 7259, 7268, 7425, 7434, 7580, 7583, 7759, 7774, 7834, 7148, 9066, 9090, 9289, 9356, 9509, 9512, 9549, 9785, 9896, 9897, 10192, 10499, 10777, 10877, 10878, 11350, 11534, 11546, 12038, 12208, 12340, 12341, 12263, 12412, 12537, 12643, 12968, 12973, 13067, 13138, 13205, 13761, 13934, 14082, 13995, 14437, 14731, 15107; 10 F.R. 49, 256, 460, 923, 1540, 1403, 1456, 1910, 2024, 2026, 2145, 2160, 2168, 2245, 2515, 2521, 2965, 3054.

## PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 518, Amdt. 5]

## ROUGH RICE

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

Section 4 (a) of Maximum Price Regulation 518 is amended to read as follows:

(a) The maximum prices for the sale and delivery of rough rice not grown in the State of California, bulk, containing not more than 17 percent moisture, at the country shipping point nearest (by the most usually traveled route) to the point of production shall be as follows:

Varieties (or class)	Maximum price	
	Per barrel	Per bushel
Rexoro.....	\$7.30	\$2.028
Texas Patna.....	7.30	2.028
Bluebonnet.....	7.30	2.028
Nira.....	7.00	1.944
Fortuna.....	6.40	1.778
Edith.....	6.40	1.778
Blue Rose.....	6.15	1.708
Magnolia.....	6.15	1.708
Southern Pearl.....	6.15	1.708
Lady Wright.....	6.00	1.667
Zenith.....	6.15	1.708
Early Prolific.....	5.60	1.556
Prelude.....	6.10	1.694
Ark Rose.....	6.15	1.708
All other varieties.....	5.60	1.556
Mixed Rough Rice.....	(1)	(1)

(1) Multiply the percentage of each variety contained in the mixture by its respective maximum price as above set forth and total the results.

This amendment shall become effective April 23, 1945.

Issued this 17th day of April 1945.

CHESTER BOWLES,  
Administrator.

Approved April 9, 1945.

ASHLEY SELLERS,  
Assistant War Food Administrator.

[F. R. Doc. 45-6139; Filed, Apr. 17, 1945;  
11:42 a. m.]

## PART 1499—COMMODITIES AND SERVICES

[SR 14E, Amdt. 2]

## SALES AT WHOLESALE OF CERTAIN COTTON 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.

Section 2.7 of Supplementary Regulation 14E is amended in the following respects:

1. In the introductory sentence of paragraph (b) the words "either on contract of sale or" are deleted and subdi-

<sup>9</sup> 9 F.R. 2656, 2657, 5440.

<sup>10</sup> 10 F.R. 1183, 2014.

vision (6) of that paragraph is amended to read as follows:

(6) A statement properly completed (annexed to the invoice) showing the dollar and cent amount by which the seller's maximum prices under the General Maximum Price Regulation for sales to purchasers for resale for the products to which the invoice refers have been increased. This statement shall be in the following form:

## STATEMENT OF OPA ADJUSTMENT CHARGE

The Office of Price Administration has permitted us to add the following adjustment charges to our ceiling prices on the following items one or more of which are billed on the attached invoice:

Style	Old ceiling	Adjustment	New ceiling	charges
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You may not increase your prices when you sell under the General Maximum Price Regulation, nor may you include the amount of this adjustment charge as a part of your net cost when you price under Maximum Price Regulation 580.

2. Paragraph (e) of section 2.7 is revoked and the following is substituted therefor:

(e) *Minimum ceilings for certain products.* Notwithstanding any other provisions of this section, the maximum price for a sale at wholesale of any cotton products covered in paragraphs (d), (g), (h), (i), (j), (k), (l) and (m) shall not be less than the following net amounts in addition to any freight prepayment by the seller:

(1) Where the seller makes shipment of the product to the purchaser from his own stock carried in his warehouse or place of business, the sum of the seller's net invoice cost of the product and freight from the manufacturer's or producer's mill to the seller's place of storage, divided by 0.93;

(2) Where the seller makes shipment or has shipment made to the purchaser otherwise than in the manner described in subdivision (1), the seller's net invoice cost of the product as billed to him by his supplier divided by 0.96.

3. Paragraph (f) is revoked and the following substituted therefor:

(f) *Sales of certain bed linens at wholesale.* (1) This paragraph applies to sales at wholesale of types 112, 128, 140 and 180<sup>2</sup> for which the manufacturer's maximum price is established by Revised Price Schedule No. 89—Bed Linens<sup>3</sup> and also applies to sales at wholesale of "Mohawk" bed linens manufactured by Utica & Mohawk Cotton Mills, Inc., for which the manufacturer's maximum price as established by Revised Price Schedule No. 89—Bed Linens was

<sup>2</sup> "Types 112, 128, 140 and 180" are defined in Table I, § 1316.111 of Revised Price Schedule No. 89. That schedule requires bed linens, when sold by the manufacturer, to bear a label stating the type.

<sup>3</sup> "Bed linens" means finished sheets, finished pillow cases, finished bolster bases, bleached pillow tubing, domestic-type grey wide sheeting, brown sheeting, and bleached sheeting; however, it refers only to goods made of cotton and does not include goods made wholly of combed yarn.

adjusted by Order No. 15 under Supplementary Order No. 86, dated July 3, 1944.

(2) The maximum price for sales at wholesale of these types of bed linens shall be the sum of the maximum price determined in accordance with the General Maximum Price Regulation and 7.4% of the manufacturer's price established by Revised Price Schedule No. 89.

4. Paragraph (g) is added to section 2.7 to read as follows:

(g) *Sales of terry products, huck and crash towels (other than name-woven institutional towels), toweling and corded napkins at wholesale.* (1) This paragraph applies to sales at wholesale of terry products, huck and crash towels other than name-woven institutional towels and corded napkins for which the producer's maximum prices are established in Maximum Price Regulation No. 118.<sup>4</sup>

(2) The maximum price for sales at wholesale of terry products, huck and crash towels other than name-woven institutional towels, toweling and corded napkins shall be the sum of the maximum price determined in accordance with the General Maximum Price Regulation and 5.8% of the producer's maximum price established by Maximum Price Regulation No. 118.

5. Paragraph (h) is added to section 2.7 to read as follows:

(h) *Sales of name-woven institutional towels.* (1) This paragraph applies to all sales of name-woven institutional towels for which the producer's maximum prices are established in Maximum Price Regulation No. 118.<sup>5</sup>

(2) If the seller's maximum price under the General Maximum Price Regulation was based on an offering price for delivery during March 1942 of the same or a similar commodity, the seller's maximum price shall be the sum of the maximum price determined in accordance with the General Maximum Price Regulation and 5.8% of the producer's maximum price established by Maximum Price Regulation No. 118.

(3) If the maximum price determined under the General Maximum Price Regulation was based on a delivery made during March 1942 of the same or a similar commodity, the seller shall determine the actual cost to him of the commodity delivered in March and the replacement cost of the commodity under Maximum Price Regulation No. 118. He shall then adjust his maximum price computed under the General Maximum Price Regulation by the difference (in dollars and cents) between the actual cost of the commodity delivered in March 1942 and the replacement cost thereof and shall add thereto an amount equal to 5.8% of

the producer's maximum price established by Maximum Price Regulation No. 118. As used herein, the term "actual cost" means the net price actually paid after deducting all discounts allowed by the producer. The term "replacement cost" means the net maximum price permitted to producers on June 29, 1944, by Maximum Price Regulation No. 118.

*For example:*

If you established your original General Maximum Price Regulation ceiling price by a March delivery at \$5.00 per dozen, and

1. You purchased those towels for \$4.00 per dozen, and

2. The producer's maximum price to you under Maximum Price Regulation No. 118 on June 29, 1944, was \$4.25 per dozen, and

3. The producer's present maximum price under Maximum Price Regulation No. 118 is \$4.40 per dozen.

You may increase your General Maximum Price Regulation price of \$5.00 by 25¢ (2-1) and add to this sum 5.8% of the producer's present Maximum Price Regulation No. 118 price of \$4.40, which is 26¢. Your maximum price would therefore be \$5.51 (\$5.00 plus 25¢, plus 26¢).

6. Paragraph (i) is added to section 2.7 to read as follows:

(i) *Sales of certain flannels.* (1) This paragraph applies to sales at wholesale of flannels for which the producer's maximum prices are established in subdivisions (i), (ii), (iii), (vi) and (vii) of Section 1400.118 (d) (2) of Maximum Price Regulation No. 118 and for flannel-ette diapers for which the producer's maximum prices are established in subdivision (iv) (a) of § 1400.118 (d) (14) of that regulation.

(2) The maximum prices for sales at wholesale of these flannels and flannel-ette diapers shall be the sum of the maximum price determined in accordance with the General Maximum Price Regulation and 4.3% of the producer's maximum price established by Maximum Price Regulation No. 118.

7. Paragraph (j) is added to section 2.7 to read as follows:

(j) *Sales of 100% American cotton blankets and blanket-robe cloth.* (1) This paragraph applies to sales at wholesale of only 100% American cotton blankets and blanket-robe cloth of Classes I, IV and VI for which the producer's maximum prices are established in § 1400.118 (d) (27) (ix) (a), (b), (c), (h), (i), (j), (k) and (l) of Maximum Price Regulation No. 118 and in § 1400.118 (d) (27) (viii) of that regulation.

(2) The maximum prices for sales at wholesale of these blankets and blanket-robe cloth shall be the sum of the maximum price determined in accordance with the General Maximum Price Regulation and 4.1% of the producer's maximum price established by Maximum Price Regulation No. 118.

8. Paragraph (k) is added to section 2.7 to read as follows:

(k) *Sales of print cloth yarn fabrics in the grey.* (1) This paragraph applies to sales at wholesale of print cloth yarn fabrics in the grey for which the producer's maximum prices are established in Table II of Appendix A of Revised Price Schedule No. 35.

(2) The maximum prices for sales at wholesale of print cloth yarn fabrics in

the grey shall be the sum of the maximum price determined in accordance with the General Maximum Price Regulation and 3.4% of the producer's maximum price established by Revised Price Schedule No. 35.

9. Paragraph (1) is added to section 2.7 to read as follows:

(1) *Sales of Type I Red Star Birdseye diaper cloth and Red Star hemmed Birdseye diapers.* (1) This paragraph applies to sales at wholesale of Type I Red Star Birdseye diaper cloth and Red Star hemmed Birdseye diapers sold by George Wood, Sons & Company as sole selling agent for The Millville Manufacturing Co. and May's Landing Water Power Co. and for which the producer's maximum prices as established in Maximum Price Regulation No. 118 were adjusted by Order No. 5 under Supplementary Order No. 86.

(2) The maximum price for sales at wholesale of the diapers and diaper cloth mentioned in subdivision (1) shall be the sum of the maximum price determined in accordance with the General Maximum Price Regulation and 9.1% of the producer's maximum price (in the case of diaper cloth) and 10.8% of the producer's price (in the case of diapers) as established under Maximum Price Regulation No. 118 and adjusted by Order No. 5 under Supplementary Order No. 86.

10. Paragraph (m) is added to section 2.7 to read as follows:

(m) *Sales of specified white crinkle dimity bedspreads.* (1) This paragraph applies to sales at wholesale of the specific white crinkle dimity bedspreads listed in the table contained in subparagraph (2) below.

(2) The maximum price for sales at wholesale of these bedspreads shall be the sum of the seller's maximum price determined in accordance with the General Maximum Price Regulation and the amount stated in Column (ii) of the table herein for the particular bedspread being priced.

(i) Company and sizes:	(ii) Amount added to GMPR price (per bedspread)
Bates Manufacturing Company (sold under name "Ripplette"):	
45" x 60".....	\$0.0222
54" x 60".....	.1969
54" x 90".....	.1888
63" x 90".....	.1907
63" x 99".....	.1950
63" x 108".....	.1857
72" x 90".....	.2121
72" x 99".....	.2223
72" x 108".....	.2249
81" x 80".....	.2330
81" x 99".....	.2486
81" x 108".....	.2647
90" x 100".....	.2771
90" x 108".....	.2937
Rhodes Rhyne Mfg. Co.:	
63" x 90".....	.028
63" x 99".....	.028
63" x 105".....	.035
63" x 108".....	.035
72" x 90".....	.063
72" x 99".....	.084
72" x 105".....	.077
72" x 108".....	.077
81" x 90".....	.035
81" x 99".....	.083
81" x 105".....	.049
81" x 108".....	.049

<sup>4</sup>This includes not only the items listed by style number in Maximum Price Regulation No. 118, §§ 1400.118 (d) (26) and 1400.118 (d) (29) but also those terry products, huck and crash towels, toweling, and corded napkins for which the Administrator has authorized a price under § 1400.101 (b) or for which a price has been established pursuant to § 1400.101 (b) of Maximum Price Regulation No. 118.

<sup>5</sup>Note 4 (except for its reference to corded napkins) applies.

This amendment shall become effective April 21, 1945.

Issued this 16th day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-6095; Filed, Apr. 16, 1945;  
4:16 p. m.]

## TITLE 49—TRANSPORTATION AND RAILROADS

### Chapter I—Interstate Commerce Commission

[Rev. S. O. 263, Amdt. 4]

#### PART 95—CAR SERVICE

##### DEMURRAGE CHARGES ON TANK CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 16th day of April, A. D. 1945.

Upon further consideration of Revised Service Order No. 263 (10 F.R. 582) of January 12, 1945, as amended (10 F.R. 1794, 3239), and good cause appearing therefor; *it is ordered*, That:

Revised Service Order No. 263 (10 F.R. 582) of January 12, 1945, as amended, be, and it is hereby, further amended by substituting the following paragraph for paragraph (h).

(h) *Claims.* (1) Except as provided in subparagraph (2) hereof when additional free time is allowed for weather conditions, bunching and other similar disabilities such as those set forth in Rule 8 of Agent B. T. Jones' Tariff I. C. C. No. 3963, such additional time shall be added to the reduced free time provided in (d) above.

(2) When lading is frozen or congealed, so as to require heating, thawing or loosening to unload the free time shall be extended twenty-four (24) hours.

(3) Section G of Rule 8, Agent B. T. Jones' Tariff I. C. C. No. 3963, and similar rules in other tariffs relating to interference due to strikes, shall not be affected by this order.

*It is further ordered*, That this order shall become effective 7:00 a. m., April 17, 1945; that copies of this order and direction shall be served upon the State railroad regulatory bodies of all States and the District of Columbia and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTELL,  
Secretary.

[F. R. Doc. 45-6099; Filed, Apr. 17, 1945;  
10:24 a. m.]

[S. O. 302]

#### PART 97—ROUTING OF TRAFFIC

##### REROUTING OF FREIGHT TRAFFIC DUE TO FLOODS IN OKLAHOMA, MISSOURI AND KANSAS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 16th day of April, A. D. 1945.

It appearing, that because of flood conditions in the States of Oklahoma, Missouri, and Kansas, common carriers by railroad are unable properly to serve the public; the Commission is of opinion an emergency requiring immediate action exists in Oklahoma, Missouri and Kansas 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:

*Flood condition.*—(a) *Rerouting of freight traffic.* All common carriers by railroad, subject to the Interstate Commerce Act, serving the States of Oklahoma, Missouri, and Kansas, with tracks affected by flood conditions, are hereby directed to forward freight traffic having origin or destination in or ordinarily moving through the flooded areas of Oklahoma, Missouri, and Kansas, 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 12:01 p. m., April 16, 1945.

(e) *Expiration date.* This order shall expire at 11:59 p. m., April 23, 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 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. BARTELL,  
Secretary.

[F. R. Doc. 45-6102; Filed, Apr. 17, 1945;  
10:24 a. m.]

## Notices

### DEPARTMENT OF AGRICULTURE.

#### Rural Electrification Administration.

[Administrative Order 889]

#### ALLOCATION OF FUNDS FOR LOANS

APRIL 7, 1945.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project Designation:	Amount
Illinois 5031C2 Monroe.....	\$30,000
Maine 5002C2 Penobscot.....	10,000
Minnesota 5094A4 North Itasca*..	78,316
Minnesota 5-4094A4 North Itasca*.....	21,684
Missouri 5056A3 Sullivan.....	10,000
Oklahoma 5006H2 Caddo.....	20,000
Oklahoma 5-4016D2 Pontotoc.....	13,000
Oklahoma 5024B4 Lincoln.....	14,000
Oklahoma 5-4024B4 Lincoln.....	11,000
South Dakota 5019A1 Turner.....	114,000
Texas 5107C3 Martin.....	25,000
Virginia 5027H5 Nottoway.....	70,000

WILLIAM J. NEAL,  
Acting Administrator.

[F. R. Doc. 45-6088; Filed, Apr. 16, 1945;  
3:21 p. m.]

### INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 964]

#### RECONSIGNMENT OF ORANGES AT CROXTON YARD, N. J.

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 reconignment at Croxton Yard, New Jersey, April 13 or 14, 1945, by Kingston Produce Company, of car PFE 76601, oranges, now on the Erie Railroad, to Kingston Produce Company, Providence, Rhode Island. 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 13th day of April 1945.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 45-6097; Filed, Apr. 17, 1945;  
10:24 a. m.]

[S. O. 262, Special Permit 16]

REFRIGERATION OF ORANGES FROM  
AUBURNDALE, FLA.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph of Service Order No. 262 of December 18, 1944 (9 F.R. 14786), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 262 insofar as it applies to the furnishing of standard refrigeration on cars PFE 40786 and WFE 61572, oranges, shipped by Adams Packing Company, April 12, 1945, from Auburndale, Florida, to Kroger Grocery and Baking Company, Peoria, Illinois, (SAL-MDS-CofG-NC&StL-CB&Q).

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 13th day of April 1945.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 45-6098; Filed, Apr. 17, 1945;  
10:24 a. m.]

[S. O. 288, Special Permit 11]

REFRIGERATION OF SHELL EGGS FROM  
OMAHA, NEBR.

Pursuant to the authority vested in me by paragraph (E) of the first ordering paragraph of Service Order No. 288 of February 27, 1945 (10 F.R. 2408), per-

mission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 288 insofar as it applies to the furnishing or supplying of one refrigerator car for loading with shell eggs packed in used fibreboard egg cases, shipped by Interstate Egg Company, from Omaha, Nebraska, not later than April 18, 1945, to Pomona, California, (via Union Pacific Railroad), provided the used fibreboard egg cases in which the eggs are packed comply with requirements of Consolidated Freight Classification No. 16.

The car order, bill of lading, other shipping papers and 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 13th day of April 1945.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 45-6100; Filed, Apr. 17, 1945;  
10:24 a. m.]

[S. O. 301, Special Permit 1]

LOADING OF BAUXITE ORE AT WEEHAWKEN,  
N. J.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph of Service Order No. 301 of April 13, 1945 (10 F.R. 4109), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 301 insofar as it applies to the furnishing of not to exceed thirty-five (35) railroad freight cars by the New York, Ontario and Western Railway Company, not later than April 21, 1945, at Weehawken, New Jersey, for the transfer of bauxite ore from S. S. Muldoba, and the transportation of the said cars from point of loading to Arvita, Quebec, Canada, consigned to Aluminum Company of Canada.

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 14th day of April 1945.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 45-6101; Filed, Apr. 17, 1945;  
10:24 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 4784]

ILSE NEUMANN

In re: Estate of Ilse Neumann, deceased; File D-28-1656; E. T. sec. 495.

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

That the property described as follows: All gems and jewelry and any other property of Thomas Bernhard of any kind or character whatsoever in the possession, custody or control of Security-First National Bank of Los Angeles, pursuant to a decree of distribution, dated February 2, 1942, of the Superior Court of the State of California in and for the County of Los Angeles and entered in the matter of the Estate of Ilse Neumann, deceased,

is property within the United States owned or controlled by a national of a designated enemy country, Germany, namely,

National and Last Known Address

Thomas Bernhard, The Hague, Holland.

And determining that Thomas Bernhard, a citizen or subject of a designated enemy country, Germany, and within an enemy occupied country, Holland, is a national of a designated enemy country, Germany;

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

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

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

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

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

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section

10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 9, 1945.

[SEAL]

JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 45-6105; Filed, Apr. 17, 1945;  
11:04 a. m.]

[Vesting Order 4792]

ANNA BARNBECK

In re: Estate of Anna Barnbeck, deceased; D-28-9537; E. T. sec. 12987.

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

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Heinrich Barnbeck and the children of Heinrich Barnbeck, names unknown, and each of them, in and to the Estate of Anna Barnbeck, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

Heinrich Barnbeck, Germany.  
Children of Heinrich Barnbeck, names unknown, Germany.

That such property is in the process of administration by K. H. Mehlburger, as administrator c. t. a., acting under the judicial supervision of the Probate Court, Fort Smith District, Sebastian County, Arkansas;

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 above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

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

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

admission of the existence, validity or right to allowance of any such claim.

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

Executed at Washington, D. C., on April 10, 1945.

[SEAL]

JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 45-6106; Filed, Apr. 17, 1945;  
11:04 a. m.]

[Vesting Order 4793]

ARPAD BERGER

In re: Estate of Arpad Berger, deceased; File D-66-1962; E. T. sec. 11238.

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

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Juhasz Sandor, Kemeny Berta and Mrs. Vadasz Sandor, and each of them, in and to the Estate of Arpad Berger, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Rumania, namely,

*Nationals and Last Known Address*

Juhasz Sandor, Rumania.  
Kemeny Berta, Rumania.  
Mrs. Vadasz Sandor, Rumania.

That such property is in the process of administration by J. W. Dance, as Depository, acting under the judicial supervision of the County Court of Knox County, Tennessee;

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, (Rumania);

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

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

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

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a

hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

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

Executed at Washington, D. C., on April 10, 1945.

[SEAL]

JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 45-6107; Filed, Apr. 17, 1945;  
11:04 a. m.]

[Vesting Order 4794]

BERNARD BREITMAN

In re: Estate of Bernard Breitman, deceased; File No. D-57-367; E.T. sec. 11467.

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

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Liba Donitz, Alta Breitman, Charlotte Breitman, Franziska Breitman and Grete Breitman Bachruch, and each of them, in and to the Estate of Bernard Breitman, deceased,

is property payable or deliverable to, or claimed by, nationals of designated enemy countries, Roumania and Germany, namely,

*Nationals and Last Known Address*

Liba Donitz, Roumania.  
Alta Breitman, Roumania.  
Charlotte Breitman, Germany (Austria).  
Franziska Breitman, Germany (Austria).  
Grete Breitman Bachruch, Germany (Austria).

That such property is in the process of administration by Israel Breitman and Rubin Breitman, as Administrators of the Estate of Bernard Breitman, acting under the judicial supervision of the Surrogate's Court, County of New York, New York;

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 designated enemy countries, Roumania and 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 above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

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

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

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

Executed at Washington, D. C., on April 10, 1945.

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

[F. R. Doc. 45-6108; Filed, Apr. 17, 1945;  
11:04 a. m.]

[Vesting Order 4795]  
JOSEPH DEMARTINI

In re: Estate of Joseph Demartini, also known as Joseph De Martini, deceased. File D-38-3056; E. T. sec. 9067.

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

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Ernesto Demartini and Gilda Romani, and each of them, in and to the Estate of Joseph Demartini, also known as Joseph De Martini, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

*Nationals and Last Known Address*

Ernesto Demartini, Italy.  
Gilda Romani, Italy.

That such property is in the process of administration by Erminia Demartini, as Executrix, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

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, (Italy);

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

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

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indi-

cate 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 April 10, 1945.

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

[F. R. Doc. 45-6109; Filed, Apr. 17, 1945;  
11:04 a. m.]

[Vesting Order 4796]

FRANZ J. DOMMERQUE

In re: Trust under the will of Franz J. Dommerque, deceased; File F-28-2207; E. T. sec. 7922.

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

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Anna Dommerque and Karl Rademacher, and each of them, in and to the estate of Franz J. Dommerque, deceased, and in and to the trust created under the Last Will and Testament of Franz J. Dommerque, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

Anna Dommerque, Germany.  
Karl Rademacher, Germany.

That such property is in the process of administration by John Gibleon, as Executor and Trustee, acting under the judicial supervision of the Ocean County Orphans' Court, Toms River, New Jersey;

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 above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending

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

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

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

Executed at Washington, D. C., on April 10, 1945.

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

[F. R. Doc. 45-6110; Filed, Apr. 17, 1945;  
11:04 a. m.]

[Vesting Order 4797]

RICHARD HAVEMANN

In re: Estate of Richard Havemann, deceased; File D-28-9152; E. T. sec. 11844.

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

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Hedwig Seigel, Margarete Havemann, Elsie Havemann and Dr. Hans Havemann, and each of them, in and to the Estate of Richard Havemann, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

Hedwig Seigel, Germany.  
Margarete Havemann, Germany.  
Elsie Havemann, Germany.  
Dr. Hans Havemann, Germany.

That such property is in the process of administration by Chester D. Gunn, as Administrator of the Estate of Richard Havemann, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of San Diego;

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 above, to

be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

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

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

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

Executed at Washington, D. C., on April 10, 1945.

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

[F. R. Doc. 45-6111; Filed, Apr. 17, 1945;  
11:04 a. m.]

[Vesting Order 4798]

OTTO JOHANNES

In re: Estate of Otto Johannes, deceased; File D-28-9455; E. T. sec. 12688.

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

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Maria Jahnke and heirs, next of kin, distributees, names unknown, of Otto Johannes, deceased, and each of them, in and to the Estate of Otto Johannes, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

Maria Jahnke, Germany.

Heirs, next of kin, distributees, names unknown, of Otto Johannes, deceased, Germany.

That such property is in the process of administration by Valentine Becker, as Administrator of the Estate of Otto Johannes, acting under the judicial supervision of the Orphans' Court of Baltimore City, Maryland;

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 above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

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

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

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

Executed at Washington, D. C., on April 10, 1945.

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

[F. R. Doc. 45-6112; Filed, Apr. 17, 1945;  
11:05 a. m.]

[Vesting Order 4799]

ADELINE JAEGER

In re: Mortgage Participation Certificate No. 168861 in mortgage F-736 (170874) issued by Bond & Mortgage Guarantee Company to Adeline Jaeger; File No. F-28-18250; E.T. sec. 6033.

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

That the property described as follows: All rights and interests evidenced by Mortgage Participation Certificate No. 168861 issued by Bond & Mortgage Guarantee Company under Mortgage F-736 (170874), and the right to the transfer and possession of any and all instruments evidencing such rights and interests,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

*National and Last Known Address*

Adeline Jaeger, Germany.

That such property is in the process of administration by Manufacturers Trust Company, as Trustee, acting under the judicial supervision of the Supreme Court, County of Kings, State of New York;

And determining that to the extent that such national is a person not within a desig-

nated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

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

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

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

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

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

Executed at Washington, D. C., on April 10, 1945.

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

[F. R. Doc. 45-6113; Filed, Apr. 17, 1945;  
11:05 a. m.]

[Vesting Order 4800]

ELIZABETH LAUB

In re: Estate of Elizabeth Laub, deceased; File D-57-301; E. T. sec. 8103.

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

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Marie Laub Schilling in and to the estate of Elizabeth Laub, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Rumania, namely,

*National and Last Known Address*

Marie Laub Schilling, Rumania.

That such property is in the process of administration by Joseph Laub, 3159a Potomac Avenue, St. Louis, Missouri, as Executor of the estate of Elizabeth Laub, deceased, acting under the judicial supervision of the Probate Court of the City of St. Louis, Missouri;

And determining that to the extent that such national is a person not within a desig-

nated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Rumania);

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

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

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

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

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

Executed at Washington, D. C., on April 10, 1945.

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

[F. R. Doc. 45-6114; Filed, Apr. 17, 1945; 11:05 a. m.]

[Vesting Order 4801]

ELOISE CASTLE MARX

In re: Estate of Eloise Castle Marx, deceased; File D-39-18352; E. T. sec. 12753; H-310.

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

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Shigetaro Morofuji and Tsuta Morofuji, and each of them, in and to the Estate of Eloise Castle Marx, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Japan, namely,

Nationals and Last Known Address

Shigetaro Morofuji, Japan.  
Tsuta Morofuji, Japan.

That such property is in the process of administration by Hawaiian Trust Company, Benjamin L. Marx and Benjamin L. Marx, Jr., as Executors, acting under the judicial

supervision of the Circuit Court, First Judicial Circuit, Territory of Hawaii;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

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

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

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

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

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

Executed at Washington, D. C., on April 10, 1945.

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

[F. R. Doc. 45-6115; Filed, April 17, 1945; 11:05 a. m.]

[Vesting Order 4802]

ALBERT BELA MINCZER

In re: Estate of Albert Bela Minczer, also known as Albert Minzer, deceased; File D-34-769; E. T. sec. 11472.

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

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Irma Haberland in and to the Estate of Albert Bela Minczer, also known as Albert Minzer, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Hungary, namely,

National and Last Known Address

Irma Haberland, Hungary.

That such property is in the process of administration by Margit Slater, 8059 South

Ellis Avenue, Chicago, Illinois, as Executrix of the Estate of Albert Bela Minczer, also known as Albert Minzer, deceased, acting under the judicial supervision of the Probate Court of Cook County, Chicago, Illinois;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (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 above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

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

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

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

Executed at Washington, D. C., on April 10, 1945.

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

[F. R. Doc. 45-6116; Filed, Apr. 17, 1945; 11:05 a. m.]

[Vesting Order 4803]

CHARLES MUELLER

In re Estate of Charles Mueller, deceased; File D-6-1174; E.T. sec. 12179.

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

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Sophia Chürfürst and William Chürfürst, and each of them, in and to the estate of Charles Mueller, deceased, is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Sophie Chürfürst, Germany (Austria).  
William Chürfürst, Germany (Austria).

That such property is in the process of administration by Eleanor D. Briden and Fidelity Union Trust Company, Co-executors, acting under the judicial supervision of the Essex County Orphans' Court, Newark, New Jersey;

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 above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

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

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

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

Executed at Washington, D. C., on April 10, 1945.

[SEAL]

JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 45-6117; Filed, Apr. 17, 1945;  
11:06 a. m.]

[Vesting Order 4804]

ESTHER OFFENBACHER

In re: Estate of Esther Offenbacher, deceased; File D-34-111; E. T. sec. 3620.

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

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Mihaly Szabo (also known as Michael Szabo) in and to the estate of Esther Offenbacher, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Hungary, namely,

Nationals and Last Known Address

Mihaly Szabo (also known as Michael Szabo), Hungary.

That such property is in the process of administration by Clarence W. Fortmann, 412 First National Bank Building, Massillon, Ohio, as Administrator of the estate of Esther Offenbacher, deceased, acting under the judicial supervision of the Probate Court of Stark County, Ohio;

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

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

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

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

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

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

Executed at Washington, D. C., on April 10, 1945.

[SEAL]

JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 45-6118; Filed, Apr. 17, 1945;  
11:06 a. m.]

[Vesting Order 4816]

HENRY KLOSTERMANN

In re: Estate of Henry Klostermann, deceased; File D-28-8979; E. T. sec. 11342.

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

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of William Klostermann, Anna Coldeway, Ella Fuhrken and Willi Klostermann, and each of them, in and to the Estate of Henry Klostermann, deceased.

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

William Klostermann, Germany.  
Anna Coldeway, Germany.  
Ella Fuhrken, Germany.  
Willi Klostermann, Germany.

That such property is in the process of administration by Murray E. Blair, as Executor, acting under the judicial supervision of the Superior Court of the State of California in and for the County of Los Angeles;

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 above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

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

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

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

Executed at Washington, D. C., on April 12, 1945.

[SEAL]

JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 45-6119; Filed, Apr. 17, 1945;  
11:06 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 20A-204]

NEWBURGH, NEW YORK, AREA

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 (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,<sup>1</sup> and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Newburgh, N. Y., so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, 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 operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. 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 operating authority of any operator named herein, such operator 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 operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, New York, N. Y., for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall

thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein. No operator who now is or hereafter becomes a party to the plan shall be expelled therefrom or refused participation therein without the authority of the Office of Defense Transportation.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-204" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, New York, New York.

8. This order shall become effective April 24, 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 17th day of April 1945.

GUY A. RICHARDSON,  
Director,

Highway Transport Department,  
Office of Defense Transportation.

#### APPENDIX 1

Harry Brady, Newburgh, N. Y.  
Jack Ryan, doing business as R-R Taxi,  
Newburgh, N. Y.

Alex Kernochan, doing business as Sandy's  
Taxi, Newburgh, N. Y.

Quenton Skipworth, doing business as  
Red's Taxi, Newburgh, N. Y.

W. P. Winters, doing business as Winters'  
Taxi, Newburgh, N. Y.

[F. R. Doc. 45-6090; Filed, Apr. 16, 1945;  
3:33 p. m.]

#### [Supp. Order ODT 20A-405]

#### COOS BAY AND NORTH BEND, OREG., AREA 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 (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,<sup>1</sup> and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Coos Bay and North Bend, Oreg., so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, 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 operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the ap-

propriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. 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 operating authority of any operator named herein, such operator 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 operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Portland, Oreg., for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein. No operator who now is or hereafter becomes a party to the plan shall be expelled therefrom or refused participation therein without the authority of the Office of Defense Transportation.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-205" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Portland, Oregon.

8. This order shall become effective April 24, 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 17th day of April 1945.

GUY A. RICHARDSON,  
Director,

Highway Transport Department,  
Office of Defense Transportation.

<sup>1</sup>Filed as part of the original document.

THE AMERICAN ROLLING MILL CO., MONTGOMERY, W. VA., MONTGOMERY #6 MINE, NO. 5 BLOCK SEAM, MINE INDEX NO. 7327, RALEIGH COUNTY, W. VA., SUBDISTRICT 4, RAIL SHIPPING POINT: MONTGOMERY, W. VA., F. O. G. 12, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 4

Price classification	Size group Nos.														
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21	22
Rail shipment and railroad fuel	G	G	G	G	G	G	F	F	D	F	B	E	E	E	J
Truck shipment	385	375	360	360	345	335	320	315	315	345	305	295	290	290	245
	390	370	340	350	320	305	290	255							

NATHAN AUSTIN, CROMONA, KY., AUSTIN MINE, ELKHORN SEAM, MINE INDEX NO. 7345, LETCHER COUNTY, KY., SUBDISTRICT 1, RAIL SHIPPING POINT: FLEMING, KY., F. O. G. 62, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Price classification	Size group Nos.														
	H	H	H	H	F	F	F	E	E	C	C	A	D	D	D
Rail shipment and railroad fuel	380	375	360	360	355	340	320	315	315	370	305	300	300	300	300
Truck shipment	380	360	335	335	320	295	290	255							

BLACKWOOD FUEL CO., C. R. HORNE, TREAS., BLACKWOOD, VA., CALVIN MINE, WILSON SEAM, MINE INDEX NO. 7343, LEE COUNTY, VA., SUBDISTRICT 7, RAIL SHIPPING POINT: BUNDY, VA., F. O. G. 202, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Price classification	Size group Nos.														
	M	M	M	M	K	K	K	J	G	E	G	D	H	H	H
Rail shipment and railroad fuel	350	350	345	345	345	320	295	290	255	310	345	300	295	285	280
Truck shipment	380	360	335	335	320	295	290	255							

RAMETS FORK COAL CO., c/o W.M. COLLINS, CROMONA, KY., RAMETS FORK MINE, ELKHORN SEAM, MINE INDEX NO. 7344, LETCHER COUNTY, KY., SUBDISTRICT 1, RAIL SHIPPING POINT: FLEMING, KY., F. O. G. 62, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Price classification	Size group Nos.														
	H	H	H	H	F	F	F	E	E	C	C	A	D	D	D
Rail shipment and railroad fuel	380	375	360	360	355	340	320	315	315	370	305	300	300	300	300
Truck shipment	380	360	335	335	320	295	290	255							

RED JACKET COAL CORP., 115 E. RICH ST., COLUMBUS, OHIO, MITCHELL BRANCH MINE, THACKER SEAM, MINE INDEX NO. 7342, MINGO COUNTY, W. VA., SUBDISTRICT 8, RAIL SHIPPING POINT: MATEWAN, W. VA., F. O. G. 130, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Price classification	Size group Nos.														
	M	M	M	M	L	L	L	K	H	F	H	D	F	F	K
Rail shipment and railroad fuel	350	350	345	345	320	320	320	310	310	340	300	295	290	280	245
Truck shipment	380	360	335	335	320	295	290	255							

RICHARD WEST, EVARIS, KY., HARLAN MINE, HARLAN SEAM, MINE INDEX NO. 7341, HARLAN COUNTY, KY., SUBDISTRICT 2, RAIL SHIPPING POINT: EVARIS, KY., F. O. G. 80, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Price classification	Size group Nos.														
	O	O	O	O	L	L	L	K	F	D	D	D	H	H	H
Rail shipment and railroad fuel	345	340	325	325	320	320	310	310	315	315	370	300	295	285	280
Truck shipment	380	360	335	335	320	295	290	255							

MONITOR COAL & COKE CO., WILKINSON, W. VA., YUMA ALMA #3 MINE, ALMA SEAM, MINE INDEX NO. 4102, 1 LOGAN COUNTY, W. VA., SUBDISTRICT 5, RAIL SHIPPING POINT: WILKINSON, W. VA., DEEP MINE

Price classification	Size group Nos.														
	Q	Q	Q	Q	L	L	L	K	H	F	H	E	J	J	J
Rail shipment and railroad fuel	330	325	320	320	320	310	310	310	305	340	300	295	285	280	205
Truck shipment	380	360	335	335	320	295	290	255							

1 Previously established.

OFFICE OF PRICE ADMINISTRATION, [MPR 120, Order 1339]

BITUMINOUS COAL AT DISTRICT 22 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:

(1) The following maximum prices in cents per net ton are hereby established by size for coals produced at the Miller Coulee Coal Mine, Mine Index No. 183 in Subdistrict No. 3 of District No. 22:

All methods of transportation (except truck or wagon) and for all uses	Size group Nos.										
	1, 2, 3, 4, 5, 6	7, 8	9	10	11	12	15				
Truck or wagon shipments <sup>1</sup>	\$4.65	\$3.20	\$2.70	\$2.70	\$1.80	\$1.55	\$2.80				
	3.20	2.70	2.70	1.70							

<sup>1</sup> Previously established.

(2) The maximum prices established hereby are f. o. b. the mine or preparation plant for truck or wagon shipments, and f. o. b. the rail or river shipping point for rail or river shipments and railroad fuel.

(3) The price classifications established by this order are permanent, but the maximum prices are subject to change by amendment to the regulation or order issued thereunder.

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

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

(6) As specifically provided in this order, the provisions of Maximum Price Regulation No. 120 governing the sale of bituminous coal shall remain in effect.

This order shall become effective immediately.

Issued this 16th day of April 1945.

CHESTER BOWLES, Administrator.

[F. R. Doc. 45-6057; Filed, Apr. 16, 1945; 11:10 a. m.]

[MPR 120, Order 1340]

AMERICAN ROLLING MILL CO., ET AL. ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with Maximum Price Regulation No. 120.

HARRIETE WATTS, doing business as Union Cab Company, Cocos Bay, Oreg.

HARRIETE LUCHSINGER WATTS, Cocos Bay, Oreg.

JOE EMERY, Cocos Bay, Oreg.

MELBA PHILPOTT, Cocos Bay, Oreg.

GORST & KING, North Bend, Oreg.

A. BUCHANAN, doing business as Buck's Taxi, North Bend, Oreg.

VIKING HODSON, doing business as North Bend Taxi, North Bend, Oreg.

[F. R. Doc. 45-6091; Filed, Apr. 16, 1945; 3:33 p. m.]

LEICHERSON COAL AND COKE CO., c/o EMILIO ERMINO, R. D. #1, BOX 16, MCCLELLANDTOWN, PA., LEICHERSON #2 MINE, PITTSBURGH SEAM, MINE INDEX NO. 4294, FAYETTE COUNTY, PA., SUBDISTRICT 3, RAIL SHIPPING POINT: LEICHERSON, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 7, MAXIMUM TRUCK PRICE GROUP NO. 7

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification.....	D	D	C	C	C	C	C	C	C	C	C
Rail shipment.....	310	310	310	310	310	300	275	275	255	255	255
Railroad fuel.....	310	310	310	310	310	300	275	275	255	255	255
Truck shipment.....	415	415	415	385	375	375	375	310	290	290	285

EUGENE FINE, MONONGAHELA, PA., EUGENE FINE MINE, REDSTONE SEAM, MINE INDEX NO. 4285, ALLEGHENY COUNTY, PA., SURDISTRICT 9, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5.

	1	2	3	4	5	6	7	8	9	10	11
Truck shipment.....	425	425	425	390	360	360	360	325	285	285	270

FORD & GASKILL, GREENSBORO, PA., LINDSEY MINE, PITTSBURGH SEAM, MINE INDEX NO. 4283, GREENE COUNTY, PA., SUBDISTRICT 3, RAIL SHIPPING POINT: POLAND, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 7, MAXIMUM TRUCK PRICE GROUP NO. 11

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification.....	F	F	E	E	F	F	F	F	F	F	F
Rail and river shipments.....	285	285	280	280	280	270	250	250	250	240	240
Railroad fuel.....	285	285	280	280	280	270	250	250	250	240	240
Truck shipment.....	380	380	380	360	340	340	340	280	260	260	260

JAMES W. FORD, BUENA VISTA, PA., FALKNER MINE, PITTSBURGH SEAM, MINE INDEX NO. 4281, ALLEGHENY COUNTY, PA., SUBDISTRICT 7, RAIL SHIPPING POINT: IMPERIAL, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 2, MAXIMUM TRUCK PRICE GROUP NO. 5

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification.....	D	D	C	C	C	F	G	G	G	G	G
Rail shipment.....	310	310	310	310	310	275	245	245	245	230	230
Railroad fuel.....	310	310	310	310	310	290	275	245	245	235	235
Truck shipment.....	425	425	425	390	360	360	360	325	285	285	270

FURMAN COAL CO., FIRST NATIONAL BANK BLDG., WAYNESBURG, PA., FURMAN MINE, SEWICKLEY SEAM, MINE INDEX NO. 4273, GREENE COUNTY, PA., SUBDISTRICT 3, RAIL SHIPPING POINT: POLAND, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 8, MAXIMUM TRUCK PRICE GROUP NO. 11

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification.....	I	I	H	H	H	H	H	H	H	H	H
Rail and river shipments.....	285	285	270	270	270	260	235	235	235	230	230
Railroad fuel.....	285	285	270	270	270	260	235	235	235	230	230
Truck shipment.....	380	380	380	360	340	340	340	280	260	260	260

W. PAUL BROOKS, 415 39TH ST., BEAVER FALLS, PA., BROOKS #2 MINE, PITTSBURGH SEAM, MINE INDEX NO. 4283, WESTMORELAND COUNTY, PA., SUBDISTRICT 9, RAIL SHIPPING POINT: WYAND, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 1, MAXIMUM TRUCK PRICE GROUP NO. 8

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification.....	D	D	C	C	C	C	C	C	C	C	C
Rail shipment.....	310	310	310	310	300	300	275	275	255	255	255
Railroad fuel.....	310	310	310	310	300	300	275	275	255	255	255
Truck shipment.....	415	415	395	365	365	365	365	305	285	285	285

THE DEER FIELD COAL CO., CALDWELL & GRAHAM BLDG., WILKINSBURG, PA., DEER MINE, TWIN FREEPORT SEAM, MINE INDEX NO. 4305, ALLEGHENY COUNTY, PA., SUBDISTRICT 8, RAIL SHIPPING POINT: BAIRDORF, PA. & GIBSONIA, PA., DEEP MINE, RAILROAD FUEL PRICE GROUP 9, MAXIMUM TRUCK PRICE GROUP NO. 5

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification.....	E	E	D	D	C	C	C	C	C	C	C
Rail shipment.....	335	335	325	325	335	325	300	300	280	280	270
Railroad fuel.....	335	335	325	325	335	325	300	300	280	280	270
Truck shipment.....	425	425	425	390	360	360	360	325	285	285	270

The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.213 and all other provisions of Maximum Price Regulation No. 120.

**BENAL COLLIERIES, ET AL.**  
 ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS  
 For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*  
 Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 2.

**BENAL COLLIERIES, ET AL.**  
 ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS  
 For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*  
 Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 2.

**BENAL COLLIERIES, ET AL.**  
 ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS  
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 Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 2.

**BENAL COLLIERIES, ET AL.**  
 ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS  
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 Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 2.

**BENAL COLLIERIES, ET AL.**  
 ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS  
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 Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 2.

**BENAL COLLIERIES, ET AL.**  
 ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS  
 For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*  
 Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 2.

**BENAL COLLIERIES, ET AL.**  
 ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS  
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 Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 2.

**BENAL COLLIERIES, ET AL.**  
 ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS  
 For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*  
 Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 2.

**BENAL COLLIERIES, ET AL.**  
 ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS  
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 Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 2.

**BENAL COLLIERIES, ET AL.**  
 ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS  
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 Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 2.

**BENAL COLLIERIES, ET AL.**  
 ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS  
 For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*  
 Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 2.

**BENAL COLLIERIES, ET AL.**  
 ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS  
 For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*  
 Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 2.

**BENAL COLLIERIES, ET AL.**  
 ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS  
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 Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 2.

**BENAL COLLIERIES, ET AL.**  
 ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS  
 For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*  
 Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 2.

**BENAL COLLIERIES, ET AL.**  
 ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS  
 For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*  
 Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 2.

**BENAL COLLIERIES, ET AL.**  
 ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS  
 For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*  
 Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 2.

**BENAL COLLIERIES, ET AL.**  
 ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS  
 For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*  
 Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 2.

**BENAL COLLIERIES, ET AL.**  
 ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS  
 For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*  
 Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 2.

**BENAL COLLIERIES, ET AL.**  
 ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS  
 For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*  
 Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 2.

**BENAL COLLIERIES, ET AL.**  
 ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS  
 For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*  
 Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 2.

**BENAL COLLIERIES, ET AL.**  
 ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS  
 For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*  
 Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 2.

**BENAL COLLIERIES, ET AL.**  
 ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS  
 For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*  
 Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 2.

**BENAL COLLIERIES, ET AL.**  
 ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS  
 For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*  
 Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 2.

**BENAL COLLIERIES, ET AL.**  
 ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS  
 For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*  
 Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 2.

**BENAL COLLIERIES, ET AL.**  
 ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS  
 For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*  
 Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 2.

**BENAL COLLIERIES, ET AL.**  
 ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS  
 For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*  
 Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 2.

This order shall become effective April 17, 1945.  
 (56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 16th day of April 1945.  
 CHESTER BOWLES,  
 Administrator.  
 [F. R. Doc. 45-6058; Filed, Apr. 16, 1945; 11:11 a. m.]

[MPR 120, Order 1343]  
**BITUMINOUS COAL AT DISTRICT 8**  
 ESTABLISHMENT OF MAXIMUM PRICES  
 For reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.207 (a) of Maximum Price Regulation No. 120; *It is ordered:*  
 (1) The following maximum prices in cents per net ton are established by size for all methods of shipment, for bituminous coal from the mines indicated by index number and name, all of which are in District 8.





HODGIN & GILLIAM, P. O. BOX 168, RAINELE, W. VA., HODGIN & GILLIAM NO. 1 MINE, SEWELL SEAM, MINE INDEX NO. 1036, GREENBRIER COUNTY, W. VA., SUBDISTRICT 1, RAIL SHIPPING POINT: RAINELE, W. VA., STRIP MINE

	Size group Nos.									
	1	2	3	4	5	6	7	8	9	10
Price Classification.....	D	D	C	A	A	B	B	C	C	C
Rail Shipment.....	380	390	400	355	345	380	350	315	310	305
Truck Shipment.....	465	385	415	350	335	330				

THE NORWOOD CO., % BOYD J. HUFF, P. O. BOX 508, BECKLEY, W. VA., NORWOOD NO. 1 MINE, BECKLEY SEAM MINE INDEX NO. 1057, RALEIGH COUNTY, W. VA., SUBDISTRICT 2, RAIL SHIPPING POINT: GLEN MORGAN, W. VA., STRIP MINE

	B	B	A	A	A	B	B	B	B	B
Price Classification.....	B	B	A	A	A	B	B	B	B	B
Rail Shipment.....	395	405	410	355	345	380	350	320	315	310
Truck Shipment.....	465	385	415	350	335	330				

Railroad locomotive fuel: For the following mine index Nos. 1036 and 1057:

Any single-screened lump or double-screened coals.....	365
Run of mine.....	350
Screenings, larger than 1 1/4" x 0 but not exceeding 2 3/4" x 0.....	335
Screenings 1 1/4" x 0 and smaller.....	310

This order shall become effective April 17, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 16th day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-6060; Filed, Apr. 16, 1945; 11:11 a. m.]

[MPR 188, Order 25 Under Order 1052]

BALLMAN-CUMMINGS FURNITURE 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 paragraph (h) of Order No. 1052 under § 1499.159b of Maximum Price Regulation No. 188; *It is ordered:*

(a) Ballman-Cummings Furniture Company, Fort Smith, Arkansas, may add the following additional adjustment charges to its maximum prices for sales and deliveries to retailers of the articles listed below which it manufactures, resulting in the following adjusted maximum prices:

Article	Model No.	Maximum price	Adjustment permitted by paragraph (d) of Order No. 1052	Additional adjustment permitted by this Order	Total adjusted maximum price to retailers
Vanity and toilet.....	131	\$20.50	\$1.03	\$4.33	\$25.86
Chest.....	132	14.25	.71	1.82	16.78
Bed.....	134	12.00	.60	.20	12.80

The adjustment charges listed above may be made and collected only if each is separately stated on each invoice. The adjusted maximum prices are subject to the manufacturer's customary terms, discounts, allowances, and other price differentials in effect during March 1942 on sales to retailers.

(b) *Maximum prices of retailers.* Retailers of the articles covered by this

order may adjust their properly established maximum prices for these articles by adding thereto no more than the dollar-and-cents amount of the additional adjustment charges permitted for the manufacturer by this order, and for which they have become obligated. When the applicable regulation requires the maximum resale price to be computed on the basis of cost, the figure used as the cost may not include any adjustment charge authorized for the manufacturer, and the maximum price so computed may be adjusted in the same amount. The adjusted prices are subject to each seller's customary terms, discounts, and allowances on sales of the same or similar articles.

(c) *Notification.* At the time of, or prior to, the first invoice to a retailer, on and after the effective date of this order for the sale of an article covered by this order, at a price adjusted in accordance with the terms of this order, the manufacturer shall notify the purchaser in writing of the method established by paragraph (b) of this order for determining adjusted maximum prices for resales of the articles. This notice may be given in any convenient form.

(d) All requests not specifically granted by this order are hereby denied.

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

This order shall become effective on the 17th day of April 1945.

Issued this 16th day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-6062; Filed, Apr. 16, 1945; 11:12 a. m.]

[RMPR 136, Order 425]

BENDIX AVIATION CORP.

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 425 under Revised Maximum Price Regulation 136. Machines, parts, and industrial equipment. Zenith Carburetor Division of Bendix Aviation Corporation. Docket No. 3136-392.

Second Revised Order No. 216 under Maximum Price Regulation 136, as

amended, is redesignated Order No. 425 under Revised Maximum Price Regulation 136, and is revised and amended to read as follows:

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 Revised Maximum Price Regulation 136 and section 16 of Maximum Price Regulation 452; *It is ordered:*

(a) The maximum prices for sales by the Zenith Carburetor Division of the Bendix Aviation Corporation, 696 Hart Avenue, Detroit, Michigan, of the following carburetor models as original equipment to vehicle or engine manufacturers shall be as follows:

Model	Outline	Maximum price per unit
TU4C	9549	\$3.82
R-20	9150	2.94
CH-5/8	425068	2.45
UC-7/8	426041	3.70
30BW11	9987	4.91
SF-2	A-18702 (F-5598)	6.97
22AX8	9536	7.32
161X7	9749	2.35
OH-5/8	A-18010	2.94
161J7	9705	2.64
59B3	9452	1.49
UC-7/8	425041	3.99
SF-2	380022	7.35
124 1/2 TOP	7078	3.94
TU3YH	9314	3.07
161X7	9707	2.41
22AX8	9538	7.44
28AV11	9778	3.03
63AW11A	(S-750) (9763)	6.39
61SL7	10085	7.32
63AW12R	10094	9.12
30BW11R	9994	7.21
TU4C	9790	5.99
K5A	7433	7.40
63AW11R	9865	9.76
63AW11	9786	5.78
OH-5/8	A-18020	2.17
93 1/2	5827	3.96
256Y	6802	6.83
K5AC	6817	6.72
IN186EX1	7031	4.71
K5A	7074	7.40
TU4Y	7352	4.28
455-1	7375	7.24
22AX8	9537	7.30
22AX8	9539	7.39
62AXJ9	8964	5.61
455	7398	7.10
455	7617	7.63
455	7636	6.96
28AV11	9041	2.85
28AV11	9043	2.90
28AV11	9048	2.84
28BV11	9624	3.05
61M2AE X7	9738	3.51
28AV11	9798	2.81
28BVX9R	(S-711) 9441	6.78
22AX8C	9538	7.24
28AV11	(S-616) (9778)	3.07
63AW11	(S-750) (9763)	5.60
124 1/2	32000	3.20
TU4CD	9549	5.79
UR34	(F-6279) (A14770)	3.46
161X7	S-847 (9752)	2.31
63AW11B	9786	5.96
F343x1B		3.63
161J7	9706	2.57
124 1/2 TOP	8672	4.28
161XJ7	9667	2.78
61ASR	10081	6.97
457S	S-108 (8816)	10.82
62AJ10	S-480 (9841)	5.50
28BV10	9068	2.88
28BW12	10086	8.98
28AV11	8929	3.16
28AV11	9472	3.16
455	S-266 (7398)	7.22
28BV11R	9633	7.20
161X7	9752	2.35
30BW11	S-769 (9967)	6.69
28BV10	9004	4.93
TU3 1/2 XV	8358	4.93
UR 3/4	F-4127 (A-14210)	3.61
UR 3/4	A-16020B	4.91
UR 3/4	8798	3.18
TU3YV	8705	6.70
455	38000	3.63
UR 3/4	A-18240	3.79
UR 3/4	A-18270	3.85
UC-7/8	426026	3.98
SF-1	A-18531	5.60

Model	Outline	Maximum price per unit
UR-34	425040	\$4.21
UR-34	A-18200	4.04
UC-78	426080	3.78
161-7	S-632 (10034)	2.77
UR-34	F-5749 (A-18240)	4.26
UC-34	426020	3.67
R20T	7138	3.11
R20T	9711	3.04
2AKJ10	S-496 (8981)	4.46
UR-34	F-4721 (A-14770)	4.59
UR-34	F-4228 (A-14770)	4.64
61A5	9572	3.00
61AWE10	S-546 (9255)	5.84
62A9	9792	4.98
61AW14	10073	12.46
28BV12	9826	3.18
28BV11	9818	2.87
62AX9	S-648 (9893)	5.19

(b) The maximum prices for sales by the Zenith Carburetor Division of the Bendix Aviation Corporation of the following carburetor models for service or resale purposes shall be determined as follows: The manufacturer shall deduct from the following list prices all discounts, allowances and other deductions that he had in effect to a purchaser of the same class on March 31, 1942:

Carburetor model No.	Assembly No.	List price
TU4C	O-9549	\$17.50
SF-2	A18792	20.95
2A X8	O-9536	22.00
SF-2	389022	22.10
2A X8	O-9538	22.40
61SL7	O-10085	22.00
TU4C	O-9790	18.00
28Y	O-6902	20.55
TU4Y	O-7352	12.85
455-1	O-7375	21.80
2A X8	O-9537	21.95
2A X8	O-9539	22.25
455	O-7398	21.35
455	O-7617	22.95
455	O-7636	20.95
2A X8	O-9538	21.80
TU4C	O-9549	17.40
61ASR	O-10081	20.95
455	S-296, O-7398	21.70
28BV11R	O-9633	22.85
455	O-8705	20.15

This order shall become effective April 17, 1945.

Issued this 16th day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-6055; Filed, Apr. 16, 1945; 11:09 a. m.]

[MPR 188, Order 26 Under Order 1052]

GARRISON FURNITURE CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to paragraph (h) of Order No. 1052 under § 1499.159b of Maximum Price Regulation No. 188; It is ordered:

(a) Garrison Furniture, Company, Fort Smith, Arkansas, may add the following additional adjustment charges to its maximum prices for sales and deliveries to retailers of the articles listed below which it manufactures, resulting in the following adjusted maximum prices:

Article	Model No.	Maximum price	Adjustment permitted by paragraph (c) of Order No. 1052	Additional adjustment permitted by this Order	Total adjusted maximum price to retailers
Buffet	3856821.00	\$1.05	\$3.40	\$25.45	
Table	3856 13.25	.66	1.54	15.45	
China cabinet	3856 22.50	1.13	.72	24.85	
Set of 6 chairs	3856 20.50	1.03	1.47	23.00	

The adjustment charges listed above may be made and collected only if each is separately stated on each invoice. The adjusted maximum prices are subject to the manufacturer's customary terms, discounts, allowances, and other price differentials in effect during March 1942 on sales to retailers.

(b) *Maximum prices to retailers.* Retailers of the articles covered by this order may adjust their properly established maximum prices for these articles by adding thereto no more than the dollar-and-cents amount of the additional adjustment charges permitted for the manufacturer by this order, and for which they have become obligated. When the applicable regulation requires the maximum resale price to be computed on the basis of cost, the figure used as the cost may not include any adjustment charges authorized for the manufacturer, and the maximum price so computed may be adjusted in the same amount. The adjusted prices are subject to each seller's customary terms, discounts, and allowances on sales of the same or similar articles.

(c) *Notification.* At the time of, or prior to, the first invoice to a retailer, on and after the effective date of this order for the sale of an article covered by this order, at a price adjusted in accordance with the terms of this order, the manufacturer shall notify the purchaser in writing of the method established by paragraph (b) of this order for determining adjusted maximum prices for resales of the articles. This notice may be given in any convenient form.

(d) All requests not specifically granted by this order are hereby denied.

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

This order shall become effective on the 17th day of April 1945.

Issued this 16th day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-6063; Filed, Apr. 16, 1945; 11:12 a. m.]

[MPR 188, Order 3646]

THE LANDIS MANUFACTURING 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 MPR 188; It is ordered:

(a) This order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by The Landis Manufacturing Company, 216 Hazlett Court, Zanesville, 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	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
Juvenile picnic unit	300	Each \$2.67	Each \$2.84	Each \$3.34

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 articles described in the manufacturer's application dated February 1, 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 17th day of April 1945.

Issued this 16th day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-6064; Filed, Apr. 16, 1945; 11:12 a. m.]

[MPR 260, Order 736]

JAMES E. GIPE

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) James E. Gipe, 313 First Avenue, 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
John Nixon.....	Corona.....	50	Per M \$50	Cents 7

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

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

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

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

This order shall become effective April 17, 1945.

Issued this 16th day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-6065; Filed, Apr. 16, 1945; 11:13 a. m.]

[MPR 260, Order 737]

FRANK O. WHEELER

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) Frank O. Wheeler, 25 Conkey Avenue, Norwich, N. Y. (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
F. W.....	4 1/4.....	50	Per M \$44	Cents 2 for 11

(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 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 17, 1945.

Issued this 16th day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-6066; Filed, Apr. 16, 1945; 11:13 a. m.]

[MPR 260, Order 738]

CLAIR A. SHELLY

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) Clair A. Shelly, Craley, 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
Gov. Chase.....	Londres.....	50	Per M \$45	Cents 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 17, 1945.

Issued this 16th day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-6067; Filed, Apr. 16, 1945; 11:13 a. m.]

[MPR 260, Order 739]

DEMOCRATIC CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

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

(a) Democratic Cigar Factory, 2905 13th Street, Tampa 5, Fla., (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Democratic	Queens	50	Per M \$169.00	Cents 22
	Londres	50	146.00	19
	Panatcha	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 17, 1945.

Issued this 16th day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-6068; Filed, Apr. 16, 1945; 11:14 a. m.]

[MPR 260, Order 740]

PAUL ROSEMAN CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

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

(a) Paul Roseman Cigar Company, 520 Wallick Avenue, 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
Jo-Cal	2 3/4" x 5/4"	50	Per M \$48.	Cents 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 17, 1945.

Issued this 16th day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-6069; Filed, Apr. 16, 1945;  
11:14 a. m.]

[MPR 260, Order 741]

A. DORTA, JR.

**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) A. Dorta, Jr., 1014 15th Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or Frontmark	Packing	Maximum list price	Maximum retail price
Tampa Dreams..	DeLuxe Coronas.	50	Per M \$154.00	Cents 20
	Leathernecks.	50	75.00	10
	Coronas.....	50	93.75	2 for 25
	Londres.....	50	123.00	16

(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 17, 1945.

Issued this 16th day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-6070; Filed, Apr. 16, 1945;  
11:14 a. m.]

[MPR 260, Order 742]

HARRY F. FAKE

**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) Harry F. Fake, 58 S. 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
Bests Combination.	Londres.....	50	Per M \$60	Cents 2 for 15

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

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 17, 1945.

Issued this 16th day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-6071; Filed, Apr. 16, 1945;  
11:14 a. m.]

[MPR 260, Order 743]

MERWIN FREY

**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) Merwin Frey, R. D. #1, Wrightsville, 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
Master Key.....	Perfecto.....	50	Per M \$56	Cents 7
Windsor Wonder..	Londres.....	60	40	8

(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 price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same 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 17, 1945.

Issued this 16th day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-6072; Filed, Apr. 16, 1945; 11:15 a. m.]

[RMFR 499, Amdt. 2 to Order No. 2]

GRUEN WATCH 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 section 14 of Revised Maximum Price Regulation 499;

It is ordered, That paragraph (b) of Order No. 2 under section 14 of Revised Maximum Price Regulation 499 be amended in the following respects:

1. There is added at the end of the list of watch models and prices, the following additional models and prices:

Style name	Maximum price to retailers (Key-stone list price)	Maximum retail prices including Federal excise tax
Agnes	\$51.90	\$57.50
Alicia	79.90	97.50
Anita	64.90	67.50
Ardennes	52.90	59.50
Briarcliff	50.90	55.00
Carlotta	73.90	85.00
Curvex Queen	73.30	100.00
Curvex Sovereign	97.90	125.00
Ellen	89.90	119.50
Florence	65.90	67.50
Irene	69.90	71.50
Janice	69.90	71.50
Jeanette	89.90	110.00
Marjorie	53.90	59.50
Monterey	52.90	59.50
Normandy	53.90	59.50
Pan American Ace	40.10	45.00
Pan American Captain	89.90	119.50
Pan American Navigator	37.10	39.75
Faulne	85.90	97.50
Rosalie	69.90	67.50
Ursula	69.90	85.00
Veri-Thin Addison	34.10	39.75
Veri-Thin Cavell	34.30	39.75
Veri-Thin Dixie	31.10	33.75
Veri-Thin Grandee	85.30	92.50
Veri-Thin New Yorker	46.30	59.50
Veri-Thin Rapture	31.10	37.50
Veri-Thin Realm	89.90	125.00
Veri-Thin Regal	75.20	97.50
Veri-Thin Rhapsody	33.10	39.75
Veri-Thin Scepter	31.00	33.75
Veri-Thin Shield	35.00	39.75
Veri-Thin Star	37.10	39.75
Veri-Thin Sussex	33.10	37.50
Veri-Thin Viscount	71.20	92.50

This amendment shall become effective April 17, 1945.

Issued this 16th day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-6073; Filed, Apr. 16, 1945; 11:15 a. m.]

[MPR 260, Order 734]

TASCO CORP.

AUTHORIZATION OF MAXIMUM PRICES

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

(a) Tasco Corporation, 79 Madison Ave., New York 16, N. Y. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
Mi Marca	Coronas	25	Per M \$368.50	Cents 50
	Perfectos	25	240.00	33
	Petit Coronas	25	249.75	35
	Panetelas	50	150.00	20
	Corona Habana	25	195.75	28
Cristina	Petit Catros	25	105.75	28
	Londres	25	176.00	22
	Corona Habana	25	195.75	28
	Londres	25	176.00	22
	Panetelas	50	150.00	20

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported 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 importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during 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) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer 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 frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, 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 16, 1945.

Issued this 14th day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-5983; Filed, Apr. 14, 1945; 11:21 a. m.]

[MPR 260, Order 735]

MASTER CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

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

(a) Master Cigar Company, 539 Stocking Street NW, Grand Rapids 4, Mich. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Great Master	Senator	50	\$72	9
	Excellent	50	56	7
Dona Vega	Brevys	50	56	7
Viola	do	50	56	7
Forum	do	50	56	7
Flo Irwin	do	50	56	7

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

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

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall ap-

ply 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 16, 1945.

Issued this 14th day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-5984; Filed, Apr. 14, 1945;  
11:20 a. m.]

[Order 50 Under 19a, Amdt. 1]

#### FURNACE CARBON BLACK

#### ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to § 1499.19a of the General Maximum Price Regulation, It is ordered, That Order No. 50 under § 1499.19a of the General Maximum Price Regulation be amended by adding the phrase "or other gas enriching agents" after the word "propane" and adding the phrase "or industrial users" after the words "Defense Supplies Corporation."

This amendment shall become effective April 17, 1945.

Issued this 17th day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-6145; Filed, Apr. 17, 1945;  
11:43 a. m.]

[Max. Import Price Reg., Order 83]

#### CERTAIN IMPORTED GOODS

#### RETAIL CEILING 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) Purpose of this order. The purpose of this order is to enable you, as a retailer, to figure your own maximum prices for the principal classes of imported goods that remain under the Maximum Import Price Regulation without having to apply to the Office of Price Administration for approval. Most imported goods that you formerly had to price under the Maximum Import Price Regulation, including nearly all apparel, apparel accessories and home furnishings, must in the future be priced under Maximum Price Regulation No. 580 by using your base-period pricing chart as the latter regulation requires. Permitted percentage markups on cost are provided below in paragraph (c) for the principal classes of imported goods that remain under the Maximum Import Price Regulation when sold at retail and, unless they come within one of the exceptions set forth below in paragraph (b), you figure your maximum retail prices for these classes of imported goods simply by adding the permitted percent-

age markup to your net delivered cost (which, of course, may not exceed your supplier's ceiling price to you). Other imported goods remaining under the Maximum Import Price Regulation must continue to be priced under section 8 of that regulation.

(b) Exceptions from this order. You may not figure your maximum prices under this order for any of the following imported goods even though they are listed below in paragraph (c):

(1) Goods you import yourself. (You must establish your maximum prices for such goods under section 8 of the Maximum Import Price Regulation or other regulations applicable to importers.)

(2) Goods for which the Office of Price Administration has approved your maximum prices by letters or letter-orders addressed to you individually or for which the Office of Price Administration has established or hereafter establishes your maximum prices by orders of general applicability that require your supplier to notify you of your maximum prices. (All such letters, letter-orders and general orders previously issued, approving or establishing maximum retail prices for imported goods listed in paragraph (c), remain in effect and you must observe such maximum prices, as well as those furnished to you by your supplier in the future, instead of computing your maximum prices for such goods under this order.)

(3) Goods you do not sell "over the counter" to ultimate consumers at a regularly established retail store. You must establish your maximum prices under the Maximum Import Price Regulation for any imported goods listed in paragraph (c) if you do not sell them at a regularly established retail store (e. g., if you sell them at a mail order establishment) or if you sell them to buyers other than ultimate consumers. You may figure your maximum prices under this order for sales to commercial, industrial, institutional or Governmental users who buy "over the counter" at a regularly established retail store, but you must allow them the discounts or other price differentials customarily allowed in March 1942.

(c) How to figure your maximum prices. Beginning April 20, 1945, if you sell at retail any imported goods of the classes listed below in Column I (and not excepted under paragraph (b) above), your maximum price therefor is your net delivered cost thereof (less all discounts available to you other than cash discounts) plus the permitted percentage markup on such cost provided below in Column II for that class of imported goods: Provided, however, That if your supplier certifies on his invoice that his price to you for the invoiced imported goods does not exceed the highest price at which he actually delivered the same imported goods to retailers in March, 1942, your permitted percentage markup on cost thereof is one-third greater than the percentage provided in Column II for that class of imported goods (calculated by multiplying the percentage in Column II by 1.33).

Column I Classes of Imported Goods	Column II Permitted Percentage Markup on Cost (Percent)
Jewelry	75
Silverware	75
Chinaware	75
Glassware	75
Pottery	75
Cigarette lighters	75
Sporting goods	61
Brooms	38
Rakes	38
Basketware	61
Men's wallets	61
Toys	61
Perfumes and cosmetics	61
Musical instruments	61

(d) *Relation of this order to Maximum Import Price Regulation.* This order supersedes section 8 of the Maximum Import Price Regulation with respect to all sales of imported goods for which maximum prices are herein established. The other provisions of the Maximum Import Price Regulation continue to apply, however, unless they are inconsistent with this order. You must, for example, keep records as required by section 18 of the regulation, showing how you compute your maximum prices.

This order shall become effective April 20, 1945.

Issued this 16th day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-6096; Filed, Apr. 16, 1945;  
4:17 p. m.]

[RMFR 136, Order 423]

MACK MANUFACTURING CORP.

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 423 under Revised Maximum Price Regulation 136. Machines, parts and industrial equipment. Mack Manufacturing Corporation; Docket No. 6083-136.25a-204.

For the reasons set forth in an opinion, issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, Executive Orders 9250 and 9328, and section 21 of Revised Maximum Price Regulation 136, it is ordered:

(a) The Mack Manufacturing Corporation, Empire State Building, New York, New York, is authorized to sell to national accounts, resellers and purchasers at retail, each Mack motor truck containing the chassis described in subparagraph (1) at a price not to exceed the list price in that subparagraph, adjusted as provided in that subparagraph, plus the applicable allowances in subparagraph (2).

(1) List price, subject to sellers discounts in effect on March 31, 1942.

Model and Description: *List price, f. o. b. factory*  
 LF, Truck chassis with 176" wheelbase, and 1942 standard specifications and equipment..... \$4,700

LFT, Truck tractor chassis with 140" wheelbase and 1942 standard specifications and equipment..... 5,010

(2) *Charges.* (i) A charge for extra, special and optional equipment not to exceed the charge in effect on March 31, 1942 for such equipment when used as original equipment (except that for the Mack Model 270 Cab, the charge shall not exceed the list or established price of \$325 less the discount in effect on March 31, 1942):

(ii) A charge to cover handling and delivery expense computed in accordance with the method the seller had in effect on March 31, 1942;

(iii) A charge to cover freight expense, based on current freight rates and computed in accordance with the method the seller had in effect on March 31, 1942;

(iv) A charge to include federal tires-weight and other federal excise taxes, and state and local taxes on the truck being sold, computed in accordance with the method the seller had in effect on March 31, 1942.

(b) A reseller of Mack motor trucks may sell, delivered at place of business, each Mack motor truck containing the chassis described in subparagraph (1) below at a price not to exceed the total of the list price in that subparagraph and the applicable charges in subparagraph (2) below, subject to the discounts in effect on March 31, 1942.

(1) *List price:*

Model and Description: *List price, f. o. b. factory*  
 LF, Truck chassis with 176" wheelbase, and 1942 standard specifications and equipment..... \$4,700

LFT, Truck tractor chassis with 140" wheelbase, and 1942 standard specifications and equipment..... 5,010

(2) *Charges.* (i) A charge for extra, special and optional equipment not to exceed the charge the reseller had in effect on March 31, 1942 for such equipment when used as original equipment (except that for the Mack Model 270 Cab, the charge shall not exceed the list or established price of \$325 less the discount in effect on March 31, 1942);

(ii) A charge for transportation which shall not exceed the charge Mack Manufacturing Corporation would make for the transportation of the truck from the factory to the place of business of the reseller;

(iii) A charge to cover federal, state and local taxes on the purchase, sale or delivery of the truck, computed in accordance with the method the reseller had in effect on March 31, 1942;

(iv) A charge for handling and delivery equal to the charge the reseller had in effect on March 31, 1942;

(v) The dollar amount of all other charges the reseller had in effect on March 31, 1942, to the applicable class of purchaser.

(c) A reseller of Mack motor trucks that cannot establish a price under paragraph (b) because it was not in business on March 31, 1942 shall determine its maximum price by adding to the list price in subparagraph (1) of paragraph (b) the following applicable charges;

(1) *Charges.* (i) The original equipment retail charge that Mack Manufacturing Corporation suggested on March 31, 1942 be made by resellers for the extra, special or optional equipment attached to the truck as original equipment (except that for the Mack Model 270 Cab, the charge shall not exceed the list price of \$325 less the discount in effect on March 31, 1942);

(ii) A charge for transportation which shall not exceed the charge Mack Manufacturing Corporation would make for the transportation of the truck from the factory to the place of business of the reseller;

(iii) A charge equal to the charge made by the Mack Manufacturing Corporation, in accordance with the method that manufacturer had in effect on March 31, 1942, to cover Federal tires-weight and other Federal Excise Taxes;

(iv) A charge equal to the reseller's expense for payment of state and local taxes on the purchase, sale or delivery of the truck;

(v) A charge equal to the reseller's actual expense for handling and delivery of the truck.

(d) A reseller of Mack motor trucks in any of the territories or possessions of the United States is authorized to sell the truck described in paragraph (b) at a price not to exceed the maximum price established in paragraph (b) or (c), whichever is applicable, to which it may add a sum equal to the expense incurred by or charged to it, for payment of territorial and insular taxes on the purchase, sale or introduction of the truck; export premiums; boxing and crating for export purposes; marine and war risk insurance; and landing, wharfage, and terminal operations.

(e) The Mack Manufacturing Corporation is required to resubmit a statement of its detailed unit costs for production runs over the first six months of 1945 of the LF and LFT truck chassis models not later than July 31, 1945.

(f) All requests not granted herein are denied.

This order may be amended or revoked by the Administrator at any time.

NOTE: The manufacturer's maximum price under paragraph (a) is for a truck equipped with natural rubber tires delivered to it before April 18, 1944. Where the manufacturer has an established price in accordance with section 8 of Revised Maximum Price Regulation 136 which is different than a price permitted under paragraph (a) because the truck is equipped with synthetic rubber tires delivered to it on or after April 18, 1944, or because of any other substantial specification change or material substitution in the truck, the reseller may add to its price under paragraphs (b), (c) or (d) any increase in price to it over the price it would otherwise pay under paragraph (a) plus its customary markup on such a cost increase, but in the case of a decrease in the price under paragraph (a) the reseller must reduce

its price under paragraph (b), (c), or (d) by the amount of the decrease and its customary markup on such an amount.

This order shall be effective April 18, 1945.

Issued this 17th day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-6146; Filed, Apr. 17, 1945;  
11:44 a. m.]

[MPR 188, Order 3647]

CLEMENTS MANUFACTURING CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) The maximum prices, f. o. b. Deckerville, Michigan, for sales to retailers by the Clements Manufacturing Company of the following commodities shall be:

No. 3 handi-angle brackets (with screws), \$0.65 per dozen pairs.

No. 158 towel bar (complete with brackets and screws), \$1.50 per dozen.

(b) The maximum prices for sales by retailers to consumers of the following commodities manufactured by the Clements Manufacturing Company shall be:

No. 3 handi-angle brackets (with screws), \$0.10 per pair.

No. 158 towel bar (complete with brackets and screws), \$0.20 each.

(c) The Clements Manufacturing Company shall notify its purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established for it as well as the maximum price established for purchasers upon resale.

(d) The Clements Manufacturing Company shall print in a conspicuous place on the package containing the items priced by this order substantially the following:

OPA Maximum Retail Price \$-----

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

This order shall become effective April 18, 1945.

Issued this 17th day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-6147; Filed, Apr. 17, 1945;  
11:44 a. m.]

[MPR 188, Amdt. 75 to Order A-1]

EXTERIOR LINSEED OIL PAINTS  
MANUFACTURERS' MAXIMUM PRICES

An opinion accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Paragraph (a) (12) is amended in the following respects:

1. The introductory paragraph of subdivision (i) is amended to read as follows:

(i) Changes in the formulae of ready mixed exterior linseed oil paints may be made by manufacturers thereof, without a reduction in the maximum prices thereof: *Provided*, That the changes are necessitated by War Production Board Conservation Order M-332, issued June 17, 1943, and effective July 1, 1943, and Conservation Order M-384, issued January 15, 1945, and the formulae of such paints, as changed, shall meet at least the following specifications (note elimination of pigment cost specification as indicated in subdivision (f) below). Where the changes in formulae are necessitated solely by Conservation Order M-332, the cost of the pigment per gallon of paint shall not be reduced as indicated in subdivision (f) below and the formulae shall meet at least all the other following specifications.

2. Subdivision (f) is amended to read as follows:

(f) The cost of the pigment per gallon of paint shall not be reduced where the changes in formulae are necessitated solely by Conservation Order M-332. This specification does not apply where the changes in formulae are necessitated by both Conservation Orders M-332 and M-384.

3. The example of a report of changes set out in subdivision (ii) is amended to read as follows:

Brand name— Ingredients	Formula in pounds		Yield in gallons	
	Before change	After change	Before change	After change
<i>Pigment (64%)</i>				
Titanium dioxide.....	139.4	-----	4.29	-----
White lead <sup>1</sup> .....	308.6	-----	5.64	-----
Zinc oxide.....	288.7	-----	6.11	-----
Magnesium silicate.....	255.7	-----	11.22	-----
<i>Vehicle (36%)</i>				
Raw linseed oil.....	186.7	-----	24.05	-----
Bodied linseed oil (indicate viscosity).....	186.7	-----	23.33	-----
Mineral spirits and driers.....	186.7	-----	27.33	-----
Calculated yield.....	1,552.5	-----	101.97	-----
Manufacturing loss.....	-----	-----	2.55	-----
Actual yield.....	-----	-----	99.42	-----
Current material cost per gallon—Before change.....	-----	-----	-----	\$-----
Current material cost per gallon—After change.....	-----	-----	-----	\$-----

<sup>1</sup> Basic lead carbonate or sulfate or a mixture of both.

This amendment shall become effective April 18, 1945.

Issued this 17th day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-6148; Filed, Apr. 17, 1945;  
11:44 a. m.]

Regional and District Office Orders.

[Region I Order G-2 Under SO 94]

NAVY LIFE BELTS IN BOSTON REGION

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration, the Emergency Price Control Act, as amended, Executive Orders No. 9250 and 9328, and in accordance with sections 11 and 13 of Supplementary Order No. 94, as amended, it is ordered:

(a) *What this order does.* This order establishes maximum prices for sales at wholesale and retail, with the exception of sales for which a price has previously been established by letter order under § 1499.3 (c) of the General Maximum Price Regulation. These maximum prices apply to sales in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island and Connecticut, of used Navy life belts made of heavy duck fabric, coated with liquid latex on the inside, inflatable by oral tubes.

(b) *Maximum prices.* Maximum prices for such used Navy life belts in the following condition: serviceability of new, good appearance, free from rips, tears and rust, no part missing which is necessary to make a life belt fully useful by the consumer for its intended purpose without further repair shall be:

Each  
(1) Price for all sales at wholesale (f. o. b. seller's place of business)..... \$0.65  
(2) Price for all sales at retail..... 1.25

Maximum prices for such used Navy life belts which do not satisfy the above description when sold "as is" and which can be repaired and used for their original purpose shall be:

Each  
(1) Price for all sales at wholesale (f. o. b. seller's place of business)..... \$0.28  
(2) Price for all sales at retail..... .42

(c) *Discounts.* Every seller shall continue to maintain his customary discounts for cash.

(d) *Notification and tagging.* The first seller of the used Navy life belts described in paragraph (a) shall affix to each such belt a tag bearing the words "Used life belt—OPA retail ceiling price, \$-----". No sale shall be made of the said used Navy life belt unless it bears such tag. No person shall remove the tag except the purchaser from a retailer.

(e) *Definitions.* (1) "Sales at retail" mean sales to purchasers for use.

(2) "Sales at wholesale" mean sales other than to purchasers for use.

(f) *Records.* In connection with all sales other than at retail, the seller of a used Navy life belt subject to this order shall prepare in duplicate a record of each transaction, which record shall contain the seller's name and address, the buyer's name and address, the date of the transaction, the number of used life belts involved and the price. The seller

<sup>1</sup> Here insert \$0.42 in case of used Navy life belt in "as is" condition and \$1.25 in case of used Navy life belt in other than "as is" condition.

shall retain the duplicate copy and the buyer shall be given the original copy. Both the buyer and the seller shall retain their respective copies for inspection at any time by the Office of Price Administration.

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

This order shall become effective April 2, 1945.

Issued this 2d day of April 1945.

ELDON SHOUP,  
Regional Administrator.

[F. R. Doc. 45-5998; Filed, Apr. 14, 1945; 11:27 a. m.]

[Region II Order G-9 Under SR 15 and MPR 280, Amdt. 3]

FLUID MILK IN NEW YORK

For the reasons set forth in an opinion issued and filed with the FEDERAL REGISTER and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 and § 1351.807 of Maximum Price Regulation No. 280, as amended, and pursuant to authorization received from the Price Administrator of the Office of Price Administration; *It is ordered*, That Order G-9 be amended in the following respects:

1. Table B in paragraph (c) is amended by adding "Area XIII" to read as follows:

	Per quart	Per pint
Area XIII.....		

2. Schedule I, Area I of Appendix A is amended by adding the following areas:

Allegany, Orleans and Wyoming counties. Chautauqua County, with the exception of the cities of Dunkirk and Jamestown and the villages of Fredonia, Falconer, Celeron, and Lakewood.

Genesee County, with the exception of the city of Batavia and the village of LeRoy.

Cattaraugus County, with the exception of the towns of Ellicottville and Olean.

Erie County, with the exception of that portion thereof included within the Niagara Frontier Milk Marketing Area (sometimes referred to as Buffalo Marketing Area).

Niagara County, with the exception of that portion thereof included within the Niagara Frontier Milk Marketing Area.

3. Schedule II, Area II, of Appendix A is amended by adding the following areas:

Chautauqua County in part: the cities of Dunkirk and Jamestown and the villages of Fredonia, Falconer, Celeron and Lakewood only.

Genesee County in part: the city of Batavia and the village of LeRoy only.

Cattaraugus County in part: the town of Olean only.

4. Schedule XIII is added to Appendix A to read as follows:

SCHEDULE XIII

Area XIII

The town of Ellicottville, in Cattaraugus County.

GRADE A PASTEURIZED

	At retail out-of-store and to-the-home	At wholesale into-store
Quart.....	13	11
Pint.....	7 <sup>1</sup> / <sub>2</sub>	6 <sup>1</sup> / <sub>2</sub>
Half-Pint.....	4 <sup>1</sup> / <sub>2</sub>	3 <sup>1</sup> / <sub>2</sub>

<sup>1</sup> Where permitted by War Food Order No. 11, issued by the Office of Distribution of the War Food Administration.

This Amendment No. 3 to Order No. G-9 shall become effective April 16, 1945.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4861)

Issued this 16th day of April 1945.

DANIEL P. WOOLLEY,  
Regional Administrator.

[F. R. Doc. 45-6003; Filed, Apr. 14, 1945; 11:30 a. m.]

[Region II Order G-58 Under MPR 122, Revocation]

SOLID FUELS IN NEW YORK REGION

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Order No. G-58 is hereby revoked.

This order of revocation of Order No. G-58 shall become effective April 4, 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 4th day of April 1945.

DANIEL P. WOOLLEY,  
Regional Administrator.

[F. R. Doc. 45-5991; Filed, Apr. 14, 1945; 11:25 a. m.]

[Grand Rapids Order G-1 Under RMPR 285]

IMPORTED BANANAS IN GRAND RAPIDS, MICH., DISTRICT

For the reasons set forth in the accompanying opinion and under the authority vested in the Regional Administrator by section 5 (a) (2) and 5 (b) of Revised Maximum Price Regulation No. 285, and by him delegated to the District Director of the Grand Rapids District Office by Amendment No. 7 to Second Revised Delegation Order No. 1-A, issued by the Regional Administrator of Region III, *It is hereby ordered*:

(a) That sellers of bananas other than importers shall be allowed to increase their maximum prices not to exceed thirty-five cents (35¢) per hundred weight (cwt.) when such sellers make deliveries to the premises of retailers or

institutional users beyond the free delivery zone.

(b) That for the purposes of this order the free delivery zone shall be defined as the area within the corporate limits of the city or town in which the seller's place of business is located.

(c) That this order shall be applicable to sales and deliveries from cities and towns located in the Counties of Allegan, Antrim, Barry, Benzie, Berrien, Branch, Calhoun, Cass, Charlevoix, Emmet, Grand Traverse, Ionia, Kalamazoo, Kalkaska, Kent, Lake, Leelanau, Manistee, Mason, Mecosta, Missaukee, Montcalm, Muskegon, Newaygo, Oceana, Osceola, Ottawa, St. Joseph, Van Buren, and Wexford, Michigan.

(d) This order may be revoked, amended, or corrected at any time.

This order shall become effective March 19, 1945.

Issued: March 19, 1945.

J. ZAUNDYH,  
District Director.

[F. R. Doc. 45-5995; Filed, Apr. 14, 1945; 11:26 a. m.]

[Region IV Order G-17 Under RMPR 122, Amdt. 30]

SOLID FUELS IN GOLDSBORO, N. C.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation 122 and by paragraph (e) of Order No. G-17 it is hereby ordered that Amendment No. 25 to Order No. G-17, which amendment added a new sub-paragraph to said order designated (m) (20), be and the same is, hereby revoked and a new paragraph designated (m) (20) be added to said order to read as follows:

(20) *Appendix XX; maximum prices for specified solid fuels in Goldsboro, North Carolina.* The maximum prices for specified solid fuels sold and delivered within the corporate limits of Goldsboro, North Carolina, and the area lying within fifteen miles of said corporate limits by the most direct highway route shall be as follows:

(i) "Direct delivery or domestic" basis:

LOW VOLATILE BITUMINOUS COAL FROM DISTRICT NO. 7

Size	Per ton (2,000 lbs.)	Per 1/2 ton (1,000 lbs.)	Per 1/4 ton (500 lbs.)
Egg, top size larger than 3", bottom size no limit in price classification A.....	\$11.36	\$5.80	\$3.09
Stove, or dedusted screenings, top size larger than 1 1/4" but not exceeding 3", bottom size smaller than 3/4" in price classification A.....	10.30	5.28	2.82
Stoker, pea, or dedusted screenings, top size not exceeding 3/4", bottom size smaller than 3/4" in price classification A.....	9.20	4.73	2.55
Screened or domestic run-of-mine in price classification A.....	8.85	4.55	2.46
Briquettes.....	11.71	5.98	3.18

This amendment shall become effective March 13, 1945.

Issued: March 17, 1945.

ALEXANDER HARRIS,  
Regional Administrator.

[F. R. Doc. 45-6001; Filed, Apr. 14, 1945; 11:30 a. m.]

[Region IV Order G-25 Under RMPR 122, Amdt. 1]

SOLID FUELS IN VIRGINIA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation 122: It is hereby ordered, That paragraph (c) (1) (i) of Order No. G-25 be amended to read as follows:

(c) Price schedule; consumer sales.

(1) This price schedule sets forth maximum prices for sales of specified solid fuels when delivery is made to consumers at any point in Dinwiddie or Prince George Counties, in the Matoaka Magisterial District of Chesterfield County, or in the Independent Cities of Petersburg and Hopewell, all in the State of Virginia. In section (c) (2) extra charges are specified for deliveries by any dealer beyond the corporate limits of the city, township or county, as the case may be, in which his yard is located.

(i) "Direct delivery or domestic" basis:

LOW VOLATILE BITUMINOUS COAL FROM DISTRICT NOS. 7 AND 8

Size	Per ton (2,000 lbs.)	Per 1/4 ton (1,000 lbs.)
Egg (size group No. 2), top size larger than 3", bottom size no limit, in price classifications A-D, inclusive.....	\$10.50	\$5.50
Stove (size group No. 3), top size larger than 1 1/4" but not exceeding 3", bottom size smaller than 3", in price classifications A-E, inclusive.....	10.00	5.25
Nut (size group No. 4) top size larger than 3/4" but not exceeding 1 1/4", bottom size smaller than 1 1/4", in price classifications A-E, inclusive.....	9.15	4.83
Pea stoker (size group No. 5), top size not exceeding 3/4", bottom size smaller than 3/4", in price classifications A-D inclusive.....	8.40	4.45
Domestic or screened run-of-mine (size group No. 6), in price classifications A and B.....	9.05	4.78
Straight run-of-mine (size group No. 7), in price classifications A and B.....	8.55	4.53
Briquettes (made from low volatile bituminous coal from District No. 7).....	11.10	5.80

This amendment shall become effective March 13, 1945.

Issued: March 17, 1945.

ALEXANDER HARRIS,  
Regional Administrator.

[F. R. Doc. 45-6002; Filed, Apr. 14, 1945; 11:30 a. m.]

[Region V Order G-1 Under Gen. Order 50, Amdt. 7]

MALT BEVERAGES IN DALLAS REGION

For the reasons set forth in the opinion issued simultaneously herewith and

under the authority vested in the Regional Administrator by General Order 50, the Region V Order G-1 under General Order 50, maximum prices for Malt Beverages in Designated Southern States, is amended as follows:

(a) Section 20, Appendix A, is amended by adding a new paragraph numbered three as follows:

3. Sellers located within the State of Oklahoma may charge, in addition to the prices otherwise established by this order, the amounts for the items and sizes shown in the following table:

Item	Size	Cents
In bottles or cans.....	12 ounces.....	1
In bottles or cans.....	32 ounces.....	3
On draught.....	8 ounces or more (exclusive of foam).....	1

This amendment shall become effective April 6, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Public Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; General Order 50, 8 F.R. 4808)

Issued at Dallas, Texas, this the 5th day of April 1945.

W. A. ORTH,  
Regional Administrator.

[F. R. Doc. 45-5993; Filed, Apr. 14, 1945; 11:26 a. m.]

[Region IV Order G-35 Under RMPR 122]

SOLID FUELS IN GREENVILLE, N. C.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) What this order does. (1) This order establishes maximum prices for sales of specified solid fuels when the delivery is made to any point in the area set out in paragraph (c) hereinafter.

(2) Paragraph (c) of this order contains a price schedule applicable to sales of the solid fuels named therein. Special charges and discounts applicable to such sales are likewise found in that paragraph.

(b) What this order prohibits. Regardless of any contract, agreement or other obligation, no person shall:

(1) Sell or in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this order, but less than maximum prices may, at any time, be charged, paid or offered; or

(2) Obtain a higher than maximum price by:

(i) Charging for a service which is not expressly requested by the buyer or which is not specifically authorized by this order;

(ii) Using any tying agreement by making any requirement that anything other than the fuel requested by the buyer be purchased by him; or

(iii) Using any other device by which a higher than maximum price is obtained, directly or indirectly,

(c) Price schedule; consumer sales. (1) This price schedule sets forth maximum prices for sales of specified solid fuels when delivery is made within the corporate limits of the city of Greenville, North Carolina and within the area lying within 15 miles of the corporate limits of said city by the most direct highway route.

(i) "Direct delivery or domestic" basis:

LOW VOLATILE BITUMINOUS COAL FROM DISTRICT NOS. 7 AND 8

Size	Per ton (2,000 lbs.)	Per 1/4 ton (1,000 lbs.)	Per 1/4 ton (500 lbs.)
Lump and egg in price classifications B and C from Mine Index No. 391, No. 2 Mine of the Raven Red Ash Coal Co.....	\$11.40	\$5.70	\$3.10
Nut in price classification A and from Mine Index No. 391, No. 2 Mine of the Raven Red Ash Coal Co.....	8.90	4.45	2.48
Pea stoker in price classification A.....	9.05	4.52	2.51
Berwind briquettes.....	11.60	5.80	3.15

HIGH VOLATILE BITUMINOUS COAL FROM DISTRICT NO. 8

Egg (size group No. 3), from Mine Index No. 370, the Point Lick No. 4 Mine of the Hatfield-Campbell Creek Coal Corporation.....	10.80	5.40	2.95
Egg, top size larger than 3", bottom size larger than 3" but not exceeding 4", and all doubled screened coals, top size 5" and larger, bottom size larger than 4", in price classification M, and in price classification K from subdistrict No. 6; and Egg, top size larger than 6", bottom size larger than 2" but not exceeding 3", in price classification C.....	10.60	5.30	2.90
Egg, top size larger than 5" but not exceeding 6", bottom size larger than 2", but not exceeding 3", and top size larger than 6", bottom size 2" and smaller, from Mine Index No. 370, the Point Lick No. 4 Mine of the Hatfield-Campbell Creek Coal Corporation.....	10.30	5.15	2.83
Egg, top size larger than 5" but not exceeding 6", bottom size 2" and smaller and top size 3" and larger, but not exceeding 5", bottom size larger than 2" but not exceeding 3" in Price Classifications E through N, inclusive.....	9.45	4.73	2.61
Stoker coal from Mine Index No. 370 the Point Lick No. 4 Mine of the Hatfield-Campbell Coal Corporation.....	9.25	4.63	2.55
Stoker.....	9.10	4.55	2.53

(2) Maximum authorized service charges and required deductions—(i) Carrying. If the buyer requests such service, the dealer may charge not more than 60¢ per ton therefor.

(ii) Yard sales. When buyer picks up coal at the dealer's yard, the domestic price must be reduced at least 50¢ per ton.

(iii) Sacked coal. For coal sold in sacks at the yard, the dealer may charge at a rate of not more than 75¢ per cwt. of coal when the customer furnishes the sack. If the dealer furnishes the sack an additional charge of not more than 15¢ per sack may be made.

(iv) Treated coals. If the dealer's supplier has subjected the coal to oil or calcium chloride treatment to allay dust or to prevent freezing and makes a charge therefor, the dealer selling such coal may add to the applicable maximum price set by this order the amount of such charge, not to exceed 10¢ per net

ton. Any such treatment charge shall be stated separately from all other charges on the invoice.

(v) *Delivery zone.* The dealer may make no extra charge for delivery within the corporate limits of Greenville, North Carolina. For deliveries beyond such corporate limits and within 15 miles thereof, the dealer may add not more than 10¢ per ton per mile and may make a minimum charge of not more than 50¢ for each such delivery, said mileage to be determined by the actual highway mileage from the corporate limits to the point of delivery by the most direct highway route. Such delivery charge, if added, must be stated separately from all other charges on the invoice.

(vi) *Sales tax.* The North Carolina State Sales Tax of 3% may be added to the prices established by this order.

(vii) *Credit.* No additional charge over the prices provided in this order may be made for credit.

(viii) *Adjustments of prices of sizes of coal covered by this order when purchased from new supply source allocated by SFAW.* (a) In the event the Solid Fuels Administrator for War allocates sizes of coal priced in this order to the area covered hereby from a new source of supply having a higher delivered cost to the dealer, a dealer purchasing such coal and offering the same for sale to consumers may file an application for adjustment of the prices set by this order to compensate for such higher delivered cost. Dealers desiring such adjustment shall file their application in duplicate with the Raleigh District Office, Office of Price Administration, Raleigh, North Carolina. Each application so filed shall set forth the following:

(1) The size of the coal purchased from the new supply source;

(2) The normal source of his supply of that size of coal (including Mine Index Number), mine cost of such coal, and freight cost (per ton) as of October and November 1944;

(3) The new supply source of that size of coal (including Mine Index Number), mine cost of such coal, and freight cost (per ton) thereof;

(4) The difference in the delivered cost (mine cost plus freight) of the coal from the normal source of supply and the delivered cost of the coal from the new source of supply.

(5) The increase proposed to be added by the dealer (which may not exceed the amount of cost differential required to be shown under part (4) of this inferior subdivision (a), stated on a per ton basis, and also for such less than one ton selling lots as are customarily sold by the dealer.

(b) The increase requested by the applicant shall not be added to the prices established by this order until the District Price Executive, by letter, acknowledges receipt thereof. If such letter contains a request for additional information or for correction of errors in the application, the increase requested shall not be used until the dealer has furnished such information or made such correction and has received acknowl-

edgment thereof from the District Price Executive. The increase may be added, however, if no acknowledgment or request for additional information or for correction of the application shall have been mailed to the applicant within ten days from the date of mailing of application or of the requested additional or corrective information to the District Office.

(c) The Regional Administrator of the Atlanta Regional Office may at any time disapprove, correct, or modify any requested increase, but such disapproval, correction, or modification shall not be retroactive.

(d) A dealer, in order to make any additions permitted by subdivision (c) (2) (viii), must show the increase as a separate charge on the customer's invoice or sales ticket, bearing the notation "Increase because of SFAW reallocation of supply source".

(ix) *Pricing of new sizes of coal from new supply source allocated by SFAW.*

(a) In the event the Solid Fuels Administrator for War allocates coal to the area covered by this order from a new source of supply, and in the event the coal purchased by a dealer from such new supply source is of a size different from the sizes for which prices are set by this order, the maximum price for such different size of coal shall be a price established hereunder upon request for the establishment of such price by the dealer. No such coal may be sold or offered for sale until a price therefor has been established in accordance with the provisions of this subdivision (c) (2) (ix). The request for establishment of such price shall be filed in duplicate with the Atlanta Regional Office, Office of Price Administration, Solid Fuels Branch, Candler Building, Atlanta 3, Georgia, and shall set forth the following:

(1) The size of the coal purchased from the new supply source;

(2) The supply source of that size of coal (including mine index number), mine cost of such coal, and freight cost (per ton) thereof;

(3) The size of the coal purchased from the dealer's normal source of supply (and having a price established therefor by this order), having a mine cost most nearly equal to the mine cost of the new size from the new supply source; the source of supply of that size of coal (including mine index number), mine cost of such coal, and freight cost (per ton) thereof;

(4) The requested price for the new size from the new supply source (which shall not exceed the mine cost, plus the delivery cost, plus the dealer's normal markup).

(b) The price requested by the applicant shall not be used by the dealer until the Regional Price Executive, by letter, acknowledges receipt thereof. If such letter contains a request for additional information or for correction of errors in the application, the price shall not be used until the dealer has furnished such information or made such correction and has received acknowledgement thereof from the Regional Price Executive. The

price may be used, however, if no acknowledgment or request for additional information or for correction of the application shall have been mailed to the applicant within 10 days from the date of mailing of the application or of requested additional or corrective information to the Regional Office.

(c) The Regional Administrator of the Atlanta Regional Office may at any time disapprove, correct, or modify any requested price, but such disapproval, correction, or modification shall not be retroactive.

(d) *Ex Parte 148 freight rate increase; transportation tax—(1) The freight rate increase.* Since the Ex Parte 148 freight rate increase has been rescinded by the Interstate Commerce Commission, the dealer's freight rates are the same as those of December 1941; therefore, no dealer may increase any price specified herein on account of freight rates.

(2) *The transportation tax.* Only the transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected, in addition to the maximum prices set by this order. It may be collected only if the dealer states such tax separately from the price of the coal on the invoice. (The tax need not be stated separately on sales to the United States or any agency thereof—see Amendment 12 to Revised Maximum Price Regulation No. 122.) No part of this tax may be collected in addition to the maximum prices specified on sales of one-quarter ton or lesser amounts of coal, or on sales of any quantity of bagged coal.

(e) *Addition of increases in supplier's prices prohibited.* The maximum prices set by this order may not be increased by a dealer to reflect increases in his purchase cost or in his supplier's maximum prices occurring after the effective date hereof, but increases in the maximum prices set hereby, to reflect such increases are within the discretion of the Administrator or of the Regional Administrator of Region IV.

(f) *Power to amend or revoke.* This order, of any provision thereof, may be revoked, amended, or corrected at any time by the Administrator or by the Regional Administrator of Region IV.

(g) *Petitions for amendment.* Any person seeking an amendment of this order may file a petition for amendment with the Administrator in accordance with the provisions of Revised Procedural Regulation No. 1, or in the alternative, may file such petition with the Regional Administrator, Region IV, Office of Price Administration, Candler Building, Atlanta 3, Georgia. If such petition is filed with the Regional Administrator, action thereon shall be taken by him. When such a petition is filed with the Regional Administrator all requirements of Revised Procedural Regulation No. 1, relative to the filing of such petitions, are applicable except the place of filing specified therein.

(h) *Applicability of other regulations—(1) Licensing and registration.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. A seller's

license may be suspended for violations of the license or of one or more applicable price schedules, regulations, or orders. A seller whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(2) *Effect of this order on Revised Maximum Price Regulation No. 122.* To the extent applicable, the provisions of this order supersede the provisions of Revised Maximum Price Regulation No. 122.

(i) *Records and reports.* Every person making sales of solid fuels for which maximum prices are established by this order shall keep a record thereof showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. This record shall also separately state each service rendered and the charge made therefor.

(1) It is not necessary that these records of your maximum prices be filed with the War Price and Rationing Board.

(j) *Posting of maximum prices; sales slips and receipts.* (1) Each dealer subject to this order shall post all the maximum prices set hereby for all of his types of sales. He shall post his prices in his place of business in a manner plainly visible to, and understandable by, the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuels.

(2) Every dealer selling solid fuels for the sale of which a maximum price is set by this order shall, within 30 days after the date of delivery of the fuel, give to the buyer a statement showing: the date of the sale, the name and address of the dealer and of the buyer, the kind, size and quantity of the solid fuel sold, the price charged, and separately stating any item which is required to be separately stated by this order. This paragraph (j) (2) shall not apply to sales of quantities of less than one-quarter ton or to sales of bagged coal unless the dealer customarily gave such a statement of such sales.

(3) In the case of all other sales, every dealer who during December, 1941 customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size, and quantity of the solid fuel sold to him, or the price charged, the dealer shall comply with the buyer's request as made by him.

(k) *Enforcement.* (1) Persons violating any provisions of this order are subject to the civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who may have any evidence of any violations of this order are urged to communicate with the nearest District Office of the Office of Price Administration.

(1) *Definitions and explanations.* When used in this order the term: (1)

"Person" includes an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States, any other government, or any agency or subdivision of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuels except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

(1) "Direct delivery" of bagged fuel or of any fuel in one-quarter ton or lesser lots always means delivery to the buyer's storage space.

(5) "Carry" and "wheel" refer to movement of fuel to the buyer's bin or storage space by wheel barrow, barrel, sack, or otherwise from the seller's truck or from the point of discharge therefrom when made in the course of "direct delivery".

(6) "Yard sales" means deliveries made by the dealer in his customary manner, at his yard, or at any place other than his truck.

(7) "District No." refers to the geographical bituminous coal producing districts as delineated and numbered by the Bituminous Coal Act of 1937, as amended, as they have been modified by the Bituminous Coal Division and as in effect at midnight, August 23, 1943.

(8) "Lump, egg, stove, stoker, etc." sizes of bituminous coal refer to the size of such coal as defined in the Bituminous Coal Act of 1937, as amended, and as prepared at the mine in accordance with the applicable minimum price schedule as promulgated by the Bituminous Coal Division of the United States Department of the Interior and in effect (or established) as of midnight, August 23, 1943, except that "run-of-mine" shall be that size sold as such by the dealer.

(9) Except as otherwise provided herein, or except as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

(m) This Order No. G-35 under Revised Maximum Price Regulation No. 122 incorporates substantially the same provisions as are found in Appendix XVI to Order No. G-17 under Revised Maximum Price Regulation No. 122, which appendix was added by Amendment 21 to said Order No. G-17. As stated in

the accompanying opinion, it has been necessary to allow certain increases in the prices of some of the coals priced in said appendix. As of the effective date hereof, this Order No. G-35 supersedes said Appendix of Order No. G-17.

NOTE: The record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall, become effective March 14, 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: March 14, 1945.

THOMAS L. HISGEN,  
Acting Regional Administrator.

[F. R. Doc. 45-6000; Filed, Apr. 14, 1945; 11:29 a. m.]

[Region IV Order G-36 Under RMPR 122]

#### SOLID FUELS IN FAYETTEVILLE, N. C.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* (1) This order establishes maximum prices for sales of specified solid fuels when the delivery is made to any point in the area set out in paragraph (c) hereinafter.

(2) Paragraph (c) of this order contains a price schedule applicable to sales of the solid fuels named therein. Special charges and discounts applicable to such sales are likewise found in that paragraph.

(b) *What this order prohibits.* Regardless of any contract, agreement, or other obligation, no person shall: (1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this order, but less than maximum prices may, at any time, be charged, paid or offered; or

(2) Obtain a higher than maximum price by:

(i) Charging for a service which is not expressly requested by the buyer or which is not specifically authorized by this order;

(ii) Using any tying agreement by making any requirement that anything other than the fuel requested by the buyer be purchased by him; or

(iii) using any other device by which a higher than maximum price is obtained, directly or indirectly.

(c) *Price schedule; consumer sales.* (1) This price schedule sets forth maximum prices for sales of specified solid fuels when delivery is made within the corporate limits of the City of Fayetteville, North Carolina and within the area lying within 15 miles of the corporate limits of said city by the most direct highway route.

(i) "Direct delivery or domestic" basis:

LOW VOLATILE BITUMINOUS COAL FROM DISTRICT No. 7

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)	Per ¼ ton (500 lbs.)
Egg, top size larger than 3", bottom size no limit, in price classifications A and B.....	\$11.60	\$6.05	\$3.15
Nut, top size 1½" to larger than 1½", bottom size smaller than 1½" in price classification A.....	10.05	5.27	2.73
Yea, top size not exceeding ¾", bottom size smaller than ¾", in price classification A.....	10.00	5.25	2.75

HIGH VOLATILE BITUMINOUS COAL FROM DISTRICT No. 8

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)	Per ¼ ton (500 lbs.)
Egg, 3" x 6" (size group No. 5) from Mine Index No. 370, the Hatfield - Campbell Creek Coal Corporation.....	\$10.70	\$5.60	\$2.92
Egg, 3" x 6" (size group No. 5) in price classifications G through K, inclusive.....	10.50	5.50	2.88
Egg, 3" x 7" (size group No. 6) from Mine Index No. 370, the Hatfield - Campbell Creek Coal Corporation.....	10.45	5.48	2.86
Egg, 3" x 7" (size group No. 6) in price classifications B through L, inclusive.....	10.25	5.38	2.81
Lump or chunk—Chunk, 3¼" x 8" and (size group No. 2) in price classifications A through E, inclusive; lump, 3" (size group No. 3), in price classification A and lump 4" from Mine Index No. 5574, the Dixiana Mine of the Coal Processing Corporation.....	11.05	5.78	3.01
Treated stoker, top size not exceeding 1½", bottom size less than 1½" (size group No. 10) in price classifications B through M, inclusive; and from Mine Index No. 5574, the Dixiana Mine of the Coal Processing Corporation.....	10.15	5.33	2.79

YARD SLACK FROM DISTRICT NOS. 7 AND 8

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)	Per ¼ ton (500 lbs.)
Yard slack.....	\$8.00	\$4.25	\$2.25

(2) *Maximum authorized service charges and required deductions*—(i) *Carrying from curb.* If buyer requests such service, the dealer may not charge more than 50¢ per ton therefor.  
 (ii) *Carrying up or down stairs.* If the buyer requests such service, the dealer may charge not more than \$1.00 per ton therefor.  
 (iii) *Sacking coal.* For coal bagged at the yard and carried, the dealer may charge not more than \$1.00 per ton in addition to the prices otherwise set by this order.  
 (iv) *Sacked coal.* For coal sold in sacks at the yard, the dealer may charge at a rate of not more than 60¢ per cwt., not including sacks. For Egg sold in sacks and delivered, the dealer may charge at a rate of not more than 70¢ per cwt., not including sacks.  
 (v) *Yard sales.* On sales at the yard to consumers, the dealer must reduce the domestic price at least 50¢ per ton. On sales at the yard to peddlers, the dealer must reduce the domestic price at least \$1.00 per ton. On sales at the yard to other registered dealers, the dealer

must reduce the domestic price at least \$1.50 per ton.

(vi) *Treated coals.* If a dealer's supplier has subjected the coal to oil or calcium chloride treatment to allay dust or to prevent freezing and makes a charge therefor, the dealer selling such coal may add to the applicable maximum price set by this order the amount of such charge, not to exceed 10¢ per net ton. Any such treatment charge shall be stated separately from all other charges on the invoice.

(vii) *Delivery zone.* The dealer may make no extra charge for delivery within the corporate limits of Fayetteville, North Carolina. For deliveries beyond such corporate limits and within 15 miles thereof the dealer may add not more than 10¢ per ton per mile and make a minimum charge of not more than 50¢ for each delivery, said mileage to be determined by the actual highway mileage from the corporate limits to the point of delivery by the most direct highway route. Such delivery charge, if added, must be stated separately from all other charges on the invoice.

(viii) *Sales tax.* The North Carolina State Sales Tax of 3% may be added to the prices established by this order.

(ix) *Credit.* No additional charge over the prices provided in this order may be made for credit.

(x) *Adjustment of prices of sizes of coal covered by this order when purchased from new supply source allocated by SFAW.* (a) In the event the Solid Fuels Administrator for War allocates sizes of coal priced in this order to the area covered hereby from a new source of supply having a higher delivered cost to the dealer, a dealer purchasing such coal and offering the same for sale to consumers may file an application for adjustment of the prices set by this Order to compensate for such higher delivered costs. Dealers desiring such adjustment shall file their application in duplicate with the Raleigh District Office, Office of Price Administration, Raleigh, North Carolina. Each application so filed shall set forth the following:

- (1) The size of the coal purchased from the new supply source;
- (2) The normal source of his supply of that size coal (including mine index number), mine cost of such coal, and freight cost (per ton) as of October and November 1944;
- (3) The new supply source of that size of coal (including mine index number), mine cost of such coal, and freight cost (per ton) thereof;
- (4) The difference in the delivered cost (mine cost plus freight) of the coal from the normal source of supply and the delivered cost of the coal from the new source of supply.
- (5) The increase proposed to be added by the dealer (which may not exceed the amount of cost differential required to be shown under part (4) of this inferior subdivision (a)), stated on a per ton basis, and also for such less than one ton selling lots as are customarily sold by the dealer.

(b) The increase requested by the applicant shall not be added to the prices

established by this order until the district Price Executive, by letter, acknowledges receipt thereof. If such letter contains a request for additional information or for correction of errors in the application, the increase requested shall not be used until the dealer has furnished such information or made such correction and has received acknowledgment thereof from the District Price Executive. The increase may be added, however, if no acknowledgment or request for additional information or for correction of the application shall have been mailed to the applicant within ten days from the date of mailing of application or of requested additional or corrective information to the District Office.

(c) The Regional Administrator of the Atlanta Regional Office may at any time disapprove, correct, or modify any requested increase, but such disapproval, correction, or modification shall not be retroactive.

(d) A dealer, in order to make any additions permitted by subdivision (c) (2) (x), must show the increase as a separate charge on the customer's invoice or sales ticket, bearing the notation "Increase because of SFAW reallocation of supply source".

(xi) *Pricing of new sizes of coal from new supply source allocated by SFAW.*

(a) In the event the Solid Fuels Administrator for War allocates coal to the area covered by this order from a new source of supply, and in the event the coal purchased by a dealer from such new supply source is of a size different from the sizes for which prices are set by this order, the maximum price for such different size of coal shall be a price established hereunder upon request for the establishment of such price by the dealer. No such coal may be sold or offered for sale until a price therefor has been established in accordance with the provisions of this subdivision (c) (2) (xi). The request for establishment of such price shall be filed in duplicate with the Atlanta Regional Office, Office of Price Administration, Solid Fuels Branch, Candler Building, Atlanta 3, Georgia, and shall set forth the following:

- (1) The size of the coal purchased from the new supply source;
- (2) The supply source of that size of coal (including mine index number), mine cost of such coal, and freight cost (per ton) thereof;
- (3) The size of the coal purchased from the dealer's normal source of supply (and having a price established therefor by this order), having a mine cost most nearly equal to the mine cost of the new size from the new supply source; the source of supply of that size of coal (including mine index number), mine cost of such coal, and freight cost (per ton) thereof;
- (4) The requested price for the new size from the new supply source (which shall not exceed the mine cost, plus the delivery cost, plus the dealer's normal markup).

(b) The price requested by the applicant shall not be used by the dealer until the Regional Price Executive, by letter,

acknowledges receipt thereof. If such letter contains a request for additional information or for correction of errors in the application, the price shall not be used until the dealer has furnished such information or made such correction and has received acknowledgment thereof from the Regional Price Executive. The price may be used, however, if no acknowledgment or request for additional information or for correction of the application shall have been mailed to the applicant within 10 days from the date of mailing of the application or of requested additional or corrective information to the Regional Office.

(c) The Regional Administrator of the Atlanta Regional Office may at any time disapprove, correct, or modify any requested price, but such disapproval, correction, or modification shall not be retroactive.

(d) *Ex Parte 148 freight rate increase: transportation tax*—(1) *The freight rate increase.* Since the Ex Parte 148 freight rate increase has been rescinded by the Interstate Commerce Commission, the dealer's freight rates are the same as those of December 1941; therefore, no dealer may increase any price specified herein on account of freight rates.

(2) *The transportation tax.* Only the transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected, in addition to the maximum prices set by this order. It may be collected only if the dealer states such tax separately from the price of the coal on the invoice. (The tax need not be stated separately on sales to the United States or any agency thereof—see Amendment 12 to Revised Maximum Price Regulation No. 122.) No part of this tax may be collected in addition to the maximum prices specified on sales of one-quarter ton or lesser amounts of coal, or on sales of any quantity of bagged coal.

(e) *Addition of increases in supplier's prices prohibited.* The maximum prices set forth by this order may not be increased by a dealer to reflect increases in his purchase cost or in his supplier's maximum prices occurring after the effective date hereof, but increases in the maximum prices set hereby, to reflect such increases are within the discretion of the Administrator or of the Regional Administrator of Region IV.

(f) *Power to amend or revoke.* This order, or any provision thereof, may be revoked, amended, or corrected at any time by the Administrator or by the Regional Administrator of Region IV.

(g) *Petitions for amendment.* Any person seeking an amendment of this order may file a petition for amendment with the Administrator in accordance with the provisions of Revised Procedural Regulation No. 1, or in the alternative, may file such petition with the Regional Administrator, Region IV, Office of Price Administration, Candler Building, Atlanta, 3, Georgia. If such petition is filed with the Regional Administrator, action thereon shall be taken by him. When such a petition is filed with the Regional Administrator, all requirements of Revised Procedural Regulation No. 1, relative to the filing of such

petitions, are applicable except the place of filing specified therein.

(h) *Applicability of other regulations*—(1) *Licensing and registration.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. A seller's license may be suspended for violations of the license or of one or more applicable price schedules, regulations, or orders. A seller whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(2) *Effect of this order on Revised Maximum Price Regulation No. 122.* To the extent applicable, the provisions of this order supersede the provisions of Revised Maximum Price Regulation No. 122.

(i) *Records and reports.* Every person making sales of solid fuels for which maximum prices are established by this order shall keep a record thereof showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. This record shall also separately state each service rendered and the charge made therefor.

(1) It is not necessary that these records of your maximum prices be filed with the War Price and Rationing Board.

(j) *Posting of maximum prices; sales slips and receipts.* (1) Each dealer subject to this order shall post all the maximum prices set hereby for all of his types of sales. He shall post his prices in his place of business in a manner plainly visible to, and understandable by, the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuels.

(2) Every dealer selling solid fuels for the sale of which a maximum price is set by this order shall, within 30 days after the date of delivery of the fuel, give to the buyer a statement showing: the date of the sale, the name and address of the dealer and of the buyer, the kind, size, and quantity of the solid fuel sold, the price charged, and separately stating any items which is required to be separately stated by this order. This paragraph (j) (2) shall not apply to sales of quantities of less than one-quarter ton or to sales of bagged coal unless the dealer customarily gave such a statement on such sales.

(3) In the case of all other sales, every dealer who during December 1941 customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size, and quantity of the solid fuel sold to him, or the price charged, the dealer shall comply with the buyer's request as made by him.

(k) *Enforcement.* (1) Persons violating any provisions of this order are subject to the civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violations of this order are urged to communicate with the nearest District Office of the Office of Price Administration.

(1) *Definitions and explanations.* When used in this order the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States, any other government, or any agency or subdivision of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuels except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

(1) "Direct delivery" of bagged fuel or of any fuel in one-quarter ton or lesser lots always means delivery to the buyer's storage space.

(5) "Carry" and "wheel" refer to movement of fuel to the buyer's bin or storage space by wheel barrow, barrel, sack, or otherwise from the seller's truck or from the point of discharge therefrom when made in the course of "direct delivery".

(6) "Yard sales" means deliveries made by the dealer in his customary manner, at his yard, or at any place other than his truck.

(7) "District No." refers to the geographical bituminous coal producing districts as delineated and numbered by the Bituminous Coal Act of 1937, as amended, as they have been modified by the Bituminous Coal Division and as in effect at midnight, August 23, 1943.

(8) "Lump, egg, stove, stoker, etc." sizes of bituminous coal refer to the size of such coal as defined in the Bituminous Coal Act of 1937, as amended, and as prepared at the mine in accordance with the applicable minimum price schedule as promulgated by the Bituminous Coal Division of the United States Department of the Interior and in effect (or established) as of midnight, August 23, 1943, except that "run-of-mine" shall be that size sold as such by the dealer.

(9) Except as otherwise provided herein, or except as the context may otherwise require, the definition set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

(m) This Order No. G-36 under Revised Maximum Price Regulation No. 122 incorporates substantially the same provisions as are found in Appendix XV to Order No. G-17 under Revised Maximum Price Regulation No. 122, which Appendix was added by Amendment No. 20 to said Order No. G-17. As stated in the accompanying opinion, it has been necessary to allow for certain increases in the prices of some of the coals priced in this order. As of the effective date hereof, this Order No. G-36 supersedes said Appendix XV of said Order No. G-17.

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

This order shall become effective March 14, 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 March 14, 1945.

THOMAS L. HISGEN,  
Acting Regional Administrator.

[F. R. Doc. 45-5999; Filed, Apr. 14, 1945; 11:29 a. m.]

[Region V Order G-5, Amdt. 5]

SOLID FUELS IN ST. JOSEPH, MO.

Pursuant to the Emergency Price Control Act of 1942, as amended, and the authority vested in the Regional Administrator of Region V by § 1340.260 of Revised Maximum Price Regulation No. 122 and for the reasons set forth in the opinion issued simultaneously herewith, it is ordered, That Order No. G-5 under Revised Maximum Price Regulation No. 122 be, and the same is, hereby amended, revised, and corrected in the following respects:

Item (8) under subsection (c) III (C) is hereby corrected and amended to read:

(8) Household Stoker, Top size 1 1/4" and smaller, bottom size 3/8" and larger than 1/4"----- \$6.40

This order shall become effective this 3d day of April 1945.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued at Dallas, Texas, this 3d day of April 1945.

W. A. ORTH,  
Regional Administrator.

[F. R. Doc. 45-5992; Filed, Apr. 14, 1945; 11:26 a. m.]

[Peoria Order G-1 Under RMPR 259]

MALT BEVERAGES IN PEORIA, ILL., DISTRICT

Pursuant to the Emergency Price Control Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, and under the authority duly vested in the District Director of the Peoria District Office of the Office of Price Administration pursuant to section 4.2 (b) (iii) of Revised

Maximum Price Regulation 259, and for the reasons set forth in the accompanying opinion, this order is hereby issued.

(a) *What this order does.* This order fixes the maximum prices of Peoria wholesalers for delivered sales of domestic malt beverages within the base delivery zones of such wholesalers.

(b) *Delivered sales within base delivery zones.* The maximum delivered prices of Peoria wholesalers for delivered sales of domestic malt beverages within the base delivery zones of such wholesalers shall be the appropriate maximum price calculated in accordance with the provisions of section 4.2 (b) (1) of Revised Maximum Price Regulation 259, as amended, without any addition to or deduction from such maximum price.

(c) *Definitions.* (1) "Peoria wholesaler" means any wholesaler whose wholesale licensed premises are physically located within the County of Peoria and State of Illinois.

(2) "Delivered sales" means sales of domestic malt beverages f. o. b. the physical premises of Peoria wholesalers and sales of domestic malt beverages within the base delivery zones of such sellers.

(3) Unless the context otherwise requires, all terms used herein shall have the meaning given them by Revised Maximum Price Regulation 259, as now or hereafter amended.

(d) This order shall be effective immediately. It may be amended, modified or revoked at any time.

(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; Revised Maximum Price Regulation 259, 9 F.R. 14537)

Issued this 22d day of March 1945.

JAS. A. CARRUTHERS,  
District Director.

[F. R. Doc. 45-5996; Filed, Apr. 14, 1945; 11:27 a. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 6]

SOLID FUELS IN CHICAGO REGION

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122, as amended, is amended in the following respects:

1. In Appendix No. 10 to Order No. G-16, paragraph (b) 1 III C 1 is amended to read as follows:

Domestic delivered cash price—  
2 ton lots  
(per ton)

C. Fulton-Peoria Sub-district:  
1. No. 5 Seam, Lump and Egg, Size Group Nos. 1, 2 & 3 (bottom size larger than 2"), Washed or Raw; Price Group, Nos. 24, 25, and 26, Fulton County coal only----- \$5.15

2. Appendix No. 10 to Order No. G-16 paragraph (b) is amended by adding a sub-paragraph (5) following sub-paragraph (4) to read as follows:

(5) *Sales to unequipped dealers at the yard.* The maximum price for sales at the equipped dealer's yard to unequipped

dealers of the following specified kinds and sizes of solid fuels in lots of 2 tons or more shall be:

Fulton-Peoria Sub-district: Per ton  
No. 5 Seam, Lump and Egg, Size Group Nos. 1, 2 & 3 (bottom size larger than 2"), Washed or raw; Price Group Nos. 24, 25, and 26, Fulton County coal only----- \$3.95

3. In Appendix No. 10, paragraph (c) is amended to read as follows:

(c) *Price schedule for certain truckers and mines.* The following shall be the maximum price for the named coals when delivered by truck by persons other than equipped rail dealers from mines located in the counties of Tazewell, Peoria, and Fulton, Illinois.

Domestic delivered cash price—  
2-ton lots  
(per ton)

- I. District No. 10—Fulton County coal:
  - 1. No. 5 seam, lump and egg—size group Nos. 1, 2 and 3 (bottom size larger than 2"); in truck price group No. 6-A----- \$5.15
- II. District No. 10—Peoria County coal & Tazewell County coal:
  - No. 5 seam, in truck, price group No. 6-A and 6-B:
    - a. Size group Nos. 1, 2 and 3----- \$4.90
    - b. Size group Nos. 4-5----- 4.65
    - c. Size group No. 6----- 4.55
    - d. Size group No. 8----- 4.20
    - e. Size group Nos. 9-12----- 4.30

Issued this 7th day of March 1945.

This Amendment No. 6 to Order No. G-16 shall be effective March 12, 1945.

RAE E. WALTERS,  
Regional Administrator.

[F. R. Doc. 45-6004; Filed, Apr. 14, 1945; 11:31 a. m.]

[Region VII Order G-3 Under MPR 188]

F. E. BUCK

AUTHORIZATION OF MAXIMUM PRICES

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1499.158 and 1499.158a of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G-3 is issued.

(a) *What this order does.* This order establishes maximum prices for an article of unfinished furniture (a wall medicine cabinet with mirror) manufactured by F. E. Buck, 445 Hastings Street, Missoula, Montana, for the manufacturer and for resellers throughout Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(b) *Established maximum prices.* Upon and after the effective date of this Order No. G-3, the maximum prices for the unfinished wall medicine cabinet in question, when built and finished in accordance with the specifications set forth in the application of the manufacturer

now on file herein and sold within Region VII shall be as follows:

	Maximum price per cabinet mirror:
Unfinished wall medicine cabinet, with mirror:	
When sold by manufacturer f. o. b. plant to jobbers.....	\$1.50
When sold to retailer by jobber who stocks.....	1.85
When sold to retailer by non-stocking jobber.....	1.65
When sold by any seller to ultimate consumer.....	3.00

(c) *Discounts and allowances.* The manufacturer is not required to give any discount or make allowances upon the above prices, but all jobbers on their sales to retailers must give a discount of 2% for payment within ten days from date of invoice.

(d) *Notice to be given purchasers for resale.* When the manufacturer or any other seller makes a first sale under this Order No. G-3 to a person who purchases for resale, he must show upon the invoice or on a separate slip or rider attached thereto the following:

By virtue of Order No. G-3 under Maximum Price Regulation No. 188, the OPA authorized maximum prices for this wall medicine cabinet are:

- (1) When sold by a stocking jobber to a retailer, \$1.85.
- (2) When sold by a non-stocking jobber to a retailer, \$1.65.
- (3) When sold to an ultimate consumer, \$3.00.

All jobbers must give a discount of 2% for payment within ten days from the date of invoice.

(e) *Applicability of other regulations.* Except insofar as the same are inconsistent with or contradictory of any one or more of the terms and provisions of this Order No. G-3, all of the terms and provisions of Maximum Price Regulation No. 188 shall remain in full force and effect as to the manufacturer F. E. Buck.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation 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.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Administrator or the Regional Administrator.

(h) *Effective date.* This Order No. G-3 shall become effective on the 10th day of March 1945.

Issued this 10th day of March 1945.

RICHARD Y. BATTERTON,  
Regional Administrator.

[F. R. Doc. 45-5997; Filed, Apr. 14, 1945; 11:27 a. m.]

[Region VII 3d Rev. Order G-24 Under RMPR 122, Amdt. 1]

**SOLID FUELS IN DENVER REGION**

Pursuant to the Emergency Price Control Act of 1942, as amended, the Sta-

bilization Act of 1942, as amended, and § 1340.260 of Revised Maximum Price Regulation No. 122, and for the reason set forth in the accompanying opinion, this Amendment No. 1 is issued.

1. Paragraph (d), "Appendix A", Part II, Mines in District 19, subparagraph (4), is hereby amended to read as follows:

Operator	Subdistrict	Index No.	Size groups	Amount	Effective date
(g) Gunn Quealy Coal Co.; Sweetwater No. 2.	2	29	1 thru 12	Ct. 25	3-15-45
			15.....	40	3-15-45

2. *Effective date.* This Amendment No. 1 shall become effective on the 4th day of April 1945.

Issued this 4th day of April 1945.

RICHARD Y. BATTERTON,  
Regional Administrator.

[F. R. Doc. 45-5994; Filed, Apr. 14, 1945; 11:26 a. m.]

[Region VIII Order G-3 Under MPR 329, Amdt. 12]

**FLUID MILK IN SAN FRANCISCO REGION**

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator by § 1351.408 (b) of Maximum Price Regulation No. 329 as amended, Order No. G-3 under Maximum Price Regulation No. 329 is hereby amended by adding a new paragraph (n) to read as follows:

(n) Notwithstanding any of the foregoing provisions of this order, any purchaser may pay to any producer whose dairy is located in that portion of Fresno County within the following boundaries:

Beginning at the intersection of Highway 99 and the Kings-Fresno County line, thence north along Mendocino Avenue to the intersection with Rose Avenue, thence west along Rose Avenue to the intersection with Highway 99, thence in a northwesterly direction along Highway 99 to the intersection with Central Avenue, thence west along Central Avenue to the intersection with Dickerson Avenue, thence south to McMullin Grade, thence southwest along McMullin Grade to Lassen Avenue, thence south along Lassen Avenue to Mt. Whitney Avenue, thence east along Mt. Whitney Avenue to the intersection with West Lawn Avenue, thence south to the Kings County line, thence easterly along the Kings County line to the point of beginning.

a permitted addition to the maximum prices specified in paragraphs (a), (b), (j), (k), and (m) of this order: *Provided*, The following conditions are met:

(1) The permitted addition must be paid before April 30, 1945;

(2) The amount of the permitted addition (when added to any other sum paid by the purchaser to the producer) with respect to milk delivered in 1944, shall not exceed \$.015 for each pound of milk fat purchased from that producer in 1944.

This amendment shall become effective March 29, 1945.

Issued this 29th day of March 1945.

CHAS. R. BAIRD,  
Regional Administrator.

Approved:

ALLAN I. HURLEY,  
Acting Officer in Charge, Western Field Office, Dairy and Poultry Branch, Office of Marketing Service, War Food Administration.

[F. R. Doc. 45-6005; Filed, Apr. 14, 1945; 11:31 a. m.]

[Region VIII Rev. Order G-8 Under 3 (c) (2)]

**WEDGEWOOD GAS RANGES IN SAN FRANCISCO REGION**

For the reasons set forth in an accompanying opinion and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.3 (e) (2) of the General Maximum Price Regulation, as amended, Order No. G-8 under § 1499.3 (e) (2) of the General Maximum Price Regulation is hereby revised as follows:

(a) The maximum prices at which retailers located in the areas described below, whose maximum prices would otherwise be established under §§ 1499.3 (a) or 1499.3 (c) of the General Maximum Price Regulation, may sell and deliver the following described models of Wedgewood Gas Ranges shall be as hereinafter indicated, such prices to include the Federal Excise Tax, less discounts, allowances, and price differentials no less favorable than those customarily granted by the seller:

Item	Nevada and Northern California	Southern California	Arizona	Oregon and Washington
Model 5186A.....	\$132.00	\$124.00	\$129.00	\$135.90
Model 5186A with thermostat.....	141.00	132.00	137.00	143.90
Model 5023A-BK.....	171.00	171.00	176.00	174.00
Model 5023A-BK with thermostat....	180.50	180.50	185.50	183.50

"Nevada and Northern California" refers to the entire State of Nevada and to that part of the State of California comprising Inyo, Tulare, Kings, and San Luis Obispo counties and all counties in the State of California north of their northern boundaries.

"Southern California" refers to the remainder of the State of California.

"Arizona" refers to the State of Arizona with the exception of those portions of Coconino County and Mohave County lying north of the Colorado River.

"Oregon and Washington" refers to the State of Oregon with the exception of Malheur County and to the entire State of Washington.

(b) The maximum prices herein established include installation services and all other services customarily furnished by the seller on sales of similar commodities during March 1942.

(c) This revised order may be amended, corrected or revoked at any time.

(d) This revised order shall become effective April 5, 1945.

Issued this 28th day of March 1945.

CHAS. R. BAIRD,  
Regional Administrator.

[F. R. Doc. 45-6007; Filed, Apr. 14, 1945;  
11:31 a. m.]

[Region VIII Order G-18 Under RMPR 333]  
EGGS AND EGG PRODUCTS IN LOS ANGELES,  
CALIF., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by section 3.3 (a) and 3.3 (c) of Revised Maximum Price Regulation No. 333, *It is hereby ordered:*

(a) The maximum prices at which first receivers and jobbers in Los Angeles County in the State of California may sell or deliver consumer grade eggs to large retail route sellers shall be the maximum prices provided by Tables A and A-1 of Revised Maximum Price Regulation No. 333.

(b) This order may be modified or revoked at any time.

(c) This order shall become effective on April 3, 1945.

Issued this 30th day of March 1945.

CHAS. R. BAIRD,  
Regional Administrator.

[F. R. Doc. 45-6006; Filed, Apr. 14, 1945;  
11:31 a. m.]

[Region VIII Order G-36 Under MPR 329]

#### FLUID MILK IN CALIFORNIA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.402 (c) of Maximum Price Regulation No. 329; *It is hereby ordered:*

(a) The maximum price at which any person, whose place of business is located in Del Norte County in the State of California, may purchase milk from a producer, whose dairy is located in said county and who did not sell milk to any purchaser for resale as fluid milk during January 1943, is as follows:

(1) Delivered to the purchaser's plant: \$.88 per pound milk fat.

(2) F. o. b. producer's dairy: \$.86 per pound milk fat.

(b) *Definitions.* (1) "Producer's dairy" means any pick-up point where the producer has customarily placed milk to be picked up by purchasers, including his dairy, platform, or any other pick-up point.

(2) "Purchaser's plant" means a building where a purchaser receives milk from producers, and cools such milk by means of mechanical refrigeration equipment prior to delivery to another plant, or to wholesalers, retailers, or ultimate consumers.

(3) All other terms used in this order shall have the same meaning as in Maxi-

mum Price Regulation No. 329, unless the context clearly requires otherwise.

(c) This order may be revoked, amended, or corrected at any time.

This order shall become effective January 1, 1945.

Issued this 30th day of March 1945.

CHAS. R. BAIRD,  
Regional Administrator.

[F. R. Doc. 45-6008; Filed, Apr. 14, 1945;  
11:32 a. m.]

[Camden Order G-3 Under RMPR 165]

#### MASTER LAUNDERERS, INC.

##### APPROVAL OF MAXIMUM PRICES

An application for permission to increase its present maximum prices for all its laundry and related services as established under Revised Maximum Price Regulation No. 165, as amended—Services, has been filed with the Camden District Office of the Office of Price Administration by the Master Launderers, Inc., 1027 Eldridge Avenue, West Collingswood, New Jersey, which supplies such services in the Camden area. After due consideration of this application and other available information, it has been decided that said application should be granted in full for the reasons set forth in the opinion hereto attached.

Accordingly, pursuant to the Emergency Price Control Act of 1942, as amended, and section 16 (a) of Revised Maximum Price Regulation No. 165, as amended, Services, *It is hereby ordered:*

(a) The application of the following named power laundry establishment is granted to the extent that it is permitted to increase by 10% its present legal maximum prices for all its laundry and related services, including commercial services, in the manner hereinafter in paragraph (c) provided: Master Launderers, Inc., West Collingswood, N. J.

(b) The power laundry establishment named in this order is permitted to add to its present legal maximum prices to agent drivers, agent stores and retail hand laundry establishments supplied by it the percentage price increase herein granted to it. Agent drivers, agent stores and retail hand laundry establishments, any of whose laundry services are supplied by such power laundry are permitted the increase herein granted to their supplier in the manner provided by paragraph (c) of this order. They shall be subject to all the other provisions of this order which are applicable to their circumstances.

(c) The percentage increase permitted to the laundry service supplier named or referred to in this order shall be applied only to the total amount of the bill rendered to each customer for any service afforded (as it would be computed under existing lawful maximum prices). The existing legal maximum prices of such supplier are its maximum prices as established under Revised Maximum Price Regulation No. 165, as amended, as such maximum prices shall have been modified by any order heretofore issued by the New York Regional Office of the Office of Price Administration, under

section 16 (a) of that regulation. Such increases may not be applied to individual items of service. Existing price lists shall not be altered. If the increased prices as arrived at include a fraction of a cent less than one-half, the price that may be charged shall be reduced to the next lower cent. If, however, the increased price includes a fraction equal to or more than one-half cent, the seller shall be permitted to charge the next higher cent.

(d) The power laundry establishment, agent drivers, agent stores and retail hand laundry establishments to whom a percentage price increase has been granted under the terms of this order shall give written notification of such price increase as follows:

(1) Furnish each of its customers within fifteen days after the effective date of this order with a statement clearly describing its services, specifying its lawful maximum prices as established under Revised Maximum Price Regulation No. 165, as amended, and setting forth both the percentage increase granted it by this order and any percentage increase heretofore granted to it by any other order of this office;

(2) Inscribe on each bill rendered to any customer, at its option, either of these statements: "OPA permitted increase of \_\_\_\_\_% to maintain supply: \$\_\_\_\_\_"; or, "OPA permitted increase to maintain supply: \$\_\_\_\_\_";

The foregoing statement may be omitted upon compliance with the provisions of Order No. 18 under Revised Maximum Price Regulation No. 165;

(3) File two copies of the same statement with the Camden District Office within fifteen days after the effective date of this order, together with a statement signed by a responsible official of such laundry service supplier certifying that it has complied with subparagraph (1) above;

(4) Give all new customers the same notification as hereinabove provided for existing customers.

(e) In addition, the power laundry to whom a price increase is permitted by this order shall immediately advise its agent drivers, agent stores and retail hand laundry customers of the amount of permitted price increase which the latter may add to their total bills under the provisions of paragraph (c) of the order, and of the manner in which such permitted increase shall be computed.

(f) Customary allowances, discounts, or other price differentials may not be changed by the laundry service supplier named or otherwise referred to in this order, unless such change results in prices lower than the prices permitted by this order, after applying the supplier's customary allowances, discounts, or other price differentials; and the laundry service supplier named or otherwise referred to herein shall maintain all of its legal current pricing and other business practices.

(g) Within ten days from the date hereof you must amend the statement of your maximum prices required by section 14 of Revised Maximum Price Regulation No. 165, Services, and the copy thereof which is on file with your War Price

and Rationing Board. This order shall be kept at your place of business and made available to any person during ordinary business hours.

(h) Except as expressly provided by this order, the laundry establishment named or otherwise referred to in this order shall remain in all respects subject to all of the provisions of Revised Maximum Price Regulation No. 165, as amended—Services.

(i) This order may be revoked or amended by the District Director, the Regional Administrator of Region II, or the Price Administrator through the issuance at any time hereafter of any order or price regulation or amendment or supplement thereto.

(j) Any relief requested by the applicant not expressly granted herein is denied. To the extent that the application of the laundry establishment herein named has been denied in whole or in part, such applicant may, within sixty days after the date on which this order is issued, request the Regional Administrator of Region II to review such order of denial in the manner provided by Revised Procedural Regulation No. 1.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; 9 F.R. 7439)

This order shall become effective the 19th day of February, 1945.

Issued: February 6, 1945.

T. HERALD DEMPSEY,  
District Director.

[F. R. Doc. 45-6086; Filed, Apr. 16, 1945;  
3:17 p. m.]

[Columbia Rev. Order 1-B Under Gen.  
Order 50]

#### MALT AND CEREAL BEVERAGES IN SOUTH CAROLINA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Columbia (South Carolina) District Office, of Region IV of the Office of Price Administration by General Order No. 50, issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order No. 17, issued May 5, 1944, it is hereby ordered:

**SECTION 1. Purpose of order.** Order No. 1-B under General Order 50 issued by the District Director of the Columbia (South Carolina) District Office of the Office of Price Administration on the 20th day of June, 1944, was issued for the purpose of establishing specific maximum prices for malt and cereal beverages, including those commonly known as ale, beer and near-beer, either in containers or on draught when sold or offered for sale at retail by any eating or drinking establishment, either for consumption on the premises or when carried away. Order No. 1-B under General Order 50 is redesignated Revised Order No. 1-B under General Order 50 and is revised and amended as herein set forth and issued for the same purpose, except that specific maximum prices are estab-

lished only for on-premise sales, and for the further purpose of clarifying and strengthening the order. Maximum prices for off-premise sales of domestic malt beverages are subject to the provisions of Revised Maximum Price Regulation 259.

**SEC. 2. Geographical applicability.** The provisions of this order extend to all eating and drinking places or establishments located within the limits of the State of South Carolina.

**SEC. 3. Ceiling prices.** (a) On and after July 5, 1944, if you operate an eating or drinking establishment, you may not sell or offer for sale any beverage subject to this order at prices higher than the applicable ceiling prices listed in the appendices hereof. You may, of course, charge lower prices at any time.

(b) If you sell any beverage subject to this order which is not specifically listed herein, and if you believe that the maximum price specified herein for such beverage is not appropriate to such beverage, you may make application to the Columbia (South Carolina) District Office of the Office of Price Administration requesting that such beverage be specifically included in the appendices hereof. With or without such application, the Columbia (South Carolina) District Office of the Office of Price Administration may, at any time, and from time to time, add new or unlisted beverages, brands, types or sizes together with maximum prices for same to the lists set forth in the appendices hereof.

(c) You may not add any taxes to your ceiling prices set forth in the appendices hereof except those specifically provided therein, as all other taxes were taken into consideration in establishing the ceiling prices for each group of sellers.

**SEC. 4. How to figure your ceiling prices.** (a) This order divides eating and drinking establishments into three different groups and gives each group a different ceiling price. The group to which you belong depends on your legal ceiling prices in effect during the base period of April 4-10, 1943. You must figure the group to which you belong on the basis of your correct legal ceiling prices for that period.

(b) The group to which you belong depends on your legal ceiling prices for the beverages subject to this order in effect during the base period of April 4-10, 1943. If your legal ceiling prices for various brands and types of beverages subject to this order vary so that your ceiling prices on some brands or types seem to place you in one particular group and ceiling prices on others seem to classify you into a different group, you must classify yourself into the particular group representative of the prices at which the greater number of your sales were made. For the purpose of determining your classification as herein provided, no consideration may be given to sales of beverages listed in appendices other than Appendix A hereof. You must figure the group to which you belong as follows:

(1) **Group 1 B.** Your establishment belongs to Group 1 B if, during the base period of April 4-10, 1943, your legally

established ceiling prices for beverages subject to this order were the same as, or more than, the prices listed in Appendix A hereof for Group 1 B establishments.

(2) **Group 2 B.** Your establishment belongs to Group 2 B if, during the base period of April 4-10, 1943, your legally established ceiling prices for beverages subject to this order were the same as, or more than, the prices listed in Appendix A hereof for Group 2 B establishments, but were less than those provided in Appendix A for Group 1 B establishments.

(3) **Group 3 B.** Your establishment belongs to Group 3 B if, during the base period of April 4-10, 1943, your legally established ceiling prices for beverages subject to this order were less than the prices listed in Appendix A hereof for Group 2 B establishments. All establishments not in operation during the base period of April 4-10, 1943, and all establishments which begin operating after the effective date of this order also belong to Group 3 B.

(c) If your eating or drinking establishment was not in operation during the base period of April 4-10, 1943, but was in operation prior to the effective date of this order, and, if the nearest similar eating or drinking establishment of the same type is one which is properly classified in Group 1 B or Group 2 B, you may, but not later than the first day of October, 1944, file an application with the Columbia (South Carolina) District Office of the Office of Price Administration, requesting that your establishment be reclassified into the same group to which its nearest similar eating or drinking establishment of the same type belongs. Until your application is acted upon, and unless your establishment is reclassified, it must retain the classification of a Group 3 B seller, and must observe the ceiling prices as provided for that group in the appendices hereof. All such applications for reclassification must contain the following information:

1. Name and address of the establishment and of its owner or owners.
2. A description of the establishment showing its type (such as night club, hotel, restaurant, tavern) and the date it began operating.
3. The selling prices by brand name of all beverages sold since the beginning of its operation.
4. The names of the three nearest eating and drinking establishments of the same type, and their group number as determined under this order.
5. Any other information pertinent to such application or which may be requested by the Office of Price Administration.

(d) If your eating and drinking establishment begins operation after the effective date of this order, you are classified as a Group 3 B seller and may not sell or offer for sale beverages subject to this order at prices higher than those set forth for Group 3 B sellers in the appendices hereof. However, if your nearest eating and drinking establishment of the same type is one which is properly classified as a Group 1 B or Group 2 B seller, you may, within and not later than 30 days from the time you begin operating, file an application with

the Columbia (South Carolina) District Office, requesting that your establishment be reclassified into the same group in which its nearest eating and drinking establishment of the same type belongs. Until your application is acted upon and unless your establishment is reclassified, it must retain the classification of Group 3 B and must observe the ceiling prices as provided for that group in the appendices hereof. All such applications for reclassification must contain the same information required by paragraph (c) of this section.

(e) After you have figured your proper group number under this section and have filed the required statement with your War Price and Rationing Board as provided in section 5, you may not change your group classification except as otherwise provided by this order.

**Sec. 5. Filing with War Price and Rationing Board.** (a) When you have figured your proper group under section 4 above, you must, on or before July 5, 1944, file with your War Price and Rationing Board a signed statement with the name and address of your establishment, its type (such as night club, hotel, restaurant, tavern) and the group to which it belongs. Thereupon the War Price and Rationing Board will send you a card bearing your group number. If you begin operating your establishment after the effective date of this order, you must likewise file said signed statement in this manner as soon as you begin operating.

(b) If you are now in operation and have not filed the signed statement showing the group number to which you belong as provided in paragraph (a) above, you must do so immediately. If you have failed to file said signed statement as herein required, you are hereby classified as a Group 3 B seller and you may not sell or offer for sale any beverage subject to this order at prices higher than the applicable ceiling prices listed for Group 3 B sellers in the appendices hereof. Failure to file said signed statement as herein provided is a violation of this order and also subjects you to the other penalties herein provided.

**Sec. 6. Modification of prices.** After you have determined your group and have put into effect the ceiling prices provided in this order for that group, the Office of Price Administration District Director for the District in which your establishment is located may direct you to charge lower ceiling prices:

(a) If, on the basis of your April 4-10, 1943 legal ceiling prices, this order, properly applied, requires you to be placed into a group with lower ceiling prices.

(b) If, as a result of speculative, unwarranted, or abnormal increases, contrary to the purpose of the Emergency Price Control Act, as amended, your legal ceiling prices on April 4-10, 1943 were excessive in relation to the legal ceiling prices of other comparable establishments in the District.

**Sec. 7. Exempt sales.** The following sales are exempt from the operation of this order. However, unless they are otherwise exempt from price control,

they shall remain subject to the appropriate maximum price regulation or order:

(a) Sales by persons on board common carriers (when operated as such), including railroad dining cars, club cars, bar cars, and buffet cars, or sales otherwise governed by Restaurant Maximum Price Regulation 1 (Dining Car Regulation).

(b) Sales by public and private hospitals insofar as they serve to patients.

(c) Sales by eating cooperatives formed by members of the Armed Forces (as, for example, officers' mess) operated as a non-profit cooperative (where no part of the net earnings inures to the benefit of any individual) which sells food items or meals on a cost basis (or as near thereto as reasonable accounting methods will permit), and substantially all sales of which are made to members of the Armed Forces who are members of the cooperative.

(d) Sales where the beverages subject to this order are included in, and sold as part of, a meal and where the price of such beverage is included in the price of the meal. (Such sales remain under Restaurant Maximum Price Regulation 2).

(e) Sales by the War Department or the Department of Navy of the United States through such Departments' sales stores, including commissaries, ships' stores ashore, and by stores operated as army canteens, post exchanges, or ships' activities.

(f) Bona fide private clubs insofar as such clubs sell only to members or bona fide guests of members. Whenever such clubs sell to persons other than members or bona fide guests of members, such clubs shall be considered for all sales an eating or drinking establishment and subject to this order. No club shall be considered to be exempt as a private club, within the meaning of this subparagraph, unless such club is a non-profit organization and is recognized as such by the Bureau of Internal Revenue and unless its members pay dues (more than merely nominal in amount), are elected to membership by a governing board, membership committee or other body, and unless it is otherwise operated as a private club.

No club organized after the effective date of this order shall be exempt unless and until it has filed a request for exemption with the District Office of the Office of Price Administration of the area in which it is located, furnishing such information as may be required, and has received a communication from such office authorizing exemption as a private club.

**Sec. 8. Evasion.** If you are an operator of an eating or drinking establishment you must not evade the ceiling prices established by this order by any type of scheme or device; among other things (this is not an attempt to list all evasive practices) you must not:

(a) Institute any cover, minimum, bread and butter, service, corkage, entertainment, checkroom, parking or other special charges which you did not have in effect on any corresponding day

during the seven-day period from April 4-10, 1943, or

(b) Increase any cover, minimum, bread and butter, service, corkage, entertainment, checkroom, parking or other special charges which you did have in effect on any corresponding day during the seven-day period from April 4-10, 1943, or

(c) Require as a condition of sale of a beverage the purchase of other items or meals, except that during the hours from 11:30 a. m. to 1:30 p. m. and the hours from 6:00 p. m. to 8:00 p. m., any eating or drinking establishment which derives not less than 70% of its gross revenue from the sales of prepared food items (not including beverage items) sold for consumption on the premises may refuse to sell beverages subject to this order for consumption on the premises during those hours to persons who do not also purchase food items.

**Sec. 9. Records and menus.** If you are an operator of an eating or drinking establishment subject to this order you must observe the requirements of General Order 50, as well as Restaurant Maximum Price Regulation No. 2, either as revised and amended or as may be revised and amended, with reference to the filing and keeping of menus and the preservation and keeping of customary and future records. Among other provisions of General Order 50, are the following:

(a) Preserve all existing records relating to prices, cost and sales of food items, meals and beverages;

(b) Continue to prepare and maintain such records as have been ordinarily kept;

(c) Keep for examination by the Office of Price Administration two copies of each menu used by the establishment each day, or a daily record in duplicate of the prices charged for food items, beverages and meals. If the establishment has customarily used menus, it must continue to do so.

**Sec. 10. Posting of prices.** (a) If you own or operate an eating or drinking establishment offering malt beverages subject to this order you must comply with the provisions of Order No. 2, issued under Restaurant Maximum Price Regulation 2 on March 10, 1945, and effective the same date, either as heretofore or hereafter revised and amended, which order provides in part that you must on or before April 16, 1945, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for all beer and other malt beverages which you offer for consumption on your premises.

(b) If you begin operating your establishment after April 16, 1945, you must obtain the price poster applicable to your establishment from your local War Price and Rationing Board and post same immediately.

(c) No establishment which fails to comply with the posting requirements of Order No. 2 issued under Restaurant Maximum Price Regulation No. 2 on March 10, 1945, and effective the same date, either as heretofore or hereafter revised and amended, may sell any beverage subject to this order at higher prices

than the prices provided for Group 3 B sellers as set forth in the appendices hereof during such time as such establishment is not in compliance with said order.

SEC. 11. *Posting of group number.* (a) If you operate an eating or drinking establishment selling at retail beverages subject to this order you must post, and keep posted, in the premises a card or cards clearly visible to all purchasers showing the group number of your establishment as classified under this order. The card must read "OPA 1 B", "OPA 2 B", or "OPA 3 B", whichever is applicable. You may use the card or cards furnished you for this purpose by the War Price and Rationing Board.

(b) No establishment which fails to comply with the posting requirements of this section may sell any beverage subject to this order at a higher price than provided for Group 3 B sellers in the appendices hereof during such time as such establishment is not in compliance with this section.

SEC. 12. *Receipts and sales slips.* Regardless of whether or not receipts have customarily been issued, upon request by any customer at the time of payment, a receipt containing a full description of the beverage sold and the price of same must be issued. Such receipts must show the date of issue and bear the signature of the person issuing same. If you have customarily issued receipts or sales slips, you may not now discontinue the practice.

SEC. 13. *Operation of several places.* If you own or operate more than one place selling beverages subject to this order, you must do everything required by this regulation for each place separately.

SEC. 14. *Enforcement.* If you violate any provision of this regulation you are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspensions of licenses, provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 15. *Licensing.* The provisions of Licensing Order No. 1 licensing all persons who make sales under price control, are applicable to all sellers subject to this order. If you are a seller subject to this order your license may be suspended for violation of the license or of the order. If your license is suspended you may not, during the period of suspension, make any sale for which your license has been suspended.

SEC. 16. *Relation to other maximum price regulations.* This order supersedes the provisions of Maximum Price Regulation No. 259, and the General Maximum Price Regulation, insofar as such provisions were applicable to sales at retail by eating and drinking establishments of beverages subject to this order. Sales of beverages subject to this order when sold as part of a meal and when the price of same is included in the price of the meal remain subject to the provisions of Restaurant Maximum Price Regulation 2.

SEC. 17. *Definitions.* (a) "Malt beverage" is any malt beverage produced either

within or without the Continental United States, and includes those commonly designated as beer, lager beer, ale, porter and stout.

(b) "Cereal beverage" is any beverage produced from cereals either within or without the Continental United States and commonly known as "near-beer".

(c) "On draught" means dispensed by a seller at retail from any container of  $\frac{1}{8}$  barrel or larger size.

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

(e) "Sell, sale, etc." include the service of beer for a consideration, with a license to consume on the premises.

(f) "Eating or drinking establishments" means any place in which meals, food items or beverages are sold and served primarily for consumption on or about the premises. The term includes but is not limited to restaurants, hotels, cafes, cafeterias, delicatessens, soda fountains, boarding houses, catering establishments, athletic stadiums, field kitchens, lunch wagons, hot dog carts, etc.

(g) "On-premise sales" means those sales made for consumption by the customers either in, on, or about the premises of the seller, or in the immediate vicinity thereof, and includes curb-service sales and sales made to customers served in automobiles located on or about the premises of the seller.

(h) "Other definitions". Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in § 1499.20 of the General Maximum Price Regulation, shall apply to the other terms used herein.

SEC. 18. *Transfers of business or stock in trade.* If the business assets, or stock in trade of any establishment are hereafter sold or otherwise transferred, or have been sold or transferred subsequent to April 10, 1943, and the transferee carries on the business or continues to sell malt beverages covered by this order in the same location, the maximum prices of the transferee shall be the same as those to which its transferor would have been subject if no such transfer had taken place, and its obligations to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available or turn over to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the recording-keeping requirements of this order. If there is a lapse of business operations in connection with such a transfer for a period of sixty days, selling prices shall be determined as provided in section 4 for a new seller.

SEC. 19. *Changes in location.* If any establishment is hereinafter moved to a new location, the establishment shall be considered a new seller under this order

and shall determine its ceiling prices under the provisions of section 4.

SEC. 20. *Petitions for amendment.* Any person dissatisfied with any of the provisions of this order may request the Office of Price Administration to amend the order. Such petition for amendment must be filed in pursuance of the provisions of Revised Procedural Regulation No. 1, except that the petition for amendment shall be directed to, filed with, and acted upon, by the District Director of the Columbia (South Carolina) District Office.

SEC. 21. *Revocation and amendment.* This order may be revoked, amended, or corrected at any time.

SEC. 22. *Effective date.* This order shall become effective July 5, 1944.

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

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681; G.O. 50, 8 F.R. 4808)

Issued at Columbia, South Carolina, this 3d day of April 1945.

HOWARD H. TALBERT,  
District Director.

APPENDIX A  
GROUP 1 B

Brand or trade name	Maximum price per bottle	
	12-ounce (cents)	32-ounce (cents)
Arf and Arf	25	50
Ballantine XXX Ale	25	50
Ballantine India Pale Ale	30	50
Blatz Pilsner	25	50
Buckingham Premium Ale	25	50
Budweiser	25	50
Canadian Ace	25	50
Carling's Red Cap Ale	35	50
Carta Blanca Beer	30	50
Champ Ale	25	50
Dover	25	50
Ehret's Extra Beer	25	50
Holland Premium (nonreturnable bottles)	25	50
Loewers	25	50
Miller's High Life	25	50
Namar Premium	25	50
National	25	50
Old Fashioned	25	50
Pabst Blue Ribbon	25	50
Ruby	25	50
Ruppert Ale	25	50
Schlitz	25	50
Trim	30	50
Van Merritt	30	50
Van Wyck	30	50
White Cap by Two River Beverage	25	50
All Other Brands (including unlabeled beer and ale)	20	45
All Brands under 12 ounces—15¢ per bottle. On Draught:		
6 ounces	13¢	
8 ounces	15¢	
10 ounces	17¢	
In other quantities 8¢ for 1st ounce plus 1¢ for each additional ounce.		

GROUP 2 B

Arf and Arf	20	45
Ballantine XXX Ale	20	45
Ballantine India Pale Ale	20	45
Blatz Pilsner	20	45
Buckingham Premium Ale	20	45
Budweiser	17	42
Burger Brau	20	45
Canadian Ace	20	45
Carling's Red Cap Ale	20	45

GROUP 2 B—continued

Brand or trade name	Maximum price per bottle	
	12-ounce (cents)	32-ounce (cents)
Carla Blanca Beer	30	42
Champ Ale	25	42
Dorquest Beer	17	42
Dover	20	45
Ehret's Extra Beer	20	45
Esslinger	17	42
Fells Extra Beer	17	42
Genesee	17	42
Gold Label by Frontier Brewery	17	42
Gold Medal Tivoli	17	42
Hi-Bran	17	42
Holland Premium (nonreturnable bottles)	20	45
Holland Premium (returnable bottles)	17	42
Koenig Bran	17	42
Koenig Special	17	42
Krueger	17	42
Lambic	17	42
Lang	17	42
Lion	17	42
Loewers	20	45
Miller's High Life	20	45
Morlein	17	42
Namar Premium	20	45
National	20	45
Old Fashioned	20	45
P. O. S.	17	42
Pabst Blue Ribbon	20	45
Peter's Beer	17	42
Pilsner Beer	17	42
Red Fox	17	42
Red Top Ale	17	42
Ruby	20	45
Ruppert Ale	20	45
Schlitz	20	45
Silver Fox Deluxe Beer	17	42
Stegmaier	17	42
Topaz	17	42
Trim	20	45
Van Merritt	25	45
Van Wyck	25	45
White Cap by Two River Beverage	20	45
All Other Brands	15	40
All Brands under 12-ounce—10¢ per bottle.		
On draught:		
6 ounces	8¢	
8 ounces	10¢	
10 ounces	12¢	
In other quantities 3¢ for 1st ounce plus 1¢ for each additional ounce. Mickelob Beer prices are 1/2¢ per ounce above foregoing prices.		

GROUP 3 B

Art and Art	17	42
Ballantine XXX Ale	17	42
Ballantine India Pale Ale	22	42
Blatz Pilsner	17	42
Buckingham Premium Ale	17	42
Budweiser	17	42
Burger Bran	17	42
Canadian Ace	17	42
Carling's Red Cap Ale	17	42
Carla Blanca Beer	25	45
Champ Ale	22	42
Dorquest Beer	17	42
Dover	17	42
Ehret's Extra Beer	17	42
Esslinger	17	42
Fells Extra Beer	17	42
Genesee	17	42
Gold Label by Frontier Brewery	17	42
Gold Medal Tivoli	17	42
Hi-Bran	17	42
Holland Premium	17	42
Koenig Bran	17	42
Koenig Special	17	42
Krueger	17	42
Lambic	17	42
Lang	17	42
Lion	17	42
Loewers	17	42
Miller's High Life	17	42
Morlein	17	42
Namar Premium	17	42
National	17	42
Old Fashioned	17	42
P. O. S.	17	42
Pabst Blue Ribbon	17	42
Peter's Beer	17	42
Pilsner	17	42
Red Fox	17	42
Red Top Ale	17	42
Ruby	17	42
Ruppert Ale	17	42
Schlitz	17	42
Silver Fox Deluxe Beer	17	42

GROUP 3 B—continued

Brand or trade name	Maximum price per bottle	
	12-ounce (cents)	32-ounce (cents)
Stegmaier	17	42
Topaz	17	42
Trim	17	42
Van Merritt	22	42
Van Wyck	22	42
White Cap by Two River Beverage	17	42
All Other Brands	12	37
All Brands under 12 ounce—10¢ per bottle.		
On draught:		
6 ounces	8¢	
8 ounces	10¢	
10 ounces	12¢	
In other quantities 3¢ for 1st ounce plus 1¢ for each additional ounce.		

[F. R. Doc. 45-6087; Filed, Apr. 16, 1945; 3:18 p. m.]

SURPLUS PROPERTY BOARD.

[Special Order 2]

MACHINE TOOL PRICING POLICY

The purpose of this special order is to make certain administrative determinations relative to the machine tool price policy contained in Regulation No. 3 of the Surplus War Property Administration (9 F.R. 9870). That regulation provides that used standard general-purpose machine tools shall be sold at specified percentages of the manufacturer's original sales price. These percentages, as set forth in the schedule annexed to the regulation, decrease with each month of active use, up to 36 months. At that point the schedule ends with the percentage of 45.2 of original cost, and all tools that have been in active use for more than 36 months are sold at the same percentage (45.2) of the manufacturer's original sales price.

This special order is designed to facilitate the administration of the foregoing price policy. The order permits the disposal agency, at its election, to use the March 1, 1941 price of the nearest equivalent new machine tool, as the base price for machine tools manufactured before March 1, 1941.

The order also permits the disposal agency to sell machine tools manufactured prior to January 1, 1936 at current market prices, even if those prices are below the 45.2% minimum specified in the foregoing regulation.

Pursuant to the authority of the Surplus Property Act of 1944 (Pub. Law 457, 78th Congress, 2d Sess.; 58 Stat. 765), it is hereby ordered, That, in applying the provisions of Regulation No. 3 of the Surplus War Property Administration (9 F.R. 9870) relating to the sale of used standard general-purpose machine tools, the Reconstruction Finance Corporation may:

1. Use as an alternative base price for any machine tool manufactured prior to March 1, 1941, the March 1, 1941 price of the nearest equivalent new machine tool, and

2. Sell any such machine tool manufactured prior to January 1, 1936, at current market prices but not in excess of the applicable prices determined in accordance with SWPA Regulation No. 3 and this Special Order No. 2.

This order shall become effective upon publication in the FEDERAL REGISTER.

SURPLUS PROPERTY BOARD,  
By A. E. HOWSE,  
Administrator.

APRIL 11, 1945.

[F. R. Doc. 45-6092; Filed, Apr. 16, 1945; 3:42 p. m.]

UNITED STATES COAST GUARD.

APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R. S. 4405, 4417a, 4418, 4426, 4433, 4488, and 4491, as amended, 49 Stat. 1544 (46 U.S.C. 375, 391a, 392, 404, 411, 481, 489, 367), and Executive Order 9083, dated February 28, 1942 (3 CFR Cum. Supp.), the following approval of equipment is prescribed:

APPROVAL OF EQUIPMENT

DAVIT

Sheath screw davit, size 3-S-6-6 (General Assembly Dwg. No. 460-D, dated 24 July, 1944, revised 19 September, 1944) (Maximum working load of 7,000 pounds per arm, or 14,000 pounds per set), submitted by The Landley Company, 15 Park Row, New York, N. Y.

FEEDWATER REGULATORS

Copes marine boiler feedwater regulators, Copes Type "BI", Dwg. Nos. 23709-M, dated 11 March, 1943 and 23708-M, dated 27 February, 1945; Copes Type "P" for combination feed system, Dwg. No. 23712-L, dated 22 August, 1944, for remote type Flowmatic, Dwg. No. 23716-M, dated 10 June, 1944; Copes Type "SLH", Dwg. No. 23713-M, dated 1 March, 1945, for relay operated, Dwg. No. 23606-M, for Flowmatic, 23715-M, dated 10 June, 1944 and 21 December, 1944; Copes direct operated Flowmatic type, Dwg. No. 23714-M, dated 10 June, 1944 and 21 December, 1944; Copes remote type Flowmatic for combination feed system, Dwg. No. 23717-L, dated 1 March, 1945; manufactured by Northern Equipment Company, Erie, Pennsylvania. (The drawings listed herein are for basic designs only and where a specific installation drawing does not have the same drawing number as the basic design drawing such drawing shall carry as a cross reference the appropriate basic design drawing number or numbers.) (The listing for Copes Type "P" feedwater regulator above supersedes the approval of 27 June, 1944, 9 F.R. 7119)

LUMINOUS MARKING FOR INTERIOR ACCOMMODATIONS

Luminous marking, designated Calcium Adhesive No. 309, with adhesive attached, submitted by John Mackler & Co., Chicago Heights, Ill.

Luminous markings, designated 567R and 581R, with adhesive attached, submitted by Luminescent Products Co., 1110 Industrial Trust Building, Providence 3, R. I.

Luminous markings, Lumite S, Types 1, 2, 3, and 4, with Lloyd LM adhesive, submitted by Interlaken Mills, Fiskeville, R. I.

Dated: April 16, 1945.

L. T. CHALKER,  
Rear Admiral, U. S. C. G.,  
Acting Commandant.

[F. R. Doc. 45-6103; Filed, Apr. 17, 1945; 10:48 a. m.]

## WAR FOOD ADMINISTRATION.

## Commodity Credit Corporation.

[Form FDA-776, Amdt. 3]

DESIGNATED CANNED FOODS PRODUCED FROM  
DESIGNATED VEGETABLES

## AMENDMENT TO AGREEMENT

Whereas, pursuant to the provisions of section (10) of the Agreement with Respect to Designated Canned Foods Produced from Designated Vegetables (Form FDA-776<sup>1</sup>) (hereinafter called the "agreement") made and entered into as of March 1, 1944, by and between Commodity Credit Corporation (hereinafter called "Commodity"), a corporate agency of United States of America, with offices at Washington, D. C., and

(hereinafter called "Canner"), with principal place of business at \_\_\_\_\_, Commodity reserved the right to amend such agreement in the event the Economic Stabilization Director authorizes and directs the making of payments with respect to any one or more canned foods produced in whole or in part from any designated vegetables; and

Whereas, Commodity has heretofore amended (9 F.R. 12401) the agreement with respect to all canners who produce canned tomato soup, or canned green pea soup, or both, as designated canned foods and make eligible sales thereof (such amended agreement hereinafter also called the "agreement"); and

Whereas, Commodity has further amended (10 F.R. 1820) the agreement with respect to all canners (a) who produce canned tomato catsup, canned tomato paste, canned tomato puree, canned tomato sauces, tomato juice contained in canned mixed vegetable juices, and canned tomato cocktail and make eligible sales thereof, or (b) who use any canned tomato paste or canned tomato puree, produced by the canner thereof as a designated canned food, in the production of any other canned food product (such amended agreement hereinafter also called the "agreement"); and

Whereas, in the directive of October 7, 1944, as amended (9 F.R. 12540, 10 F.R. 900), the Economic Stabilization Director authorized and directed the War Food Administration to make subsidy payments with respect to eligible sales made during the period March 1, 1944, to June 30, 1945, both dates inclusive, all in the manner specified in the aforesaid directive of October 7, 1944, as amended; and

Whereas, Canner will make eligible sales of designated canned foods during

the period March 1, 1944, to June 30, 1945, both dates inclusive;

Now, therefore, Commodity and Canner hereby amend the agreement as follows:

*First.* The provisions in (i) of section (1) of the agreement are hereby deleted and the following inserted, in lieu thereof:

(i) "Eligible sale" means any absolute sale by Canner, during the period March 1, 1944, to June 30, 1945, both dates inclusive, of a designated canned food at a fixed price accompanied by the transfer of title to such designated canned food to any purchaser other than a government procurement agency: *Provided*, That the products included in such absolute sale were not (i) packed, sold, or delivered (a) in violation of any order or regulation of the Office of Price Administration, (b) in violation of any provision of War Food Order 22-6 (9 F.R. 1824) or any amendment thereof, or (c) in violation of War Production Board Orders M-81 (7 F.R. 947), as amended, or L-103-b (8 F.R. 9055), as amended, or (ii) previously sold to, and thereafter purchased from, a government procurement agency. With respect to any quantity of canned tomato paste or canned tomato puree which Canner produces as a designated canned food and thereafter uses in his production of any canned food product, the term "eligible sale" shall mean the use by Canner of such quantity of canned tomato paste or canned tomato puree in his production of any other canned food product only after such other canned food product is actually produced.

*Second.* The provisions in section (6) of the agreement are hereby deleted and the following provisions inserted, in lieu thereof:

(6) *Application for payment.* Canner shall file application for payment hereunder only with respect to eligible sales and only on a form similar to that set forth in Exhibit A (attached hereto and by this reference made a part hereof) and shall furnish, with respect to the information contained in each such application for payment, such supporting evidence, documents, information, and proofs as Commodity may require. Each such application for payment shall be filed by Canner not oftener than once each calendar month and shall not include any eligible sales made within 10 calendar days prior to the date of such filing unless and to the extent that more frequent filing, the inclusion of other eligible sales, or filing on a different basis is approved, in writing, by Commodity: *Provided*, That with respect to any eligible sales referable to Canner's use of canned tomato paste or canned tomato puree in the production of other

canned food products, such application for payment shall not include the quantity of canned tomato paste or canned tomato puree used within 10 calendar days prior to the date of such filing by Canner in the production of other canned food products. No application for payment hereunder may be filed after June 30, 1945, unless Commodity approves such later filing.

*Third.* The provisions in (e) of section (9) of the agreement are hereby deleted and the following provisions inserted, in lieu thereof:

(e) \* \* \* the total quantity of canned tomatoes, canned tomato juice, canned tomato soup, canned green pea soup, canned green peas, canned sweet corn, canned snap beans, canned tomato catsup, canned tomato paste, canned tomato puree, canned tomato sauces, canned tomato juice contained in mixed vegetable juices, and canned tomato cocktail, respectively, purchased by Canner during the period March 1, 1944, to June 30, 1945, both dates inclusive, together with the name and address of the respective vendor of each such canned food; \* \* \*

In witness whereof the parties hereto have executed and delivered this agreement this \_\_\_\_\_ day of \_\_\_\_\_ 1945.

COMMODITY CREDIT  
CORPORATION,

By \_\_\_\_\_

(Title)

Attest: \_\_\_\_\_

(Title)

(Canner)

By \_\_\_\_\_

(Title)

Attest: \_\_\_\_\_

(Title)

A copy of the foregoing amendment shall be mailed to each canner who entered into the agreement with the Commodity Credit Corporation and who intends to make eligible sales of designated canned foods during the period May 1 to June 30, 1945, both dates inclusive; and such amendment shall be filed with the Division of the Federal Register.

Issued this 13th day of April 1945.

[SEAL] COMMODITY CREDIT  
CORPORATION,

By RALPH W. OLMSTEAD,  
Vice President.

[F. R. Doc. 45-6089; Filed, Apr. 16, 1945;  
8:21 p. m.]

<sup>1</sup> Not filed with the Division of the Federal Register.