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Washington, Friday, June 29, 1945

The President

EXECUTIVE ORDER 9575

DECLARING THE COMMISSIONED CORPS OF THE PUBLIC HEALTH SERVICE TO BE A MILITARY SERVICE AND PRESCRIBING REGULATIONS THEREFOR

By virtue of the authority vested in me by section 216 of the Public Health Service Act, approved July 1, 1944, 58 Stat. 691; Title I of the First War Powers Act, approved December 1, 1941, 55 Stat. 838; and as President of the United States and Commander in Chief, I hereby declare the commissioned corps of the Public Health Service to be a military service and a branch of the land and naval forces of the United States during the period of the present war. The commissioned corps of the Public Health Service during such period shall be subject to the Articles for the Government of the Navy to the extent prescribed in the following regulations:

1. The Articles for the Government of the Navy are hereby adapted to apply to officers of the commissioned corps of the Public Health Service in the same manner and to the same extent as they apply to commissioned officers of the Navy under like circumstances.

2. Any member of the commissioned corps of the Public Health Service who violates any provision of the Articles for the Government of the Navy shall be subject to trial and punishment as prescribed therein. The authority conferred by the Articles for the Government of the Navy upon the Secretary of the Navy with respect to the convening of general courts-martial and courts of inquiry, the review of their proceedings and the confirmation, remission, mitigation, and execution of sentences of general courts-martial shall be vested in the Federal Security Administrator, and the authority conferred by law for such purposes upon the commander in chief of a fleet or squadron and other officers of the Navy shall be vested in the Surgeon General of the Public Health Service. The

authority to convene a general court-martial or court of inquiry may not be delegated to any other officer of the Public Health Service.

3. The general courts-martial and courts of inquiry convened pursuant to this authority shall have the same powers and authority as other general courts-martial and courts of inquiry under the Articles for the Government of the Navy. The provision of Article 7 thereof shall apply in carrying out sentences of imprisonment and hard labor.

4. Commissioned officers of the Public Health Service now or hereafter detailed for duty with the Army, Navy, or Coast Guard shall be subject to the laws for the government of the service to which detailed as now prescribed by law. In the initiation, prosecution, and completion of disciplinary action, including remission or mitigation of punishments for any offense which has been or may be committed by any commissioned officer of the Public Health Service while detailed for duty with the Army, Navy, or Coast Guard, the jurisdiction shall depend upon and be in accordance with the laws and regulations applicable to the Army, Navy, Coast Guard, or Public Health Service, as the case may be, whichever has jurisdiction of the person of the offender at the various stages of such action: *Provided*, That any punishment imposed and executed in accordance with the provisions of this paragraph shall not exceed that to which the offender was liable at the time of the commission of the offense.

5. Naval Courts and Boards, 1937 and modifications or revisions thereof, shall govern the conduct of general courts-martial and courts of inquiry in the Public Health Service.

6. This order shall be published in the FEDERAL REGISTER and shall be effective on and after the thirtieth day following the date of such publication.

HARRY S. TRUMAN
THE WHITE HOUSE,
June 21, 1945.

[F. R. Doc. 45-11460; Filed, June 28, 1945;
10:02 a. m.]

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FEDERAL REGISTER

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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.

The complete text of the Cumulative Supplement (June 1, 1938-June 1, 1943) is still available in ten units at \$3.00 each.

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TITLE 6—AGRICULTURAL CREDIT

Chapter II—War Food Administration (Commodity Credit)

[1945 C. C. C. Barley Bulletin 1]

PART 264—BARLEY LOANS

SUBPART—1945

Commodity Credit Corporation has authorized the making of loans on barley stored on farms or in approved public warehouses in accordance with this bulletin.

- Sec.
- 264.1 Eligible producer.
- 264.2 Eligible barley.
- 264.3 Eligible storage.
- 264.4 Areas in which loans will be made.
- 264.5 Basic loan rates at terminal markets.
- 264.6 Basic loan rates at country points.
- 264.7 Variation for grades.
- 264.8 Storage payment.
- 264.9 Determination of quantity of barley.
- 264.10 Farm storage.
- 264.11 Warehouse storage.
- 264.12 Warehouse receipts.
- 264.13 Liens.
- 264.14 Maturity and interest rates.
- 264.15 Lending agency.
- 264.16 Eligible paper.
- 264.17 Purchase of loans.
- 264.18 Insurance.
- 264.19 Offices of Commodity Credit Corporation.
- 264.20 County agricultural conservation committees.
- 264.21 Release of collateral.

AUTHORITY: §§ 264.1 to 264.21, inclusive, issued under section 302 of the Agricultural Adjustment Act of 1938, as amended (52 Stat. 43; 7 U. S. C., 1302).

§ 264.1 *Eligible producer.* Any person, partnership, association, or corporation, producing barley in 1945 as landowner, landlord, or tenant, shall be eligible for such loans.

§ 264.2 *Eligible barley.* Barley of any class grading No. 5 or better which was produced in 1945, the beneficial interest in which is now in the person tendering the barley, and has always been in him, or has been in him and a former producer whom he succeeded before the

barley was harvested, shall be eligible as collateral for such loans. Barley grading tough, stained, blighted, smutty, garlicky, weevily, ergotty, or bleached, shall not be eligible for loan.

§ 264.3 *Eligible storage.* Loans will be made on eligible barley stored in approved public grain warehouses or in acceptable storage structures located on farms.

§ 264.4 *Areas in which loans will be made.* Loans will be made on eligible barley stored in approved public grain warehouses wherever located.

Loans are available on eligible barley stored on farms in the following areas:

All counties in the States of Arizona, California, Colorado, Delaware, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, South Dakota, Tennessee, Utah, Virginia, Washington, West Virginia, Wisconsin, and Wyoming, and in the following counties of Oklahoma and Texas:

Oklahoma. Alfalfa, Beaver, Beckham, Blaine, Caddo, Canadian, Cimarron, Cleveland, Comanche, Cotton, Craig, Creek, Custer, Dewey, Ellis, Garfield, Grady, Grant, Greer, Harmon, Harper, Jackson, Kay, Kingfisher, Kiowa, Lincoln, Logan, McClain, Major, Mayes, Noble, Nowata, Okfuskee, Oklahoma, Okmulgee, Osage, Ottawa, Pawnee, Payne, Pottawatomie, Roger Mills, Rogers, Texas, Tillman, Tulsa, Wagoner, Washington, Washita, Woods, and Woodward.

Texas. Andrews, Archer, Armstrong, Bailey, Baylor, Borden, Briscoe, Callahan, Carson, Castro, Childress, Clay, Cochran, Collingsworth, Coleman, Cottle, Crosby, Dallam, Dawson, Deaf Smith, Dickens, Donley, Fisher, Floyd, Foard, Gaines, Garza, Gray, Hale, Hall, Hansford, Hardeman, Hartley, Haskell, Hemphill, Hockley, Howard, Hutchinson, Jones, Kent, King, Knox, Lamb, Lipscomb, Lubbock, Lynn, Martin, Mitchell, Moore, Motley, Nolan, Ochiltree, Oldham, Farmer, Potter, Randall, Roberts, Runnels, Scurry, Sherman, Shackelford, Stonewall, Swisher, Taylor, Terry, Throckmorton, Wheeler, Wichita, Wilbarger, Yoakum, and Young.

§ 264.5 *Basic loan rates at terminal markets.* The 1945 barley loan rates per bushel for No. 1 barley at terminal basic markets are as follows: 95 cents at Chicago, Illinois, St. Louis, Missouri, Portland, Oregon, Los Angeles, and San Francisco, California; 91 cents at Minneapolis, Minnesota, Kansas City, Missouri, and Omaha, Nebraska; \$1.06 at Philadelphia, Pennsylvania, and Baltimore, Maryland, and \$1.01 at Memphis, Tennessee.

All barley eligible for loan at the foregoing loan rates must have been shipped on a domestic freight rate basis. The loan rate at the designated terminal market will be reduced by the difference between the freight paid and the domestic rate on any barley shipped at other than the domestic rate.

The foregoing schedule of loan rates applies to barley, delivered to any of the above designated terminal markets in carload lots, which has been shipped by rail from a country shipping point to one of the designated terminal markets, as evidenced by paid freight bills duly registered for transit privileges and other documents as required herein: *Provided*, That in the event the amount of paid-in

freight is insufficient to guarantee minimum proportional rate from the terminal market, there shall be deducted from the applicable terminal loan rate the difference between the amount of freight actually paid in and the amount required to be paid in to guarantee minimum proportional basis on the outbound movement; and, *Provided further*, That Commodity Credit Corporation will accept, in lieu of such bills, a certification by the warehousemen, on warehouse receipt or on a separate instrument, as follows:

FREIGHT CERTIFICATE FOR TERMINALS

"The _____ represented by _____ (commodity) attached warehouse receipt No. _____ was received by rail freight from _____ (town) _____ (county) _____ (State) point of origin, as evidenced by freight bill described as follows: Way Bill, Date _____ No. _____ Car No. _____ Init. _____ Freight Bill, Date _____ No. _____ Carrier _____ Transit Weight _____ Freight Rate In _____ Amount Collected _____ Number Unused Transit Stops _____

The above-described paid freight bill has been officially registered for transit and will be held in accordance with the provisions of paragraph 22 of the Uniform Grain Storage Agreement.

Date of signature

Warehouseman's signature

Address

Unless such evidence is furnished as required herein, a deduction of 6 cents per bushel shall be made.

Barley trucked to a designated terminal market and stored in a warehouse shall have a loan rate equal to the higher of (a), the terminal loan rate minus 6 cents per bushel, or (b) the county loan rate for the county in which the barley is stored.

§ 264.6 *Basic loan rates at country points.* Commodity Credit Corporation will determine county loan rates on barley in storage on the farm or in the country warehouses by deducting from the designated terminal market loan value an amount equal to 4 cents more than the applicable county average freight rate, plus freight tax, to such terminal market.

Each approved warehouse will be advised as to the loan rate applicable to barley stored in such warehouse. Producers may obtain, from their respective county agricultural conservation committees, the loan rates applicable to barley stored on farms and in public warehouses. Loan rates from each State are published in C. C. C. Barley Bulletin 1, Supplement 1.

The loan rate for eligible barley stored in approved warehouses (other than those located in the designated terminal markets) which was shipped by rail may be determined by deducting from the appropriate designated terminal market loan value an amount equal to the transit balance of the through freight rate from point of origin for such barley to such terminal market, plus freight tax on such transit balance: *Provided*, That, in the

case of barley stored at any railroad transit point, taking a penalty by reason of out-of-line movement, or for any other reason, there shall be added to such transit balance an amount equal to any out-of-line or other costs incurred in storing loan barley at such point as determined by Commodity Credit Corporation. Arrangements have been made for the railroads to indicate transit balance of the through rate on the inbound paid freight bills on a basis of 100 pounds. To obtain the loan rate as determined above, the warehouse receipts, in addition to other required documents, must be accompanied by the original paid freight bills duly registered for transit privileges: *Provided*, That Commodity Credit Corporation will accept, in lieu of such bills, a certification by the warehouseman, on the warehouse receipt or on a separate instrument, in the form set forth in § 264.5, with the following information added:

Transit Balance, if any, of through freight rate to _____ of _____ per 100 pounds.

If the above-described freight bill has not been officially registered for transit the loan rate shall be the loan rate for the county in which the barley is stored.

§ 264.7 *Variation for grades.* The loan rate for barley which grades No. 2 shall be 2 cents per bushel less than the basic loan rate for No. 3 barley 5 cents per bushel less than the basic loan rate, for No. 4 barley 8 cents per bushel less than the basic loan rate, and for No. 5 barley 15 cents per bushel less than the basic loan rate. In addition, a discount of 2 cents per bushel will apply to "mixed" barley.

§ 264.8 *Storage payment.* No farm storage payment shall be made, and 7 cents per bushel shall be deducted from the applicable loan rate for barley stored in warehouses for which evidence of pre-paid storage is not submitted in substantially the following form:

Storage charges through April 30, 1946 on the barley represented by this warehouse receipt have been paid or otherwise provided for, and lien for such charges will not be claimed by the warehouseman from Commodity Credit Corporation or any subsequent holder of this warehouse receipt.

Warehouseman

Address

§ 264.9 *Determination of quantity of barley.* A bushel shall be 48 pounds of clean barley free of dockage when determined by weight, or 1.25 cubic feet of barley testing 48 pounds per bushel when determined by measurement. In determining the quantity of barley in farm storage by measurement, fractional pounds of the bushel test weight will be disregarded, and the quantity, determined as above, will be the following percentages of the quantity determined for 48-pound barley:

	Percent
For barley testing 48 pounds or over.....	100
For barley testing 47 pounds or over, but less than 48 pounds.....	98
For barley testing 46 pounds or over, but less than 47 pounds.....	96

	Percent
For barley testing 45 pounds or over, but less than 46 pounds.....	94
For barley testing 44 pounds or over, but less than 45 pounds.....	92
For barley testing 43 pounds or over, but less than 44 pounds.....	90
For barley testing 42 pounds or over, but less than 43 pounds.....	88
For barley testing 41 pounds or over, but less than 42 pounds.....	85
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§ 264.10 *Farm storage.* Barley stored on the farm must have been stored in the granary at least 30 days prior to its inspection for measurement, sampling, and sealing, except as approved by State agricultural conservation committees. Chattel mortgages covering the barley must be executed and filed in accordance with the State law.

§ 264.11 *Warehouse storage.* Commodity Credit Corporation will accept only insured negotiable warehouse receipts covering eligible barley pledged as collateral to notes on C. C. C. Grain Form B or C. C. C. Commodity Form B, issued by any public grain warehouse which has executed the Uniform Grain Storage Agreement as amended, and has been approved by Commodity Credit Corporation. Warehousemen desiring approval are advised to communicate with the regional director of Commodity Credit Corporation serving the area in which the warehouse is located. A list of approved warehouses and their locations is available at the office of the regional director of Commodity Credit Corporation. A list of approved warehouses for the area may also be obtained at any State or county agricultural conservation office. All barley pledged as security for a particular loan must be stored in the same warehouse.

§ 264.12 *Warehouse receipts.* Warehouse receipts must be issued in the name of the producer, must be dated on or prior to the date of the related note, must be properly assigned by an endorsement in blank so as to vest title in the holder, and must be issued by an approved warehouseman. Unless the warehouse receipts are stamped or printed "insured" there must be attached and included in the certificate of the warehouseman a statement that the barley is insured for not less than the market value against the hazards, of fire, lightning, inherent explosion, windstorm, cyclone, and tornado. Commodity Credit Corporation will not accept warehouse receipts indicating any lien for charges prior to unloading in or delivery to the warehouse issuing such receipts. Lien for unpaid handling and storage charges will be recognized only from May 15, 1945, or the date of the warehouse receipt, whichever is later. Such receipts must set out in their writ-

ten or printed terms the gross weight or bushels, the grade, test weight, and all other factors and statements required to be stated in the written or printed terms of negotiable warehouse receipts under the provisions of section 2 of the Uniform Warehouse Receipts Act, or be accompanied by a certificate of the warehouseman, identified with such warehouse receipt, setting out such information, and shall be based on the inbound movement or delivery of the barley to an approved warehouse.

§ 264.13 *Liens.* The barley collateral must be free and clear of all liens except in favor of the lienholders listed in the space provided therefor in the chattel mortgage or note and loan agreement.

§ 264.14 *Maturity and interest rate.* Notes secured by farm-stored barley or by warehouse receipts representing barley will mature on demand, or on April 30, 1946, whichever is earlier. All loans will bear interest at the rate of 3 percent per annum.

§ 264.15 *Lending agency.* Any bank, cooperative marketing association, corporation, partnership, or person, making loans in accordance with these instructions, which has executed the Contract to Purchase, on 1940 C. C. C. Form E, may act as a lending agency in connection with the 1945 Barley Loan Program.

§ 264.16 *Eligible paper.* Eligible paper shall consist of notes of the producers on C. C. C. Grain Form A (Revised) secured by chattel mortgages on C. C. C. Grain Form AA (Revised), or C. C. C. Commodity Form A secured by chattel mortgages on C. C. C. Commodity Form AA, or notes and loan agreements on C. C. C. Grain Form B or C. C. C. Commodity Form B, secured by warehouse receipts representing barley in existence, which instruments shall be dated prior to December 31, 1945. Notes executed by an administrator, executor, or trustee, will be acceptable only where legally valid.

§ 264.17 *Purchase of loans.* Commodity Credit Corporation will purchase, without recourse, eligible paper, as defined above, from lending agencies which have executed and delivered to the office of Commodity Credit Corporation to which notes are submitted Contract to Purchase, 1940 C. C. C. Form E, forms of which contract are obtainable from such offices.

Notes held by lending agencies must be tendered to Commodity Credit Corporation for immediate or deferred purchase within 10 days of written request made by Commodity Credit Corporation and, in the absence of such request, at least 10 days prior to maturity. The purchase price to be paid by Commodity Credit Corporation for notes accepted will be the unpaid principal of such notes plus accrued interest, at the rate of 1½ percent per annum, from the respective dates of the disbursements of the loans to the date of payment of the purchase price. Under the terms of the Contract to Purchase, lending agencies are required to report weekly, on C. C. C. Form F, all payments or collections on producers' notes held by them, and to remit,

with such report, to Commodity Credit Corporation an amount equivalent to 1½ percent interest per annum from the date of the disbursement of the loan to the date of payment on the principal amount collected.

§ 264.18 *Insurance*—(a) *Barley stored on farms.* Commodity Credit Corporation will not require producers to insure their 1945 farm-stored barley placed under loan. In case of a total loss of collateral resulting from an external cause, with the exception of a loss caused by conversion by the producer, or his negligence, or caused by vermin, the producer will not be held personally liable on the note. In case of partial loss of collateral resulting from an external cause, with the exceptions aforesaid, the producer will not be held liable for that part of the indebtedness secured by the barley lost. No loss will be assumed by the Corporation, however, if it is determined that there is a fraudulent representation on the part of the borrower in connection with the loan.

(b) *Barley stored in approved warehouses.* Warehousemen shall provide insurance against the perils of fire, lightning, inherent explosion, windstorm, cyclone, and tornado, for the full market value of barley stored in their warehouses, as long as receipts are outstanding.

§ 264.19 *Offices of Commodity Credit Corporation.* The locations and addresses of the regional directors of Commodity Credit Corporation previously referred to herein and the areas served by them are:

Address and Area

208 South LaSalle Street, Chicago 4, Ill.; Delaware, Illinois (except East St. Louis), Indiana, Kentucky, Maryland, Michigan, New York, Ohio, Pennsylvania, Tennessee, Virginia, West Virginia, Southern Wisconsin, and States not otherwise listed.

Dwight Building, 1004 Baltimore Avenue, Kansas City 13, Mo.; Alabama, Arkansas, Colorado, Florida, Georgia, Kansas, Louisiana, Mississippi, Missouri (also East St. Louis), Nebraska, New Mexico, Oklahoma, South Carolina, Texas, and Wyoming.

326 McKnight Building, Minneapolis 1, Minn.; Minnesota, Montana, North Dakota, South Dakota, and Northern Wisconsin.

Artisans Building, 225 Southwest Broadway, Portland 5, Oreg.; Arizona, California, Idaho, Nevada, Oregon, Utah, and Washington.

§ 264.20 *County agricultural conservation committees.* Forms may be obtained from county agricultural conservation committees or from the office of Commodity Credit Corporation. Pursuant to instructions, the State committee and county committee will determine, or cause to be determined, the quantity and grade of the barley collateral and the amount of the loan. All loan documents will be completed and approved by the county committee. County agricultural conservation associations will collect a service fee for all loans.

§ 264.21 *Release of collateral.* The producer may obtain the release of the barley upon the payment of the principal amount due on the loan plus accrued interest. The loan paper may be sent to

an approved bank for collection or the producer may ascertain the amount due and remit directly to the office of Commodity Credit Corporation holding the paper. Partial releases of collateral may be arranged with the county agricultural conservation committee by paying to the holder of the note the loan value, plus accrued interest, for the barley released.

Dated: May 19, 1945.

C. C. FARRINGTON,
Vice President,

Commodity Credit Corporation,
Director, Office of Basic Commodities.

[F. R. Doc. 45-11490; Filed, June 28, 1945;
11:09 a. m.]

TITLE 7—AGRICULTURE

Chapter I—War Food Administration Standards, Inspections, Marketing Practices)

Subchapter A—Commodity Standards and Standard Container Regulations

PART 34—REGULATIONS UNDER THE TOBACCO SEED AND PLANT EXPORTATION ACT

By virtue of the authority vested in the War Food Administrator, and pursuant to the provisions of the Tobacco Seed and Plant Exportation Act (54 Stat. 234; 7 U.S.C., 516), the following revision of the regulations issued thereunder (7 CFR, Cum. Supp. 34.1 et seq.) is hereby promulgated.

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DISPOSITION OF USED PERMIT

34.11 Procedure.

AUTHORITY: §§ 34.1 to 34.11, inclusive, issued under 54 Stat. 231; 7 U.S.C., 516, et seq.; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783.

GENERAL PROVISIONS

§ 34.1 *Definitions.* (a) "Secretary" means the War Food Administrator or any person to whom authority has heretofore lawfully been delegated or to whom authority may hereafter lawfully be delegated to act in his stead.

(b) "Director" means the Director of Marketing Services of the War Food Administration or any person to whom authority has heretofore lawfully been delegated or to whom authority may hereafter lawfully be delegated to act in his stead.

ADMINISTRATION

§ 34.2 *Director.* The Director is charged with the administration of the provisions of the aforesaid Tobacco Seed and Plant Exportation Act and of this part.

PERMITS

§ 34.3 *Permit required.* No tobacco seed or live tobacco plants may be exported from the United States or any Territory subject to the jurisdiction thereof to any foreign country, port, or place unless such exportation or transportation shall have been authorized in advance by a written permit of the Secretary countersigned by the Director.

§ 34.4 *Restrictions upon issuance of permits.* (a) Permits will be granted only where the evidence indicates that the consignee is a representative of a government institution or an agency engaged in conducting agricultural experiments in the course of scientific research. (b) Quantities permitted to be exported will be restricted to 14 grams or ½ ounce of seed or 500 live plants of any one variety, with the exception of the species *Nicotiana rustica*, to which this restriction will not apply.

§ 34.5 *Method of obtaining permits.* Applications for permits shall show the following information:

- (a) Name and address of exporter.
- (b) Name, official title, address of person to whom the seed or plants are to be consigned, and the institution at which research is to be conducted.
- (c) Type and variety of seed or plants.
- (d) Nature of experiments to be conducted and objectives sought.
- (e) Method of shipment proposed.
- (f) Port of exit or post office of mailing.
- (g) The intended date of exportation.

§ 34.6 *Exceptions.* Shipments of tobacco seed or plants originating in a foreign country and entering or leaving a part of the United States in transit through the territory of the United States to a foreign country will not require a permit under the terms of this part.

INSTRUCTIONS TO SHIPPERS

§ 34.7 *Marking packages.* Packages or parcels containing tobacco seed or plants the exportation of which has been authorized shall be marked "Tobacco Seed and Plant Export Permit No. ____" with the permit number inserted in the blank space.

§ 34.8 *Shipments by mail.* The permit must be filed by the consignor with the Postmaster at the office of mailing.

§ 34.9 *Shipments by railway, ferry boat or vehicle.* The permit must be filed with the Collector of Customs at the port from which the shipment is to be exported.

§ 34.10 *Shipments by seagoing vessel or airplane.* The permit must be filed with the Collector of Customs at the port of lading on board the exporting vessel or airplane at least 24 hours be-

fore departure; and, in the case of shipment by a seagoing vessel, the permit must be filed at least 24 hours before the lading of such vessel.

DISPOSITION OF USED PERMITS

§ 34.11 *Procedure.* Permits filed with postmasters and collectors of customs shall be stamped or endorsed to show the place and date of filing, and shall be mailed to the following address:

Tobacco Branch, Office of Marketing Services, War Food Administration, Washington 25, D. C.

Issued at Washington, D. C., this 28th day of June 1945.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 45-11470; Filed, June 28, 1945; 11:09 a. m.]

Chapter XIII—War Food Administration (Surplus Property)

PART 1700—STATEMENT OF POLICIES ON DISPOSAL OF SURPLUS AGRICULTURAL COMMODITIES AND SURPLUS FOODS PROCESSED THEREFROM

Sec.	
1700.1	General purpose and scope.
1700.2	Relationship to Surplus Property Act and other statements.
1700.3	Methods and procedures.
1700.4	Time of disposal.
1700.5	Priorities, preferences and selection of purchasers.
1700.6	Price.
1700.7	Donation and destruction.
1700.8	Consumer protection; inspection, etc.
1700.9	Sales for export.
1700.10	Sales of commodities abroad.
1700.11	Interpretations, amendments and implementing regulations.

AUTHORITY: §§ 1700.1 to 1700.11, inclusive, issued under section 21 (a) Surplus Property Act of 1944, Pub. Law 457, 78th Congress; 58 Stat. 775; 50 U.S.C. App. Sup., 1630.

§ 1700.1 *General purpose and scope.* Section 21 (a) of the Surplus Property Act of 1944 makes the War Food Administrator, or his successor, solely responsible, subject to the supervision of the Surplus Property Board, for the formulation of policies with respect to the disposal of surplus agricultural commodities and surplus foods processed from agricultural commodities. This part, issued under section 21 (a), announces the policies which are to be observed by all disposal agencies designated by the Board to handle any of the surplus commodities with respect to which the War Food Administrator has policy making responsibility. These policies are therefore also applicable to the War Food Administration and its various agencies and bureaus insofar as they act as disposal agencies.

§ 1700.2 *Relationship to Surplus Property Act and other statements.* This part is to be regarded as implementing the provisions, purposes and objectives of the Surplus Property Act of 1944. Failure to include or elaborate on any particular requirement or provision of the act should not, of course, cause it to be concluded that such requirement

or provision was intended to be ignored with respect to handling surplus agricultural commodities and surplus foods processed from agricultural commodities.

There is no intention to exclude the applicability of the general policy statements and regulations of the Surplus Property Board. These must also be considered in dealing with surplus agricultural commodities and surplus foods processed from agricultural commodities. Departures from the Surplus Property Board's policies and regulations may be made with respect to such commodities only if explicitly and affirmatively required by the terms of this part. An explicit and affirmative requirement of this character means that the War Food Administrator has determined, with the concurrence of the Surplus Property Board, that such requirement is more appropriate for the particular commodities covered.

§ 1700.3 *Methods and procedures.* All disposals shall be conducted with fairness and adequate publicity and in a manner compatible with the national interest and economy. Subject to the specific requirements of this part, disposals may be by sale, exchange, lease, or transfer, for cash, credit, or other property, with or without warranty, and upon such other terms and conditions as the disposal agency deems proper.¹ Disposals may be made without regard to any provision of existing law for competitive bidding² except when otherwise provided by the Surplus Property Board or by this part. Disposal agencies are, however, charged with the following responsibilities:

(a) To develop comprehensive and understandable disposal procedures, which will operate in a uniform manner and which are widely publicized.

(b) To give adequate advance notice and information of proposed sales and disposals to assure that all those interested have a full opportunity to participate.

(c) To prescribe terms and conditions of sale which are fully disclosed to all prospective buyers in advance and which are not discriminatory between different buyers similarly situated.

(d) To provide reasonable checks and safeguards designed to prevent secretive and discriminatory disposals.

(e) To prepare and maintain adequate records of all disposals.

(f) To answer all reasonable requests for information concerning sales and disposals, including the character of items sold, volume of sales, identity of purchasers and price paid and other terms and conditions of particular sales.

(g) To give regard to established and existing trade practices.

(h) To seek the advice and recommendations of the established industry advisory committees of the War Food Administration on general disposal problems.

(i) To observe all applicable Government regulations and orders with respect

to prices, rationing, priorities, and allocations.

(j) To refrain from and provide against diversion of food to non-food uses except where the particular food is in over-supply or is of questionable quality or condition or such diversion is deemed desirable for the war effort.

(k) Such other responsibilities as may be prescribed from time to time by the War Food Administrator or the Surplus Property Board.

§ 1700.4 *Time of disposal.* Every emphasis should be on promptness of disposal in order to keep deterioration of the commodity to a minimum and to take advantage of the short-supply and high-demand condition of the war and immediate post-war markets. Disposals should be delayed intentionally only when necessary to avoid disruption of the market or an unnecessary depression of prices.

§ 1700.5 *Priorities, preferences and selection of purchasers.* Subject to such regulations as the Surplus Property Board may prescribe in the nature of over-riding priorities or preferences, the following procedure shall be followed in a selection of purchasers:

(a) In the case of surplus foods processed from agricultural commodities, commodities shall be offered whenever it is reasonably practicable in the following order:

(1) To the original vendor or processor

(2) To vendors or processors of like commodities

(3) To wholesale food distributors, chain stores and other trade groups either directly or through the medium of food brokers

(4) To all others, except that sales should be made in such a manner as to discourage speculators

(b) Agricultural commodities to any person except that sales should be made in such a manner as to discourage speculators.

Within the foregoing groups efforts shall be made to give small buyers or small business an equal opportunity with large buyers.

Generally the quantity or size of the lot to be sold at any given time should be determined by sound business and commercial practice.³

In the event brokers are employed, fees paid should not exceed those customary in the trade.

³ Section 21 (c) of the Surplus Property Act provides that surplus farm commodities are not to be sold in the United States (except for export) in quantities in excess of those in which they may be sold by Commodity Credit Corporation. The only quantitative restriction on Commodity Credit Corporation is to be found in section 381 (c) of the Agricultural Adjustment Act of 1938, which prohibits the sale of more than 300,000 bales of cotton in any calendar month, or more than 1,500,000 bales in any calendar year. See 52 Stat. 66, 7 U. S. C. 1381 (c). However, section 2 of Public Law 30, April 12, 1945, suspends section 381 (c) until the expiration of the two-year period beginning with the first day of January immediately following the date on which the President, by proclamation, or the Congress, by concurrent resolution declares that hostilities in the present war have terminated.

¹ See Surplus Property Act, sec. 15 (a).

² See Surplus Property Act, sec. 29.

§ 1700.6 *Price.* Efforts should be made to obtain a price which will result in the maximum return to the Government, taking into account the policies to be effectuated, Office of Price Administration maximum prices,⁴ and all relevant circumstances such as quality, quantity, condition, pack, etc. However, the purchaser may be given the benefit of all discounts and allowances normally granted in the trade, and allowances on account of swells, relabeling, reconditioning, etc.

Transfers to other Federal agencies shall be at a fair valuation to be fixed by the disposal agency, unless transfer without reimbursement or transfer of funds is otherwise authorized by law.⁵

Disposals made for school or educational use, or for health or medical purposes, pursuant to section 13 (a) (1) of the Surplus Property Act, shall be at a valuation which takes into consideration any benefit which has accrued or may accrue to the United States from such use. If the Surplus Property Board has acted to fix such valuation its action in this respect shall be regarded as controlling.

Commodities for which the War Food Administration has price-support programs in effect at the time of the sale, and food processed from such commodities, shall not be sold (except for export or abroad in accordance with paragraph 9) at prices which will be disruptive of such programs or the market generally. Before such a commodity is sold as surplus below the support price, or food processed from a commodity is sold at a price which will not reflect the support price, there must be a finding by the War Food Administration that the sale at the proposed price will not unduly disrupt the price-support program involved.

Surplus farm commodities shall not be sold in the United States (except for export) at prices less than those applicable with respect to sales of such commodities by Commodity Credit Corporation or less than current prevailing market prices, whichever may be higher.⁶

⁴ Maximum prices for sales of food by Government agencies are covered by OPA Supplementary Order 81.

⁵ See Surplus Property Act, Sec. 12 (c).

⁶ Section 2 of Public Law 30, April 12, 1945, suspends section 381 (c) of the Agricultural Adjustment Act of 1938 (which prohibits Commodity Credit Corporation from selling cotton at a price which is not sufficient to reimburse it for its investment in the cotton) until the expiration of the two year period beginning with the first day of January immediately following the date on which the President, by proclamation, or the Congress, by concurrent resolution, declares that hostilities in the present war have terminated; and during the period of such suspension prohibits Commodity Credit Corporation from selling any farm commodity owned or controlled by it at less than the parity or comparable price therefor with the following exceptions: "(1) sales for new or byproduct uses; (2) sales of peanuts for the extraction of oil; (3) sales for export; (4) sales for seed or feed: *Provided*, That no wheat or corn shall be sold for feed at less than parity price for corn at the time such sale is made: *And provided further*, That in making regional adjustments in the sale

§ 1700.7 *Donation and destruction.* Whenever the disposal agency finds that commodities have no commercial value, or that the cost of care, handling, and disposition will exceed the estimated proceeds, such commodities may be donated to any agency or institution supported by the Federal Government or any state or local government, or to any non-profit or charitable organization. The findings of the agency, together with information as to the identity of the donee, shall be incorporated in a complete written statement, a copy of which shall be filed with the Director of Surplus Property and Reconversion, War Food Administration, Washington, D. C., within thirty days after the donation takes place. No surplus agricultural commodities or surplus foods processed from agricultural commodities shall be donated except under the circumstances and on the conditions provided in this section.

Commodities which are so far deteriorated that they are obviously unfit for any use whatsoever and present a serious problem of storing and handling may be destroyed immediately but in such cases a written declaration that such destruction was necessary for the stated reasons shall be promptly filed with the Director of Surplus Property and Reconversion, War Food Administration, Washington, D. C. Where the deterioration is not such that immediate destruction is necessary, the following steps must be taken in advance of destruction:

(a) Public notice of the proposed destruction given thirty days in advance.

(b) The filing of copies of such notice with the Surplus Property Board and the Director of Surplus Property and Reconversion, War Food Administration, Washington, D. C., at the beginning of the thirty-day period.

(c) An attempt during the thirty-day period to dispose of the commodity other than by destruction.

(d) The filing of a statement describing all steps which have been taken to

price of corn or wheat for feed, the minimum price need not be higher in any area than the United States average parity price for corn; (5) sales of commodities which have substantially deteriorated in quality or of nonbasic perishable commodities where there is danger of loss or waste through spoilage; or (6) sales for the purpose of establishing claims against persons who have committed fraud, misrepresentation, or other wrongful acts with respect to the commodity. The method that is now used for the purposes of Commodity Credit Corporation loans for determining the parity price or its equivalent for seven-eighths-inch Middling cotton at the average location used in fixing the base loan rate for cotton shall also be used for determining the parity price for seven-eighths-inch Middling cotton at such average location for the purposes of this section."

Public Law 52, May 5, 1945, Department of Agriculture Appropriation Act, 1946, which would apply during the fiscal year ending June 30, 1946, contains virtually the same limitations on sales by Commodity Credit Corporation of farm commodities below the parity or comparable price except that the exception with respect to perishable commodities applies to "perishable fruits, vegetables, and animal products if there is danger of deterioration or of accumulation of stocks."

dispose of the commodity with the Director of Surplus Property and Reconversion at the beginning of the thirty-day period and a supplementary statement at the close of the period.

§ 1700.8 *Consumer protection; inspection, etc.* All reasonable safeguards and precautions shall be taken in cooperation with Federal, State, and local health authorities, to ensure that foods which are unfit for human consumption do not go into food uses. Before any commodity is disposed of for food uses, it must be inspected to determine its fitness for human consumption. Items found to be unfit for human consumption must be segregated under Government supervision. Only those portions fit for human consumption may be sold for food uses or to buyers who may put them to such uses. Unfit items may be sold only for reconditioning or reprocessing for food uses or for industrial or nonfood purposes under circumstances and on conditions which will assure that the items are so used. If this cannot be done, destruction may be necessary under the terms of § 1700.7.

§ 1700.9 *Sales for export.* Food and food products which are located in the United States shall not be sold for export unless it is first determined that, (a) there is no shortage of the commodity in the United States and that the proposed sale or disposal will not result in such shortage, and (b) the commodity is not needed to supply the normal demands of consumers in the United States. Such determinations shall be made by the War Food Administration.

Export sales may be made of any farm commodity or product thereof at competitive world prices without regard to the restrictions stated in § 1700.6, but only upon an adequate and properly secured undertaking of the purchaser that the commodity will not later be imported into the United States.

§ 1700.10 *Sales of commodities abroad.* Commodities located abroad shall promptly be returned to the United States upon the issuance of a declaration and finding by the War Food Administration that commodities of that type or character are in short supply in the United States and that such return is in the public interest. In the absence of such a finding, commodities located abroad, notwithstanding the foregoing provisions of this part, shall be sold or otherwise disposed of abroad upon such terms and conditions and employing such methods of sale or disposition and priority of offering as seem reasonable under all of the circumstances: *Provided*, That if the War Food Administration determines that a commodity of the same type or character as the commodity located abroad is being exported from the United States and specifies a minimum sales price for the commodity located abroad, sales of such commodity shall not be made at a price below such minimum sales price. Records shall be kept of all disposals abroad and they shall be reported to the War Food Administration. The disposal agency shall insert in each contract for the sale or

other disposition of any such commodity an undertaking on the part of the purchaser not to import the commodity into the United States in the same or processed form: *Provided*, That the foregoing shall not apply where such commodities are sold to a member of the armed forces abroad who certifies to the disposal agency that he is purchasing the commodities for the purpose of bringing them into the United States for his personal use.

§ 1700.11 *Interpretations, amendments and implementing regulations.* Requests for interpretations, or for amendments, or for clearance of implementing regulations issued by the disposal agencies should be addressed to the Director of Surplus Property and Reconversion, War Food Administration, Washington, D. C.

Effective date. This statement of policies shall become effective June 29, 1945.

Issued: March 30, 1945.

MARVIN JONES,
War Food Administrator.

Concurred in:

SURPLUS PROPERTY BOARD,
G. M. GILLETTE,
Chairman.

[F. R. Doc. 45-11469; Filed, June 28, 1945;
-11:09 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter V—Military Reservations and National Cemeteries

PART 504—ARMY EXCHANGES

POSTS, CAMPS AND STATIONS

The following amendments and additions to the regulations contained in Part 504 are hereby prescribed.

1. Section 504.1 (b) is rescinded and the following substituted in lieu thereof:

§ 504.1 *Purposes.* * * *

(b) To operate or manage all revenue-producing activities at a post other than:

- (1) The quartermaster sales commissary or the quartermaster sales store.
- (2) War Department theaters.
- (3) Minor or incidental revenue-producing activities conducted by welfare and sundry funds. This restriction does not preclude specific War Department directive to the exchange to operate or manage any other food, drink, merchandise, or service facility.
- (4) Revenue from communications services.
- (5) Book departments at service schools.
- (6) Post restaurants. (See Army Regulations.)
- (7) "Yank" magazine and similar publications.
- (8) Such other activities as the War Department may direct.

2. Section 504.5 is amended as follows:

§ 504.5 *Activities*—(a) *Authorized activities.*

(1) Main store.

(2) Management, procurement or other services for other nonappropriated fund activities, as authorized by applicable directives.

(c) *Concessions.* * * *

(4) A concession contract will be approved only when it embodies the express provision that the concessionaire assumes complete liability for all local taxes applicable to the property, income, and transactions of the concessionaire.

3. In § 504.6 paragraph (c) (2) (iii) (d) is amended as follows:

§ 504.6 *Army Exchange Service.* * * *

(c) * * *

(2) * * *

(iii) * * *

(d) Receive, investigate, and pay from Army exchange fund claims of creditors of exchanges lost through enemy action, preserving records of such payments for presentation as claims before a claims commission, indemnity commission, or similar body which may hereafter be constituted. Any such amounts received from such commission or similar body shall be used to reimburse Army exchange fund. (R. S. 161; 5 U. S. C. 22) [AR 210-65, 12 June 1945]

[SEAL]

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

[F. R. Doc. 45-11456; Filed, June 28, 1945;
9:40 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regs., Serial No. 278-B]

ISSUANCE OF ASSISTANT AIRLINE TRANSPORT PILOT CERTIFICATES

EXTENSION OF EFFECTIVE PERIOD

Extending the effective period of Special Civil Air Regulation Serial Number 278 authorizing the issuance of assistant airline transport pilot certificates.

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 27th day of June, 1945.

Effective June 27, 1945, Special Civil Air Regulation Serial Number 278 is amended by striking the words "June 30, 1945" and inserting in lieu thereof the words "December 31, 1945."

NOTE: The termination date of this regulation was previously extended to June 30, 1945, by Special Civil Air Regulation Serial Number 278-A.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

FRED A. TOOMBS,
Secretary.

[F. R. Doc. 45-11467; Filed, June 28, 1945;
10:50 a. m.]

[Amdt. 22-1]

PART 22—LIGHTER-THAN-AIR PILOT CERTIFICATES

MILITARY COMPETENCE

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 19th day of June 1945.

Effective June 19, 1945, §§ 22.118 and 22.129 of the Civil Air Regulations are amended to read as follows:

§ 22.118 *Military competence.* An applicant who is or was within the preceding 12 calendar months a member of the armed forces of the United States will be deemed to have met the requirements of §§ 22.115, 22.116, and 22.117 if he presents reliable documentary evidence showing:

(a) That he is a member of the armed forces, or that he has been honorably discharged or returned to inactive service.

(b) That he is or was on flying status as a lighter-than-air pilot and is presently competent to pilot airships, and

(c) His total flying time.

§ 22.129 *Military competence.* An applicant who is or was within the preceding 12 calendar months a member of the armed forces of the United States will be deemed to have met the requirements of §§ 22.125, 22.126, 22.127, and 22.128 if he presents reliable documentary evidence showing:

(a) That he is a member of the armed forces or that he has been honorably discharged or returned to inactive service.

(b) That he is or was on flying status as a lighter-than-air pilot holding an instrument rating and is presently competent to pilot airships, and

(c) His total flying time.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

FRED A. TOOMBS,
Secretary.

[F. R. Doc. 45-11466; Filed, June 28, 1945;
10:50 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[File No. 21-308]

PART 162—WOOD CASED LEAD PENCIL INDUSTRY

PROMULGATION OF TRADE PRACTICE RULES

At a regular session of the Federal Trade Commission held at its office in the City of Washington, D. C., on the 27th day of June, A. D. 1945

Due proceedings having been held under the trade practice conference procedure in pursuance of the act of Congress approved September 26, 1914, as amended (Federal Trade Commission Act), and other provisions of law administered by the Commission:

It is now ordered, That the trade practice rules of Group I and Group II, as hereinafter set forth, which have been

approved and received, respectively, by the Commission in this proceeding, be promulgated as of June 29, 1945.

Statement by the Commission

Trade practice rules for the Wood Cased Lead Pencil Industry, as herein-after set forth, are promulgated by the Federal Trade Commission under the trade practice conference procedure.

Wood cased lead pencils, the products of the industry, are of many types and grades. They are sold in large numbers by manufacturers, importers, distributors, dealers, and other marketers; and are used extensively by the public and business generally, in schools, in drawing and drafting, in the crafts, and in many other activities. The rules are directed toward the maintenance of free and fair competition in the business of marketing such pencils throughout the several channels of trade and to consumers or the purchasing public. To this end, the rules catalog and prescribe various unfair trade practices which are to be avoided and prevented that the industry, trade, and the public may be adequately protected against the harmful effects of such practices. Other rules are also included which provide additional support for sound business methods.

Production of wood cased lead pencils in the United States is large. In 1944 it exceeded 1,047,000,000 pencils. Invested capital of the manufacturers in this country is above \$25,000,000. In addition to the domestic production, imported wood cased lead pencils are also covered by the rules, as well as those which are assembled in this country from imported leads or slats.

The proceedings for establishing the rules were instituted upon application from members of the industry. A general trade practice conference was held by the Commission in New York City. At such conference suggested rules were considered, subject to the Commission's approval in the form deemed proper. Thereafter, a draft of the proposed rules under consideration by the Commission was published for the information of all concerned and public notice was issued by the Commission under which all interested or affected parties (including consumers) were afforded opportunity to present their views, including such pertinent information, suggestions, amendments, or objections as they desired to offer, and to be heard. Such hearing was accordingly held in Washington, D. C. All matters presented pursuant to such public notice, or otherwise received in the proceedings, were duly considered.

Thereupon, and after full consideration, final action was taken by the Commission whereby it approved and received, respectively, the trade practice rules appearing in Group I and Group II, as follows:

The Rules

These rules promulgated by the Commission are designed to foster and promote the maintenance of fair competitive conditions in the interest of the industry and the public. Their operation is to be

directed toward this end and is not to permit of the use of any practice which suppresses competition, restrains trade, fixes or controls price through combination or agreement, or which otherwise injures, destroys, or prevents competition.

Group I

The unfair trade practices embraced in the Group I rules herein are considered to be unfair methods of competition, unfair or deceptive acts or practices, or other illegal practices, prohibited under laws administered by the Federal Trade Commission; and appropriate proceedings in the public interest will be taken by the Commission to prevent the use, by any person, partnership, corporation, or other organization subject to its jurisdiction, of such unlawful practices in commerce.

Sec.	
162.1	Misrepresentation and misbranding.
162.2	Deception as to origin of pencils made of fully fabricated imported lead or slats.
162.3	Misuse of word "free," etc.
162.4	Defamation of competitors or disparagement of their products.
162.5	Procurement of competitors' confidential information by unfair means and wrongful use thereof.
162.6	Commercial bribery.
162.7	Imitation or simulation of trademarks, trade names, etc.
162.8	Selling below cost.
162.9	Use of "loss leaders."
162.10	Coercing purchase of one product as a prerequisite to the purchase of other products.
162.11	Substitution of products.
162.12	Combination or coercion to fix prices, suppress competition, or restrain trade.
162.13	Discrimination.

AUTHORITY: §§ 162.1 to 162.13, inclusive, issued under the authority contained in 38 Stat. 717, as amended, and pursuant to other provisions of law administered by the Commission.

§ 162.1 *Misrepresentation and misbranding.* It is an unfair trade practice to use, or cause or promote the use of, any advertising by radio, newspapers, magazines, or other media, or any trade promotional literature, label, brand, mark, imprint, designation, or representation, however, disseminated or published:

(a) Which has the capacity and tendency or effect of misleading or deceiving the purchasing or consuming public with respect to the lead hardness, brand, grade, origin, quality, quantity, durability, size, use, value, price, or terms of sale of any industry product, or with respect to the manufacture, distribution, or marketing of such product; or

(b) Which is false, misleading, or deceptive in any other respect. [Rule 1]

§ 162.2 *Deception as to origin of pencils made of fully fabricated imported lead or slats—*(a) *In the sale or distribution in the domestic market of wood cased lead pencils assembled in the United States from fully fabricated imported lead or slats.* (1) It is an unfair trade practice to conceal or fail to fully and nondeceptively disclose the foreign origin of such lead or slats or both, as the case may be, the conceal-

ment or nondisclosure having the capacity and tendency or effect of misleading or deceiving the purchasing or consuming public.

(2) The practice of imprinting the phrase "Made in U. S. A." upon such pencils or their containers, or the use thereof in advertisements or other representations pertaining to such pencils, is also an unfair trade practice when truthful disclosure is not clearly and conspicuously made, in immediate conjunction therewith, showing that such lead or slats or both, as the case may be, have been imported from or made in the country of their origin.

(b) *Manner of disclosure.* The following is prescribed as a proper manner of making said disclosure under this section of the foreign origin of such lead or slats or both, as the case may be:

(1) Unless the disclosure is made on the pencils themselves, the disclosure shall in all cases be made on the wrapper or immediate container of a dozen or smaller number of pencils, irrespective of whether or not the phrase "Made in U. S. A." is used; and

(2) Whenever the phrase "Made in U. S. A." is used, whether on the pencils, on their wrappers or containers, or in advertising matter, the disclosure shall be made in immediate conjunction with such phrase wherever used.

(3) Illustrative designations of foreign origin of such lead or slats which may be used under this section are as follows: "Lead made in _____," "Slats made in _____," "Lead and slats made in _____," "Lead imported from _____," "Slats imported from _____," "Lead and slats imported from _____," (inserting the applicable country of origin in such blanks).

(c) All the provisions of this section respecting the phrase "Made in U. S. A." shall be equally applicable to expressions or representations of similar import or meaning such as, but not limited to, "U. S. A.," "Made in America," "American Made," "U. S. Product," etc.

(d) This section shall not be construed as prohibiting the imprinting upon such pencils, or the use in advertising or elsewhere, of the name of the city or State, or both, which constitute the address of the person or concern manufacturing or marketing such pencils: *Provided, However,* all other provisions of this section are complied with and no deception is involved.

(e) Nothing herein shall be deemed to relieve anyone of the necessity of complying with the requirements of the customs law or regulations, or other applicable provisions of law or regulations, relating to the marking of imported articles. [Rule 2]

§ 162.3 *Misuse of word "free," etc.* It is an unfair trade practice to use the term "free," or any other term of similar import or meaning, to describe, designate, or refer to any industry product which is not given to the recipient thereof without cost and unconditionally. [Rule 3]

§ 162.4 *Defamation of competitors or disparagement of their products.* The defamation of competitors by falsely imputing to them dishonorable conduct, in-

ability to perform contracts, questionable credit standing, or by other false representations, or the false disparagement of the grade or quality of the products of competitors or of the source or origin of raw materials or component parts used in their products, or the false disparagement of the nature or form of business conducted by competitors, their credit terms, values, policies, or services, or other false disparagement, is an unfair trade practice. [Rule 4]

§ 162.5 *Procurement of competitor's confidential information by unfair means and wrongful use thereof.* It is an unfair trade practice for any member of the industry to obtain information concerning the business of a competitor by bribery of an employee or agent of such competitor, by false or misleading statements or representations, by the impersonation of one in authority, or by any other unfair means, and to use the information so obtained in such manner as to injure said competitor in his business or to suppress competition or unreasonably restrain trade. [Rule 5]

§ 162.6 *Commercial bribery.* It is an unfair trade practice for any member of the industry, directly or indirectly, to give, or offer to give, or permit or cause to be given, money or anything of value to agents, employees, or representatives of customers or prospective customers, or to agents, employees, or representatives of competitors' customers or prospective customers, without the knowledge of their employers or principals, as an inducement to influence their employers or principals to purchase or contract to purchase products manufactured or sold by such industry member or the maker of such gift or offer, or to influence such employers or principals to refrain from dealing or contracting to deal with competitors. [Rule 6]

§ 162.7 *Imitation or simulation of trade-marks, trade names, etc.* The imitation or simulation of the trade-marks, trade names, brands, or labels of competitors, with the capacity and tendency or effect of misleading or deceiving purchasers, prospective purchasers, or the consuming public, is an unfair trade practice. [Rule 7]

§ 162.8 *Selling below cost.* The practice of selling industry products below the seller's cost, when pursued with wrongful intent of thereby injuring a competitor and where the effect of such practice is to unreasonably restrain trade, tend to create a monopoly, or substantially lessen competition, is an unfair trade practice.

This section is not to be construed as prohibiting all sales below cost, but only such selling below the seller's cost as is resorted to and pursued as a monopolistic practice with the wrongful intent referred to and coupled with the effect of unreasonably restraining trade, tending to create a monopoly, or substantially lessening competition.

All elements recognized by good accounting practice as proper elements of such cost shall be included in determining cost under this section. The costs referred to in this section are actual costs

of the respective seller and not some other figure or average costs in the industry, determined by an industry cost survey or otherwise. [Rule 8]

§ 162.9 *Use of "loss leaders."* The practice of selling any product of the industry below the seller's cost as a "loss leader" to induce the purchase of any other product of the industry, the sale of the latter being used to recoup the loss sustained on the "loss leader" product so sold, with the capacity and tendency or effect of misleading or deceiving purchasers, prospective purchasers, or the consuming public, is an unfair trade practice. [Rule 9]

§ 162.10 *Coercing purchase of one product as a prerequisite to the purchase of other products.* The practice of coercing the purchase of one or more products as a prerequisite to the purchase of one or more other products, where the effect may be to substantially lessen competition or tend to create a monopoly or to unreasonably restrain trade, is an unfair trade practice. [Rule 10]

§ 162.11 *Substitution of products.* The practice of shipping or delivering products which do not conform to samples submitted, to specifications upon which the sale is consummated, or to representations made prior to securing the order, without the consent of the purchasers to such substitution, or with the capacity and tendency or effect of misleading or deceiving the purchasing or consuming public, is an unfair trade practice. [Rule 11]

§ 162.12 *Combination or coercion to fix prices, suppress competition, or restrain trade.* It is an unfair trade practice for a member of the industry, or any other person:

(a) To use, directly or indirectly, any form of threat, intimidation, or coercion against any member of the industry or other person to unlawfully fix, maintain, or enhance prices, suppress competition, or restrain trade; or

(b) To enter into or take part in, directly or indirectly, any agreement, understanding, combination, conspiracy, or concerted action with one or more members of the industry, or with one or more other persons, to unlawfully fix, maintain, or enhance prices, suppress competition, or restrain trade. [Rule 12]

§ 162.13 *Discrimination—(a) Prohibited discriminatory prices, or rebates, refunds, discounts, credits, etc., which effect unlawful price discrimination.* It is an unfair trade practice for any member of the industry engaged in commerce,¹ in the course of such commerce,

¹ As here used, the word "commerce" means "trade or commerce among the several States and with foreign nations, or between the District of Columbia or any Territory of the United States and any State, Territory, or foreign nation, or between any insular possessions or other places under the jurisdiction of the United States, or between any such possession or place and any State or Territory of the United States or the District of Columbia or any foreign nation, or within the District of Columbia or any Territory or any insular possession or other place under the jurisdiction of the United States," (exclusive, however, of the Philippine Islands).

to grant or allow, secretly or openly, directly or indirectly, any rebate, refund, discount, credit, or other form of price differential (whether in the form of so-called free goods or otherwise), where such rebate, refund, discount, credit, or other form of price differential, effects a discrimination in price between different purchasers of goods of like grade and quality, where either or any of the purchases involved therein are in commerce,¹ and where the effect thereof may be substantially to lessen competition or tend to create a monopoly in any line of commerce,¹ or to injure, destroy, or prevent competition with any person who either grants or knowingly receives the benefit of such discrimination, or with customers of either of them: *Provided, however:*

(1) That the goods involved in any such transaction are sold for use, consumption, or resale within any place under the jurisdiction of the United States;

(2) That nothing herein contained shall prevent differentials which make only due allowance for differences in the cost of manufacture, sale, or delivery resulting from the differing methods or quantities in which such commodities are to such purchasers sold or delivered;

(3) That nothing herein contained shall prevent persons engaged in selling goods, wares, or merchandise in commerce¹ from selecting their own customers in bona fide transactions and not in restraint of trade;

(4) That nothing herein contained shall prevent price changes from time to time where made in response to changing conditions affecting either (i) the market for the goods concerned, or (ii) the marketability of the goods, such as, but not limited to, actual or imminent deterioration of perishable goods, obsolescence of seasonal goods, distress sales under court process, or sales in good faith in discontinuance of business in the goods concerned.

(b) *Prohibited brokerage and commissions.* It is an unfair trade practice for any member of the industry engaged in commerce,¹ in the course of such commerce, to pay or grant, or to receive or accept, anything of value as a commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, except for services rendered in connection with the sale or purchase of goods, wares, or merchandise, either to the other party to such transaction or to an agent, representative, or other intermediary therein where such intermediary is acting in fact for or in behalf, or is subject to the direct or indirect control, of any party to such transaction other than the person by whom such compensation is so granted or paid.

(c) *Prohibited advertising or promotional allowances, etc.* It is an unfair trade practice for any member of the industry engaged in commerce¹ to pay or contract for the payment of advertising or promotional allowances or any other thing of value to or for the benefit of a customer of such member in the course of such commerce as compensation or in consideration for any services

or facilities furnished by or through such customer in connection with the processing, handling, sale, or offering for sale of any products or commodities manufactured, sold, or offered for sale by such member, unless such payment or consideration is available on proportionally equal terms to all other customers competing in the distribution of such products or commodities.

(d) *Prohibited discriminatory services or facilities.* It is an unfair trade practice for any member of the industry to discriminate in favor of one purchaser against another purchaser or purchasers of a commodity bought for resale, with or without processing, by contracting to furnish or furnishing, or by contributing to the furnishing of, any services or facilities connected with the processing, handling, sale, or offering for sale of such commodity so purchased upon terms not accorded to all purchasers on proportionally equal terms.

(e) *Inducing or receiving an illegal discrimination in price.* It is an unfair trade practice for any member of the industry engaged in commerce, in the course of such commerce, knowingly to induce or receive a discrimination in price which is prohibited by the foregoing provisions of this section.

(f) *Purchases by schools, colleges, universities, public libraries, churches, hospitals, and charitable institutions not operated for profit.* The foregoing provisions of this section relate to practices within the purview of the Robinson-Patman Antidiscrimination Act, which Act and the application thereunder of this section are subject to the limitations expressed in the amendment to such Robinson-Patman Antidiscrimination Act, which amendment, passed by Congress, was approved May 26, 1938, and reads as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That nothing in the Act approved June 19, 1936 (Public, Numbered 692, Seventy-fourth Congress, second session), known as the Robinson-Patman Antidiscrimination Act, shall apply to purchases of their supplies for their own use by schools, colleges, universities, public libraries, churches, hospitals, and charitable institutions not operated for profit. (52 Stat. 446; United States Code, 1940 edition, Title 15, Sec. 13c) [Rule 13]

Group II

Compliance with trade practice provisions embraced in Group II rules is considered to be conducive to sound business methods and is to be encouraged and promoted individually or through voluntary cooperation exercised in accordance with existing law. Nonobservance of such rules does not, per se, constitute violation of law. Where, however, the practice of not complying with any such Group II rules is followed in such manner as to result in unfair methods of competition, or unfair or deceptive acts or practices, corrective proceedings may be instituted by the Commission as in the case of violation of Group I rules.

RULE A. Ambiguity in contracts or orders. In order to avoid ambiguity and misunderstanding between buyers and sellers, it is the judgment of the industry that contracts or orders for wood cased

lead pencils should be specific as to the description, quality, and price of the pencils to be furnished thereunder.

RULE B. Fictitious bids. The industry condemns fake or fictitious bids made for the purpose of deceiving competitors and securing undue advantage.

RULE C. Recording of trade-marks, trade names, etc., to avoid confusion. To avoid confusion within the industry, it is recommended that each member thereof voluntarily file with some person designated by the industry all trade-marks, trade names, labels, or brands belonging to and used by such member and that such information be made equally available to all members of the industry and to the public.

A Committee on Trade Practices is hereby created by the industry to cooperate with the Federal Trade Commission and to perform such acts as may be legal and proper to put these rules into effect.

Promulgated and issued by the Federal Trade Commission June 29, 1945.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-11468; Filed, June 28, 1945; 11:01 a. m.]

TITLE 29—LABOR

**Chapter IV—Children's Bureau,
Department of Labor**

[Reg. 26]

PART 402—ACCEPTANCE OF STATE CERTIFICATES

§ 402.1 *Designation of States.* Pursuant to the provisions of § 401.5,¹ I hereby designate the following States as States in which State age, employment, or working certificates or permits shall have the same force and effect as Federal certificates of age under the Fair Labor Standards Act of 1938, c. 676, 52 Stat. 1060, 29 U.S.C., sec. 201:

Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Puerto Rico, Rhode Island, South Dakota, Tennessee, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming.

This designation shall be effective from July 1, 1945, until June 30, 1946, unless this regulation is amended or repealed by regulation hereafter made and published by the Chief of the Children's Bureau.

Dated: June 27, 1945.

KATHARINE P. LENROOT,
Chief of the Children's Bureau.

[F. R. Doc. 45-11465; Filed, June 28, 1945; 10:46 a. m.]

¹ Refers to section 5, Child Labor Regulations No. 1, "Certificates of Age," issued October 14, 1938, pursuant to the authority conferred by sections 3 (1) and 11 (b) of the Fair Labor Standards Act of 1938, published at 3 F.R. 2487, October 15, 1938; republished at 4 F.R. 1361, March 29, 1939.

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

[Rev. Supp. 9]

PART 1102—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF CALIFORNIA

WORKERS ENGAGED IN BALING ALFALFA, VETCH, AND GRAIN HAY IN DESIGNATED CALIFORNIA COUNTIES

Supplement 9 (formerly referred to as Specific Wage Ceiling Regulation 9), issued June 10, 1944 (9 F.R. 6396, 10 F.R. 3797, 5764), is hereby amended and revised to read as follows:

§ 1102.9 *Wages of workers engaged in the baling and piling of alfalfa, vetch and grain hay in the counties of Marin, Sonoma, Napa, Solano, Alameda, San Joaquin, Contra Costa, Sacramento, Sutter, Yolo and Yuba, State of California.* Pursuant to § 4001.7 of the regulations of the Economic Stabilization Director relating to wages and salaries issued August 28, 1943 (8 F.R. 11960, 12139, 16702, 9 F.R. 6035, 14547) and to the regulations of the War Food Administrator issued January 20, 1944 (9 F.R. 831), as revised October 23, 1944 and March 23, 1945 (9 F.R. 12807, 14206; 10 F.R. 3177), entitled "Specific Wage Ceiling Regulations" and based upon relevant facts submitted by the California WFA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops, and classes of workers.* Persons engaged in the baling and piling of alfalfa, vetch and grain hay in the counties of Marin, Sonoma, Napa, Solano, Alameda, San Joaquin, Contra Costa, Sacramento, Sutter, Yolo, and Yuba, State of California, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Economic Stabilization Director issued on August 28, 1943, as amended (8 F.R. 11960, 12139, 16702, 9 F.R. 6035, 14547).

(b) *Wage rates—maximum wage rates for baling and piling alfalfa, vetch and grain hay.*

	Cents per ton per man
(1) 5-wire balers:	
3-man feeder crew.....	40
4-man feeder crew.....	35
Power driver (lever tender).....	25
Bale jerker (if 2 men are employed the employer will divide the 40¢ per ton among the 2 men in any propor- tion desired).....	40
Bale roller (piller).....	25
Roustabout.....	20
Spool tender.....	15
(Board furnished in addition.)	
(2) 3-wire stationary baler:	
2 or 3 feeders.....	50
(Where feeders rotate to other jobs the feeder rate applies, provided, however, a maximum of 3 men in a crew may be paid the feeder rate.)	
Wire tier (where an exclusive job).....	40
Wire piker (where an exclusive job).....	25
Bale roller (piller).....	40
Spool tender.....	25
(Board not included.)	
(3) 2- or 3-wire pickup type balers:	
Lead man (not more than one).....	50
Other men in crew.....	45
(Total crew can not exceed 4 men.) (Board not included.)	
(4) 3-wire pitch-in type movable or shock-to-shock baler:	
3 or 4 feeders.....	90
(Board not included.)	

If an hourly rate is paid for any operation listed in (1), (2), (3) or (4), the rate must not exceed earnings computed on the above piece rate basis.

(c) *Administration.* The California WFA Wage Board located at 2181 Bancroft Way, Berkeley, California, will have charge of the administration of this section in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator January 20, 1944 (9 F.R. 831), as revised October 23, 1944 and March 23, 1945 (9 F.R. 12807, 14206, 10 F.R. 3177).

(d) *Applicability of specific wage ceiling regulations.* This section shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831), as revised October 23, 1944 and March 23, 1945 (9 F.R. 12807, 14206; 10 F.R. 3177), and the provisions of such regulations shall be applicable to this section and any violation of this section shall constitute a violation of such specific wage ceiling regulations.

Effective date. This revised Supplement 9 shall become effective at 12:01 a. m. Pacific war time, June 30, 1945.

(56 Stat. 765 (1942), 50 U.S.C. App. 961 et seq., (Supp. III), 57 Stat. 63 (1943), 50 U.S.C. 964 (Supp. III); 58 Stat. 632 (1944), E.O. No. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035, 14547; regulations of the War Food Administrator, 9 F.R. 655, 12117, 12611, 9 F.R. 831, 12807, 14206; 10 F.R. 3177)

Issued this 27th day of June 1945.

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

[F. R. Doc. 45-11471; Filed, June 28, 1945;
11:10 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Amdt. 307]

PART 611—DUTY AND RESPONSIBILITY TO REGISTER

MISCELLANEOUS AMENDMENTS

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

1. Amend § 611.2 to read as follows:

§ 611.2 *Change of status.* Except as otherwise provided in § 611.2-1, every man who would have been required to be registered on a day fixed for registration by Presidential proclamation except for the fact that he was in one of the groups mentioned in section 5 (a), Selective Training and Service Act of 1940, as amended, or section 208, Coast Guard Auxiliary and Reserve Act of 1941, shall be required, under the provisions of section 5 (h) of the Selective Training and Service Act of 1940, as amended, to present himself for and submit to registra-

tion before a local board when a change in his status removes him from such group.

2. Amend the regulations by adding a new section to be known as § 611.2-1 to read as follows:

§ 611.2-1 *Registration of men separated from land or naval forces.* Every man who (1) has been discharged from the land or naval forces by discharge or by an equivalent type of release from service in the case of an officer or a warrant officer, (2) has not been registered prior to such discharge or release, and (3) would have been required to be registered on a date fixed for registration by Presidential proclamation except for the fact that he was on that date a member of the land or naval forces, shall present himself for and submit to registration within the period of ten days following the day on which he was discharged from the land or naval forces.

3. Amend § 611.4 to read as follows:

§ 611.4 *Inmate of institution.* Unless he has already been registered every man subject to registration who is an inmate of an insane asylum, jail, penitentiary, reformatory, or similar institution, shall be registered on the day he leaves the institution.

4. Amend § 611.5 by deleting paragraph (e) thereof in its entirety and relettering paragraph (f) to (e) to read as follows:

§ 611.5 *Responsibility for performance of duty.* * * *

(e) Men required to present themselves for and submit to registration shall not be paid for performing such obligation nor shall they be paid travel allowances or expenses.

5. Amend § 611.13 to read as follows:

§ 611.13 *When a nondeclarant alien is not residing in the United States.* (a) A male alien who is now in or hereafter enters the United States who has not declared his intention to become a citizen of the United States is not "a male person residing in the United States" within the meaning of section 2 or section 3 of the Selective Training and Service Act of 1940, as amended, *Provided:*

(1) He is a diplomatic representative, a technical attaché of a foreign embassy or legation, a consul general, a consul, a vice consul, or a consular agent of a foreign country; or

(2) He is a full-time official or employee of a foreign government and a national of the country employing him who has been notified to the Department of State; *Provided,* That at the time he is notified to the Department of State, a proper representative of his government advises and after investigation the Department of State and the Director of Selective Service agree that he is in fact not residing in the United States; or

(3) He is a dependent male child of any person described in subparagraph (1) or (2) of this paragraph; or

(4) He is and was at the time of his entry into the United States in the active service of the armed forces of a cobelligerent or a neutral country; or

(5) He is an individual designated by the Director of Selective Service as not required to present himself for and submit to registration; or

(6) He is within a group of individuals described by the Director of Selective Service as not required to present themselves for and submit to registration; or

(7) He has, within the time prescribed and in the manner provided in section 611.21, filed with the local board with which he is registered, or if he is not registered, with the local board having jurisdiction over the area in which he is located, an Alien's Application for Determination of Residence (Form 302), together with an Alien's Personal History and Statement (Form 304), and such application is either pending or has resulted in the issuance by the local board of an Alien's Certificate of Nonresidence (Form 303) which has not expired.

(b) Each Alien in one of the categories described in subparagraphs (1), (2), (3), (4), (5), or (6) of paragraph (a) must have in his personal possession, at all times, an official document issued pursuant to authorization of or described by the Director of Selective Service which identifies him as a person not required to present himself for and submit to registration and must exhibit it in the same manner and to the same persons as a registrant is required to exhibit a Registration Certificate (Form 2) under § 617.1.

6. Amend § 611.21 to read as follows:

§ 611.21 *What aliens may apply for a determination.* Any nondeclarant alien who has entered or who hereafter enters the United States in a manner prescribed by its laws, except a nondeclarant alien described in subparagraphs (1), (2), (3), (4), (5), and (6) of § 611.13 (a), may file with his local board, if he is registered, or with the local board where he is at the time located, if he is not registered, an Alien's Application for Determination of Residence (Form 302); *Provided,* That such application is filed within ninety days after the date of his entry into the United States or within ninety days after persons of his age become liable for training and service by law, whichever is the later: *And provided further,* That such application is filed prior to induction. An Alien's Personal History and Statement (Form 304) must be filed with such application.

7. Amend the regulations by adding a new section to be known as § 611.21-1 to read as follows:

§ 611.21-1 *Application filed after three months.* Any alien who has not complied with the provisions of § 611.21 or § 611.26 may file an Alien's Application for Determination of Residence (Form 302) and an Alien's Personal History and Statement (Form 304) with a local board for transmittal to the Director of Selective Service for consideration.

8. Amend § 611.25 to read as follows:

§ 611.25 *Action of local board following determination by Director of Selective Service.* Immediately upon receipt of the file containing a determination made by the Director of Selective Service

under the provisions of § 611.24 or § 611.29, the local board shall:

(a) Prepare and mail to the alien a Notice of Determination of Alien's Residence (Form 305) if the Director of Selective Service has determined that such alien is "a male person residing in the United States" within the meaning of section 2 and section 3 of the Selective Training and Service Act of 1940, as amended; or

(b) Prepare and deliver to the alien, in the manner prescribed in paragraph (d) of § 611.22 on Alien's Certificate of Nonresidence (Form 303) if the Director of Selective Service has determined that such alien is not "a male person residing in the United States" within the meaning of section 2 or section 3 of the Selective Training and Service Act of 1940, as amended.

9. Amend paragraph (b) of § 611.32 to read as follows:

§ 611.32 Register of nonresident aliens. * * *

(b) The State Director of Selective Service shall maintain a register showing the names, addresses, and nationalities of individuals to whom Alien's Certificates of Nonresidence (Form 303) have been issued in his State, the name or number of the local board issuing the certificates, and the number and expiration date of each individual certificate issued by each local board.

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

LEWIS B. HERSHEY,
Director.

JUNE 27, 1945.

[F. R. Doc. 45-11436; Filed, June 27, 1945; 2:36 p. m.]

[Amdt. 308]

PART 612—REGISTRATION

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

Amend Part 612 to read as follows:

DUTIES

- Sec. 612.1 State Director of Selective Service.
- 612.2 Chairman of local board.
- 612.3 Registrars.

PROCEDURES

- 612.11 Place and time of registration.
- 612.12 Manner of registration; general.
- 612.13 Manner of registration; inmate of institution.
- 612.14 Interpreters.
- 612.15 Registrant unable or who refuses to sign.
- 612.16 Checking place of residence.
- 612.17 Disposition of Registration Card of registrant whose place of residence is not within local board area.
- 612.18 Persons registered more than once.

AUTHORITY: §§ 612.1 to 612.18, inclusive, issued under 54 Stat. 885, as amended; 50 U.S.C. App. and Sup., 301 et seq.; E.O. 8545, 9279, 3 CFR, Cum. Supp.

DUTIES

§ 612.1 State Director of Selective Service. The State Director of Selective Service shall supervise the registration of men who present themselves for registration before local boards in his State.

§ 612.2 Chairman of local board. The chairman of the local board shall supervise the registration of men who present themselves for registration at the office of his local board.

§ 612.3 Registrars. (a) Any member or employee of a local board or a local board group, or any other qualified person appointed as registrar by the chairman of the local board may perform the duties of registrar. The chairman and other members and employees of the local board or of a local board group are authorized to act as registrars without special appointment.

(b) Unless he has already done so, each registrar, before entering upon his duties as registrar, shall take the following oath:

"I, _____ do solemnly swear (or affirm) that I will faithfully perform the duties of registrar of Local Board No. _____; that I will correctly record the answers given me by persons registered; that I will indicate on every Registration Card (Form 1) answers that I believe to be untrue; and that I will truthfully answer and record matters charged to my own observation.

The oath may be administered by any person qualified to administer oaths, or by a member of the local board.

(c) No compensation shall be paid to any registrar for his services as such, and, unless such person has already signed an Oath of Office and Waiver of Pay or Compensation (Form 21), or is a full-time paid employee of the Selective Service System, he shall sign an Oath of Office and Waiver of Pay or Compensation (Form 21) before being sworn or undertaking any duties as registrar.

PROCEDURES

§ 612.11 Place and time of registration. Any person required to be registered may present himself for and submit to registration at the office of any local board during the usual business hours.

§ 612.12 Manner of registration; general. (a) For each person required to present himself for and submit to registration, Selective Service forms shall be completed as follows:

(1) Registration Card (Form 1) of the proper color; and

(2) Registration Certificate (Form 2).

(b) Each person who presents himself for registration shall be registered on a properly colored Registration Card (Form 1) which shall be determined by his date of birth in accordance with the following table:

TABLE OF AGE GROUPS AND REGISTRATION CARDS (FORM 1)

GROUP 1—WHITE CARD

Registrants born on or after October 17, 1904, and born on or before October 16, 1919.

GROUP 2—MELON CARD

Registrants born on or after October 17, 1919, and born on or before July 1, 1920.

GROUP 3—GREEN CARD

Registrants born on or after July 2, 1920, and born on or before December 31, 1921; and

Registrants born on or after February 17, 1897, and born on or before October 16, 1904.

GROUP 4—BUFF CARD

Registrants born on or after April 23, 1877, and born on or before February 16, 1897.

GROUP 5—GRAY CARD

Registrants born on or after January 1, 1922, and born on or before June 30, 1924.

GROUP 6—GRAY CARD

Registrants born on or after July 1, 1924, and born on or before December 31, 1924; and those reaching the eighteenth anniversary of the day of their birth on or after January 1, 1943.

(c) The registrar shall complete and certify, and the registrant shall sign, the proper colored Registration Card (Form 1) before the registrar completes and signs the Registration Certificate (Form 2). The registrar shall complete all entries on the Registration Card (Form 1), except the spaces for the registrant's signature, serial number and order number. The entries on the front of the card will be made by the registrar from the information obtained from the registrant, and the entries on the back of the card will be made by the registrar from information obtained by observation. The registrar will take extreme care in making correct entries on the Registration Card (Form 1). Special attention shall be given to the entry to be made on line 2 of the Registration Card (Form 1). Except as otherwise provided in these regulations, the local board whose area of jurisdiction includes the place of residence given on line 2 of the Registration Card (Form 1) will always have jurisdiction over the registrant. The registrant will not be permitted to give a place of residence outside the continental United States, the Territory of Alaska, the Territory of Hawaii, Puerto Rico, or the Virgin Islands of the United States.

(d) When the Registration Card (Form 1) has been completed and certified by the registrar and signed by the registrant, the registrar will prepare from information taken from the Registration Card (Form 1), the Registration Certificate (Form 2), and give it to the registrant.

(e) The registrar should advise the registrant that he must advise the local board each time there is a change in his address.

§ 612.13 Manner of registration; inmate of institution. (a) An inmate of an insane asylum, jail, penitentiary, reformatory, or similar institution, who is required to be registered on the day he leaves such institution, shall be registered in the manner prescribed in this

section. The superintendent or warden shall perform the duties of registrar.

(b) In filling out the Registration Card (Form 1) and the Registration Certificate (Form 2), the superintendent or warden, acting in his capacity as registrar, shall be careful not to indicate that the inmate was registered in an institution or by an official thereof. If the inmate does not have a permanent place of residence or an address where he intends to be or where he can be located, the address of the local board of the area in which the institution is located shall be entered on line 2 of the Registration Card (Form 1). Under no circumstances shall the address of the institution be given as the place of residence or as the mailing address of the inmate who is being registered.

(c) The superintendent or warden acting as registrar shall then (1) explain to the registrant his obligations under the Selective Training and Service Act of 1940, as amended; (2) prepare and sign the Registration Certificate (Form 2) entering on the line commencing "Registrar for Local Board" the number of the local board of the area in which the institution is located; and (3) give the Registration Certificate (Form 2) to the inmate.

(d) The superintendent or warden shall mail the Registration Card (Form 1) of a person registered under the provisions of this section to the State Director of Selective Service for the State in which the place of residence described on line 2 of such card is located. The State Director of Selective Service shall forward such Registration Card (Form 1) to the local board having jurisdiction of the place of residence described on line 2 thereof.

§ 612.14 *Interpreters.* Registrars may accept the gratuitous assistance of such interpreters as are necessary, provided such interpreters shall first execute an Oath of Office and Waiver of Pay or Compensation (Form 21) and shall be sworn to correctly interpret the questions asked by the registrar and the answers given by the registrant.

§ 612.15 *Registrant unable or who refuses to sign.* If a person required to be registered is unable to sign his name or make his mark, or if he refuses to sign his name on the Registration Card (Form 1), the registrar shall sign each such person's name in the space provided on the Registration Card (Form 1) and indicate that he has done so by signing his own name followed by the word "Registrar" beneath the name of such person. The act of the registrar in so doing shall have the same force and effect as if the person required to be registered had signed his name on the Registration Card (Form 1), and such person shall thereby be registered.

§ 612.16 *Checking place of residence.* When a Registration Card (Form 1) is received or completed at the office of a local board, the clerk of the local board shall carefully check the place of residence of such registrant as indicated on line 2 of his Registration Card (Form 1).

§ 612.17 *Disposition of Registration Card of registrant whose place of residence is not within local board area.*

(a) If the clerk of the local board finds that the place of residence of the registrant as shown on line 2 of his Registration Card (Form 1) is not within the area of the local board where he registered, the clerk of the local board shall immediately mail the Registration Card (Form 1) of such registrant to the proper local board if he is absolutely sure of the local board that has jurisdiction over such registrant. If he has any doubt about the proper local board, he shall mail such card to the State Director of Selective Service having jurisdiction over the place of residence shown on line 2 of such card.

(b) If the place of residence shown on line 2 of any Registration Card (Form 1) is nonexistent or is outside of the continental United States, the Territory of Alaska, the Territory of Hawaii, Puerto Rico, and the Virgin Islands of the United States, the local board in whose area the registrant registered shall retain such card.

§ 612.18 *Persons registered more than once.* If a registrant has registered or hereafter registers more than once and gives different addresses on line 2 of his Registration Card (Form 1), each local board having jurisdiction of the area in which each address is located shall put a serial number and (except in the case of a registrant in Group 4) an order number on the Registration Card (Form 1). Except for the local board which may cancel the registration, the registrant shall be subject to the jurisdiction of each local board having a Registration Card (Form 1) for such registrant.

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

LEWIS B. HERSHEY,
Director.

JUNE 27, 1945.

[F. R. Doc. 45-11437; Filed, June 27, 1945; 2:36 p. m.]

[Amdt. 309]

PART 613—PROCEDURE ON REGISTRATION DAY

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

Delete Part 613 in its entirety.

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

LEWIS B. HERSHEY,
Director.

JUNE 27, 1945.

[F. R. Doc. 45-11438; Filed, June 27, 1945; 2:36 p. m.]

[Amdt. 310]

PART 614—GROUPING AND SERIAL NUMBERING OF REGISTRATION CARDS

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

Delete Part 614 in its entirety.

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

LEWIS B. HERSHEY,
Director.

JUNE 27, 1945.

[F. R. Doc. 45-11439; Filed, June 27, 1945; 2:36 p. m.]

[Amdt. 311]

PART 615—ASSIGNMENT OF SERIAL NUMBERS AND ORDER NUMBERS

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

Amend Part 615 to read as follows:

	FIRST REGISTRATION—GROUP 1
Sec.	
615.1	Registration.
615.2	Serial numbers.
615.3	First National Master List.
615.4	Order numbers.
	SECOND REGISTRATION—GROUP 2
615.11	Registration.
615.12	Serial numbers.
615.13	Second National Master List.
615.14	Order numbers.
	THIRD REGISTRATION—GROUP 3
615.21	Registration.
615.22	Serial numbers.
615.23	Third National Master List.
615.24	Order numbers.
	FOURTH REGISTRATION—GROUP 4
615.31	Registration.
615.32	Serial numbers.
615.33	No national master list.
615.34	Order numbers.
	FIFTH REGISTRATION—GROUP 5
615.41	Registration.
615.42	Serial numbers.
615.43	No national master list.
615.44	Order numbers.
	SIXTH REGISTRATION—GROUP 6
615.51	Registration.
615.52	Serial numbers.
615.53	No national master list.
615.54	Order numbers.
	SERIAL NUMBERING LATE REGISTRATION CARDS
615.61	Serial numbering; late registrants in Groups 1, 2, 3, or 4.
615.62	Serial numbering; late registrants in Group 5.
615.63	Serial numbering; late registrants in Group 6.

ORDER NUMBERING LATE REGISTRATION CARDS

- Sec.
- 615.71 Assigning order numbers to Group 1 registrants whose Registration Cards are received late.
- 615.72 Assigning order numbers to Group 2 registrants whose Registration cards are received late.
- 615.73 Assigning order numbers to Group 3 registrants whose Registration Cards are received late.
- 615.74 No order numbers assigned to Group 4 registrants.
- 615.75 Assigning order numbers to Group 5 registrants whose Registration Cards are received late.
- 615.76 Assigning order numbers to Group 6 registrants whose Registration Cards are received late.

CLASSIFICATION RECORD AND COVER SHEET

- 615.81 Classification Record.
- 615.82 Preparation of Cover Sheets.

AUTHORITY: §§ 615.1 to 615.82, inclusive, issued under 54 Stat. 385, as amended; 50 U.S.C., App. and Sup. 301 et seq.; E.O. 8545, 9279, 3 CFR, Cum. Supp.

FIRST REGISTRATION—GROUP 1

§ 615.1 *Registration.* Persons who were born on or after October 17, 1904 and on or before October 16, 1919, Group 1, were required to be registered on October 16, 1940, if, by the Proclamation of the President, they were liable for registration that day; or on the day subsequent to October 16, 1940 on which they became liable for registration by the Proclamation of the President by reason of a change in status. Such persons were registered on white Registration Cards (Form 1).

§ 615.2 *Serial numbers.* The regulations which governed the assignment of serial numbers to registrants in Group 1, provided that:

(a) All white Registration Cards (Form 1) received prior to the time the local board assigned any serial numbers to such cards, were placed together and thoroughly shuffled. The local board then placed on each card a serial number in the space marked "Serial Number." The card that was first in the pile after the shuffle was given Serial Number 1, and the next card was given Serial Number 2, and so on. Each card was given one, and only one, serial number, and no letters or fractions were used.

(b) White Registration Cards (Form 1) received by the local board after the other cards had been assigned serial numbers were considered as cards of late registrants and assigned serial numbers as provided in § 615.61.

§ 615.3 *First National Master List.* On October 29-30, 1940, the first national lottery was held in Washington, D. C. The list of serial numbers arranged in the order drawn in that lottery was called the National Master List—First Drawing October 29-30, 1940 (Form 169). This national master list is hereafter referred to as "First National Master List" and is used exclusively for determining order numbers of registrants in Group 1. Each local board has received a copy of the First National Master List (Form 169).

§ 615.4 *Order numbers.* The regulations which governed the assignment of

order numbers from the First National Master List (Form 169) to registrants in Group 1: *Provided, That:*

(a) Upon receiving the First National Master List (Form 169), the local board gave each such registrant an order number. The registrant whose serial number appeared at the top, or nearest the top, of the First National Master List was given Order Number 1. The registrant whose serial number was next closest to the top of the First National Master List was given Order Number 2, and so on until each registrant had an order number.

(b) Order numbers were assigned in sequence; no order number was skipped. Serial numbers on the First National Master List which were not held by any registrant of the particular local board were simply crossed off the First National Master List and ignored.

(c) When the local board had completed the assignment of order numbers on its First National Master List (Form 169), it entered such order numbers in red ink in the place designated on the Registration Cards (Form 1) of registrants in Group 1.

(d) White Registration Cards (Form 1) for registrants in Group 1, received after the other cards had been assigned order numbers, as provided in the paragraphs above, were considered as cards of late registrants and assigned order numbers as provided in § 615.71.

SECOND REGISTRATION—GROUP 2

§ 615.11 *Registration.* Persons who were born on or after October 17, 1919, and on or before July 1, 1920, Group 2, were required to be registered on July 1, 1941, if, by the Proclamation of the President, they were liable for registration that day; or on the day subsequent to July 1, 1941, on which they became liable for registration by the Proclamation of the President by reason of a change in status. Such persons were registered on melon-colored Registration Cards (Form 1).

§ 615.12 *Serial numbers.* The regulations which governed the assignment of serial numbers to registrants in Group 2 provided that:

(a) All melon-colored Registration Cards (Form 1) received prior to the time the local board assigned any serial numbers to such cards were placed together and thoroughly shuffled. The local board then placed on each card a serial number with the prefix letter "S" in the space marked "Serial Number." The card that was first in the pile after the shuffle was given Serial Number "S-1," the next card was given the Serial Number "S-2," and so on. Each card was given one, and only one, serial number, and no letters except the prefix letter "S" or fractions were used.

(b) Melon-colored Registration Cards (Form 1) received by the local board after the other cards had been assigned serial numbers were considered as cards of late registrants and assigned "S" serial numbers as provided in § 615.61.

§ 615.13 *Second National Master List.* On July 17, 1941, the second national lottery was held in Washington, D. C.

The list of serial numbers arranged in the order drawn in that lottery was called the "Second National Master List of 'S' Serial Numbers" (Form 172). This national master list is hereafter referred to as "Second National Master List" and is used exclusively for determining order numbers of registrants in Group 2. Each local board has received a copy of the Second National Master List (Form 172).

§ 615.14 *Order numbers.* The regulations which governed the assignment of order numbers from the Second National Master List (Form 172) to registrants in Group 2: *Provided, That:*

(a) When the local board received the Second National Master List (Form 172), it assigned to each such registrant a sequence number. The registrant whose serial number appeared at the top, or nearest the top, of the Second National Master List was given Sequence Number 1. The registrant whose serial number was next closest to the top of the Second National Master List was given Sequence Number 2, and so on until each registrant had a sequence number. It will be noted that the sequence numbers were determined in the same manner as order numbers were determined in the first national lottery. Sequence numbers were assigned consecutively; no sequence number was skipped. Serial numbers on the Second National Master List (Form 172) which were not held by any registrant of the particular local board were crossed off the Second National Master List (Form 172) and ignored. The local board marked the sequence number in the first space opposite the applicable serial number on the Second National Master List (Form 172).

(b) Having entered the sequence numbers of its registrants in Group 2 on the Second National Master List, the local board then determined the key number. The key number was the order number of the last man inducted by the local board in the usual and ordinary course of classification, selection and induction from Group 1. It was not the order number of a volunteer for induction. This key number was determined as of midnight, June 30, 1941. The key number was placed at the top of each page of the List of Registrants (Form 3) in the following words:

Key number ----- (in the blank was inserted this key number).

(c) Example: Suppose a local board's last inductions ran as follows:

Order No. 1213. Class I-A: Inducted.
Order No. 1214. Deferred.
Order No. 1215. Class I-A: Induction postponed.
Order No. 1216. Class I-A: Inducted.
Order No. 1217. Deferred.
Order No. 1218. Deferred.
Order No. 1219. Class I-A: Order number not reached for induction.
Order No. 1220. Deferred.
Order No. 1221. Class I-A: Order number not reached for induction.
Order No. 1222. Volunteer: Inducted.
Order No. 1223. Deferred.

In the example, the key number was 1216. It was the order number of the last man inducted in the usual process of the local board. The man who was selected but his induction postponed (Order No.

1215) was disregarded. The man who volunteered and who was therefore inducted out of order (Order No. 1222) was disregarded.

(d) Having determined the key number, the local board assigned order numbers to the registrants in Group 2 and determined where such order numbers were inserted among the order numbers of the registrants in Group 1 in that portion of the Classification Record (Form 100) which follows the key number. To do this, the local board first subtracted the key number from the largest order number assigned by the local board to any registrant in Group 1 whose Registration Card (Form 1) was received prior to midnight, July 8, 1941; divided the figure so obtained by the largest sequence number assigned to a registrant in Group 2 whose Registration Card (Form 1) was received prior to midnight, July 8, 1941; and using as a yardstick the nearest whole number to the figure so obtained, placed the registrants in Group 2 among the registrants in Group 1 whose order numbers were listed in the portion of the Classification Record (Form 100) following the key number, so that the order number of the registrant in Group 2 with Sequence Number 1 was separated from the key number by that number of old registrants' order numbers in Group 1 (including order numbers followed by a letter) equal to the number used as a yardstick and so that each registrant in Group 2 was separated from each succeeding registrant in Group 2 (in the order of their sequence numbers) by the same number of registrants' order numbers in Group 1. The order number given each such registrant in Group 2 was the same as the order number of the registrant in Group 1 immediately above the place where the order number of the registrant in Group 2 was inserted and was preceded by the letter "S".

(e) Example: Assume that in a local board 1740 was the key number; 4329 was the largest order number assigned to any registrant in Group 1 whose Registration Card (Form 1) was received prior to midnight July 8, 1941; and 216 was the largest sequence number assigned to a registrant in Group 2 whose Registration Card (Form 1) was received prior to midnight July 8, 1941. Under such circumstances, the number used as a yardstick was 12, obtained by subtracting 1740 from 4329, leaving 2489; and dividing 2489 by 216, which gave a result of 11.98; 12 was then the nearest whole number and was the number used as a yardstick.

(f) The local board then marked the order numbers thus determined opposite the applicable sequence numbers (and serial numbers) on the Second National Master List (Form 172), and carefully checked to be sure no errors had been made.

(g) When the local board was sure that its assignment of order numbers was correct, it entered such order numbers in red ink in the place designated on Registration Cards (Form 1) of registrants in Group 2.

(h) Melon-colored Registration Cards (Form 1) for registrants in Group 2 re-

ceived after the other cards had been assigned order numbers as provided in the paragraphs above were considered as cards of late registrants and assigned order numbers as provided in § 615.72.

THIRD REGISTRATION—GROUP 3

§ 615.21 *Registration.* Persons who were born on or after July 2, 1920 and on or before December 31, 1921, and persons who were born on or after February 17, 1897 and on or before October 16, 1904, Group 3, were required to be registered on February 16, 1942, if, by the Proclamation of the President, they were liable for registration that day; or on the day subsequent to February 16, 1942, on which they became liable for registration by the Proclamation of the President by reason of a change in status. Such persons were registered on green-colored Registration Cards (Form 1).

§ 6615.22 *Serial numbers.* The regulations which governed the assignment of serial numbers to registrants in Group 3 provided that:

(a) All green-colored Registration Cards (Form 1) received prior to the time the local board assigned serial numbers to such cards were placed together and thoroughly shuffled. The local board then placed on each card a serial number with the prefix letter "T" in the space marked "Serial Number." The card that was first in the pile after the shuffle was given Serial Number "T-1," and the next card was given Serial Number "T-2," and so on. Each card was given one, and only one, serial number and no letter other than the prefix letter "T" or fractions were used.

(b) Green-colored Registration Cards (Form 1) received by the local board after the other cards had been assigned serial numbers were considered as cards of late registrants and assigned "T" serial numbers as provided in § 615.61.

§ 615.23 *Third National Master List.* On March 17-18, 1943, the third national lottery was held in Washington, D. C. The list of serial numbers arranged in the order drawn in the third national lottery is hereafter referred to as the "Third National Master List" (Form 174) and is used exclusively for determining order numbers of registrants in Group 3. Each local board has received a copy of the Third National Master List (Form 174).

§ 615.24 *Order numbers.* The regulations which governed the assignment of order numbers from the Third National Master List to registrants in Group 3 provided that:

(a) Registrants in Group 3 were assigned order numbers in sequence starting with order number 10,001.

(b) The registrant in Group 3 whose "T" serial number appeared at the top, or nearest the top, of the Third National Master List (Form 174) was given Order Number 10,001. The registrant in Group 3 whose "T" serial number was next nearest the top of the Third National Master List was given Order Number 10,002, and so on until each registrant in Group 3 had an order number.

(c) Order numbers were assigned in sequence. No order number was

skipped. Serial numbers on the Third National Master List (Form 174) which were not held by any registrant were simply crossed off and ignored.

(d) When the local board had completed the assignment of order numbers on its Third National Master List (Form 174), it entered such order numbers in red ink in the place designated on the Registration Cards (Form 1) of registrants in Group 3.

(e) Green-colored Registration Cards (Form 1) for registrants in Group 3 received after the other cards had been assigned order numbers as provided in the paragraphs above were considered as cards of late registrants and were assigned order numbers as provided in § 615.73.

FOURTH REGISTRATION—GROUP 4

§ 615.31 *Registration.* Persons who were born on or after April 28, 1877, and on or before February 16, 1897, Group 4, were required to be registered on April 27, 1942, if, by the Proclamation of the President, they were liable for registration that day; or on the day subsequent to April 27, 1942, on which they became liable for registration by the Proclamation of the President by reason of a change in status. Such persons were registered on buff-colored Registration Cards (Form 1).

§ 615.32 *Serial numbers.* The regulations which governed the assignment of serial numbers to registrants in Group 4 provided that:

(a) All buff-colored Registration Cards (Form 1) received prior to the time the local board assigned any serial numbers to such cards were placed together and thoroughly shuffled. The local board then placed on each card a serial number preceded by prefix letter "U" in the space marked "Serial Number." The card that was first in the pile after the shuffle was given Serial Number "U-1," and the next card was given Serial Number "U-2," and so on. Each card was given one, and only one, serial number, and no letters, other than the prefix letter "U" or fractions were used.

(b) Buff-colored Registration Cards (Form 1) received by the local board after the other cards had been assigned serial numbers were considered as cards of late registrants and assigned "U" serial numbers as provided in § 615.61.

§ 615.33 *No national master list.* A national lottery was not held for registrants in Group 4, and a national master list was not prepared.

§ 615.34 *Order numbers.* Order numbers were not assigned to registrants in Group 4.

FIFTH REGISTRATION—GROUP 5

§ 615.41 *Registration.* Persons who were born on or after January 1, 1922 and on or before June 30, 1924, Group 5, were required to be registered on June 30, 1942, if, by the Proclamation of the President, they were liable for registration that day; or on the day subsequent to June 30, 1942, on which they became liable for registration by the Proclamation of the President by reason of a change in status. Such persons were

registered on gray-colored Registration Cards (Form 1).

§ 615.42 *Serial numbers.* The regulations which governed the assignment of serial numbers to registrants in Group 5 provided that:

(a) All gray-colored Registration Cards (Form 1) received prior to the time the local board assigned any serial numbers to such cards were placed in a pile according to the registrants' respective dates of birth so that the cards of registrants born on January 1, 1922, were on the top, the cards of registrants born on January 2, 1922, followed the cards of those born on January 1, 1922, the cards of registrants born on January 3, 1922, followed the cards of those born on January 2, 1922, and so on, to the bottom of the pile where the cards of those born on June 30, 1924, were located. If the local board had cards for two or more registrants born on the same date, such cards were arranged in alphabetical order. The local board then placed on each card a serial number preceded by the prefix letter "N" in the space marked "Serial Number." The card that was first in the pile was given Serial Number "N-1", and the next card was given Serial Number "N-2", and so on. Each card was given one, and only one, serial number, and no letters other than the prefix letter "N," or fractions were used.

(b) Registration Cards (Form 1) received by the local board after the other cards were given serial numbers were considered as cards of late registrants and were assigned "N" serial numbers as provided in § 615.62.

§ 615.43 *No national master list.* A national lottery was not held for registrants in Group 5 and a national master list was not prepared.

§ 615.44 *Order numbers.* The regulations which governed the assignment of order numbers to registrants in Group 5 provided that:

(a) The registrant in Group 5 having the Registration Card (Form 1) bearing serial number "N-1" was given the order number immediately following the highest order number assigned by the local board to a registrant in Group 3. Consecutive order numbers were then assigned to the remaining registrants in Group 5. Example: Assume that in a local board the highest order number which has been assigned to a registrant in Group 3 was 11,123, then the registrant with serial number "N-1" in Group 5 received Order Number 11,124; the registrant in Group 5 with serial number "N-2" received Order Number 11,125, and so on until all of the registrants in Group 5 had received an order number.

(b) Gray-colored Registration Cards (Form 1) for registrants in Group 5 received by the local board after the other cards had been assigned order numbers as provided in the paragraph above were considered as cards of late registrants and assigned order numbers as provided in § 615.75.

SIXTH REGISTRATION—GROUP 6

§ 615.51 *Registration.* Persons who were born on or after July 1, 1924 and on or before December 31, 1924, were

required to be registered during the period from December 11 to December 31, 1942, inclusive, if, by the Proclamation of the President, they were liable for registration during such period; or on the day subsequent to December 31, 1942, on which they became liable for registration by the Proclamation of the President by reason of a change in status. Persons who reached their eighteenth birthday on or after January 1, 1943, also Group 6, were required to be registered on the day they reached their eighteenth birthday. Such persons were registered on gray-colored Registration Cards (Form 1).

§ 615.52 *Serial numbers.* (a) The regulations which governed the assignment of serial numbers to registrants in Group 6 who were properly registered on gray-colored Registration Cards (Form 1) during the period from December 11 to December 31, 1942, inclusive, provided that all the Registration Cards (Form 1) received prior to the time the local board assigned serial numbers to such cards, were arranged in a pile according to the registrants' respective dates of birth so that the cards of registrants born on July 1, 1924, were on top; the cards of registrants born on July 2, 1924, followed the cards of registrants born on July 1, 1924; the cards of registrants born on July 3, 1924, followed the cards of those born on July 2, 1924; and so on to the bottom of the pile where the cards of those born on December 31, 1924 were located. When the local board had cards for two or more registrants born on the same date, such cards were arranged alphabetically. The local board then placed on each card a serial number preceded by the prefix letter "W" in the space marked "Serial Number." The card that was first in the pile was given Serial Number "W-1," the card next to the top was given Serial Number "W-2," and so on. Each card was given one, and only one, serial number, and no letters other than the prefix letter "W" or fractions were used.

(b) Registrants who were born on or after January 1, 1925, and who were registered on or after January 1, 1943, on the day they reached their eighteenth birthday whose Registration Cards (Form 1) were received by their local board on the day they reached their eighteenth birthday; and registrants who are hereafter registered on the day they reach their eighteenth birthday whose Registration Cards (Form 1) are received by their local board on the day they reach their eighteenth birthday, are not late registrants and their Registration Cards (Form 1) are arranged chronologically according to their birthdays. Such registrants who have heretofore registered and those who will hereafter register are assigned "W" serial numbers immediately following the highest "W" serial number theretofore assigned to a registrant in Group 6.

(c) Registrants who were born on or after July 1, 1924 and on or before December 31, 1924, who were required to be registered during the period from December 11 to December 31, 1942, inclusive, whose Registration Cards (Form 1)

were not received by their local board until after the initial assignment of "W" serial numbers for registrants in Group 6, were late registrants and were assigned "W" serial numbers as provided in § 615.63.

(d) Registrants who were born on or after January 1, 1925, who were required to be registered on or after January 1, 1943, on the day they reached their eighteenth birthday, whose Registration Cards (Form 1) were not received by their local board until after the day on which they reached their eighteenth birthday, were considered as late registrants and were assigned "W" serial numbers as provided in § 615.63.

§ 615.53 *No national master list.* A national lottery was not held for registrants in Group 6 and a master list was not prepared.

§ 615.54 *Order numbers.* (a) The regulations which governed the assignment of order numbers to registrants in Group 6 who were properly registered on gray-colored Registration Cards (Form 1) during the period from December 11 to December 31, 1942, inclusive, and who were assigned serial numbers in the manner provided in paragraph (a) of section 615.52, provided that the Registration Card (Form 1) bearing Serial Number "W-1" was given the order number immediately following the highest order number assigned by the local board to a registrant in Group 5. Consecutive order numbers were then assigned to the remaining registrants in Group 6.

Example: Assume that in a local board the highest order number which had been assigned to a registrant in Group 5, was 12,111, then the registrant with Serial Number "W-1" was assigned Order Number 12,112; the registrant in Group 6 with Serial Number "W-2" was assigned Order Number 12,113, and so on until all registrants in Group 6, who were registered during the period from December 11 to December 31, 1942, inclusive, had been assigned an order number.

(b) Registrants who were born on or after January 1, 1925, and who were registered on or after January 1, 1943, on the day they reached their eighteenth birthday whose Registration Cards (Form 1) were received by their local board on the day they reached their eighteenth birthday; and registrants who are hereafter registered on the day they reach their eighteenth birthday whose Registration Cards (Form 1) are received by their local board on the day they reach their eighteenth birthday, are not late registrants. Such registrants who have heretofore registered and those who are hereafter registered are assigned order numbers immediately following the highest order numbers theretofore assigned to a registrant in Group 6.

(c) Registrants who were born on or after July 1, 1924 and on or before December 31, 1924, who were required to be registered during the period from December 11 to December 31, 1942, inclusive, whose Registration Cards (Form 1) were not received by their local board until after the initial assignment of "W" serial numbers for registrants in Group 6, were late registrants and were assigned order numbers as provided in § 615.76.

(d) Registrants who were born on or after January 1, 1925, who were required to be registered on or after January 1, 1943, on the day they reached their eighteenth birthday whose Registration Cards (Form 1) were not received by their local board until after the day on which they reached their eighteenth birthday were considered as late registrants and were assigned order numbers as provided in § 615.76.

SERIAL NUMBERING LATE REGISTRATION CARDS

§ 615.61 *Serial numbering; late registrants in Group 1, 2, 3, or 4.* (a) When the local board is satisfied that it has jurisdiction over a late registrant in Group 1, Group 2, Group 3, or Group 4, it shall place the smallest unassigned serial number in the group to which such late registrant belongs on his Registration Card (Form 1).

(b) After all serial numbers in the Third National Master List have been cancelled or assigned, the First Registration Card (Form 1) thereafter completed or received by a local board for a late registrant in Group 3 shall be assigned Serial Number T-7001, the second such Registration Card (Form 1) completed or received, shall be assigned Serial Number T-7002, and so on.

§ 615.62 *Serial numbering; late registrants in Group 5.* When the local board is satisfied that it has jurisdiction over a late registrant in Group 5, a serial number shall be placed on his Registration Card (Form 1) in the following manner: The local board shall determine the serial number which would have been placed upon his Registration Card (Form 1) had it been received by the local board prior to the commencement of serial numbering of Registration Cards (Form 1) of registrants in Group 5. This shall be done by referring to the date of birth on his Registration Card (Form 1), and ascertaining the place his card would have been located had his card been received by the local board before it started to assign serial numbers to registrants in Group 5. The local board shall then place on his Registration Card (Form 1) the serial number preceding the one which he would have had and shall add a letter after such number. For example: If he would have received "N-117" as his serial number had his card been received by the local board before the commencement of serial numbering of Registration Cards (Form 1) of registrants in Group 5, he will be given serial number "N-116A."

§ 615.63 *Serial numbering; late registrants in Group 6.* When the local board is satisfied that it has jurisdiction over a late registrant in Group 6, a serial number shall be placed on his Registration Card (Form 1) in the following manner: The local board shall determine the serial number which would have been placed upon his Registration Card (Form 1) under § 615.52 had the registrant not been a late registrant. This shall be done by referring to the date of birth on his Registration Card (Form 1) and ascertaining the place his card would have been located had the registrant not been a late registrant. The local board shall

then place on his Registration Card (Form 1) the serial number preceding the one which he would have had and shall add a letter after such number. For example: If he would have received "W-217" as his serial number had he not been a late registrant, he will be given serial number "W-216A."

ORDER NUMBERING LATE REGISTRATION CARDS

§ 615.71 *Assigning order numbers to Group 1 registrants whose Registration Cards are received late.* When a late Registration Card (Form 1) in Group 1 has been given a serial number, the local board shall find from the First National Master List what the registrant's order number would have been if his card had been received prior to the commencement of the first national lottery. The local board shall then assign such registrant the order number which precedes the order number which would have been assigned to such registrant had his card been received prior to the commencement of the first national lottery and shall add a letter to it. For example: If his order number would have been 84 had his card been received prior to the commencement of the first national lottery, the local board will assign him Order Number 83A.

§ 615.72 *Assigning order numbers to Group 2 registrants whose Registration Cards are received late.* When a late Registration Card (Form 1) in group 2 has been given a serial number, the local board shall find from the Second National Master List what the registrant's sequence number would have been if his card had been received before midnight, July 8, 1941. The local board shall then assign to such registrant the sequence number which would have been assigned to him had his card been received prior to midnight, July 8, 1941, and shall assign to him the order number immediately preceding the order number assigned to the registrant having the same sequence number and shall add a letter to it. For example: If the registrant having the same sequence number received Order Number S-123, the local board will assign him Order Number S-122A, if the preceding order number is 122.

§ 615.73 *Assigning order numbers to Group 3 registrants whose Registration Cards are received late.* (a) When a late Registration Card (Form 1) in Group 3 has been given a serial number of 7,000 or lower under the provisions of this part, the local board shall find from the Third National Master List what the registrant's order number would have been if his card had been received before the commencement of the Third National Lottery. The local board shall then assign such registrant the order number which precedes the order number which would have been assigned to such registrant if his card had been received prior to the commencement of the Third National Lottery and shall add a letter to it. For example: If his order number would have been 11,271, the local board shall give him Order Number 11,270A.

(b) When a late Registration Card (Form 1) in Group 3 has been given a

serial number of 7,001 or higher, the local board shall assign the registrant an order number in the following manner: The local board shall first subtract the number 7,000 from the serial number assigned and obtain the remainder. For example: If the local board assigns a late registrant in Group 3 Serial Number T-7401, it shall subtract the numeral 7,000 from the Serial Number T-7401. The remainder is 401. The local board shall then assign the registrant the order number which precedes the order number which it has assigned to the registrant whose serial number is the same as such remainder and shall add a letter to it. For example: If the order number assigned to Serial Number T-401 is Order Number 12,512, the local board shall give the registrant Order Number 12,511A.

§ 615.74 *No order numbers assigned to Group 4 registrants.* When a late Registration Card (Form 1) in Group 4 is received by the local board, it shall not be given an order number.

§ 615.75 *Assigning order numbers to Group 5 registrants whose Registration Cards are received late.* When a late Registration Card (Form 1) in Group 5 has been given a serial number, the local board shall determine the order number the registrant would have been given had his Registration Card (Form 1) been received by the local board prior to the time it commenced to serial number Registration Cards (Form 1) of registrants in Group 5 and shall assign to the registrant the order number preceding the one he would have been assigned with a letter added to it. For example: If the registrant would have received "N-117" as his serial number had his card been received before the commencement of serial numbering of Registration Cards (Form 1) of registrants in Group 5, he would, under the provisions of section 615.62 be given serial number "N-116A." Therefore, if the registrant with serial number "N-117" (the serial number which the late registrant would have been given had his card been received on time) was given order number "14,254," the late registrant would be given order number "14,253A."

§ 615.76 *Assigning order numbers to Group 6 registrants whose Registration Cards are received late.* When a late Registration Card (Form 1) in Group 6 has been given a serial number, the local board shall determine the order number the registrant would have been given had he not been a late registrant and shall assign to the registrant the order number preceding the one he would have been assigned with a letter added to it. For example: If the registrant would have received "W-217" as his serial number had he not been a late registrant, he would, under the provisions of § 615.63 be given serial number "W-216A." Therefore, if the registrant with serial number "W-217" (the serial number which the late registrant would have been given had he not been a late registrant) was given order number "15,254," the late registrant would be given order number "15,253A."

CLASSIFICATION RECORD AND COVER SHEET

§ 615.81 *Classification Record.* (a) The Classification Record (Form 100) was started at the time order numbers were assigned to registrants in Group 1 following the first national lottery. The names and order numbers of registrants in Group 1 commenced on page 1 of the Classification Record (Form 100). When order numbers were assigned to registrants in Group 2 immediately following the second national lottery, the names and order numbers of such registrants were placed in the Classification Record (Form 100) commencing on a new page numbered 2,001. This was done in order to keep the list of registrants in Group 2 separated from the list of registrants in Group 1 in the Classification Record (Form 100). In a similar manner, when the registrants in Group 3 were listed in the Classification Record (Form 100) numerically, according to their order numbers, with Order Number 10,001 at the top, such list was commenced upon a new page numbered 3,001. Registrants in Group 4 were not listed in the Classification Record (Form 100). The names and order numbers of registrants in Group 5 were listed in the Classification Record (Form 100) numerically, according to their order numbers, immediately following the name and order number of the registrant in Group 3 to whom the local board had assigned the highest order number in Group 3. The names and order numbers of registrants in Group 6 were listed in the Classification Record (Form 100) numerically, according to their order numbers, immediately following the name and order number of the registrant in Group 5 to whom the local board had assigned the highest order number in Group 5.

(b) The local board shall enter in the Classification Record (Form 100) the name, serial number, and order number of each registrant in Group 1, Group 2, Group 3, Group 5, or Group 6 following the names, serial numbers, and order numbers of the registrants in the age group to which such registrant belongs. To make certain that the case of such registrant is handled in its proper turn, the local board shall insert an "R," followed by the page on which his name appears in the Classification Record (Form 100), in the column of order numbers in the Classification Record (Form 100) at the place where the order number of such registrant would have appeared in the Classification Record (Form 100) had his Registration Card (Form 1) been received on time. For example: If the registrant is in Group 1, his order number is 83A, and his name appears on page 30 of the Classification Record (Form 100), print "R page 30" between Order Numbers 83 and 84.

§ 615.82 *Preparation of cover sheets.* After each registrant in Group 1, Group 2, Group 3, Group 5, or Group 6 is listed in the Classification Record (Form 100), the local board shall open an individual file for him by preparing a Cover Sheet (Form 53). These Cover Sheets (Form 53) shall be maintained in a file in the local board. Every paper pertaining to the registrant, except his Registration

Card (Form 1) and such other papers and documents as may be designated by the Director of Selective Service shall be filed in his Cover Sheet (Form 53), until authorization to remove it has been received from the Director of Selective Service.

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

LEWIS B. HERSHEY,
Director.

JUNE 27, 1945.

[F. R. Doc. 45-11440; Filed, June 27, 1945;
2:37 p. m.]

[Amtd. 312]

PART 616—LATE REGISTRATIONS

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

Delete Part 616 in its entirety.

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

LEWIS B. HERSHEY,
Director.

JUNE 27, 1945.

[F. R. Doc. 45-11441; Filed, June 27, 1945;
2:38 p. m.]

[Amtd. 313]

PART 617—REGISTRATION CERTIFICATES

DUTY OF REGISTRANT SEPARATED FROM LAND OR NAVAL FORCES

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

1. Amend § 617.11 to read as follows:

§ 617.11 *Duty of registrant separated from the land or naval forces.* (a) Every registrant who is separated from the land or naval forces of the United States who does not have a Registration Certificate (Form 2), shall, within 10 days of the date of separation, make application for the issuance by his local board of a duplicate Registration Certificate (Form 2).

(b) The registrant may make such application (1) by appearing in person at the office of his local board; or (2) by filing with his local board a written request; or (3) by executing and filing with any local board an Application for Issuance of Duplicate Registration Certificate (Form 14).

(c) Upon receipt at any time of an application for a duplicate Registration Certificate (Form 2) from a registrant who has been separated from the land or naval forces of the United States, the local board with which the registrant is registered shall issue a duplicate Registration Certificate (Form 2) to such registrant and shall deliver it to the registrant or mail it to his present mailing address; provided that, after the local board has issued one duplicate Registration Certificate (Form 2) to a registrant under this section, it shall not thereafter issue another duplicate Registration Certificate (Form 2) to such registrant except in accordance with the provisions of § 617.11-1. If the local board issues a duplicate Registration Certificate (Form 2), it shall mark it "Duplicate" and note the issuance of such duplicate Registration Certificate (Form 2) upon the written application, if any, which shall be filed in the registrant's Cover Sheet (Form 53).

2. Amend the regulations by adding a new section to be known as § 617.11-1 to read as follows:

§ 617.11-1 *Issuing duplicate for lost, mislaid, stolen, or destroyed Registration Certificate.* A duplicate Registration Certificate (Form 2) shall be issued to a registrant by the local board having jurisdiction of the registrant upon application made on Application for Issuance of Duplicate Registration Certificate (Form 14) and the presentation of satisfactory proof to the local board that the Registration Certificate (Form 2) of the registrant has been lost, mislaid, stolen, or destroyed and that the registrant has made a diligent search for the Registration Certificate (Form 2) and has been unable to find it. If the local board issues a duplicate Registration Certificate (Form 2), it shall mark it "Duplicate" and note the issuance of such Registration Certificate (Form 2) upon the application which shall be filed in the registrant's Cover Sheet (Form 53).

3. Amend the regulations by adding a new section to be known as § 617.11-2 to read as follows:

§ 617.11-2 *Action by local boards when Form 14 is filed.* A registrant may complete and file an Application for Issuance of Duplicate Registration Certificate (Form 14) at his own or any other local board. If the registrant files Application for Issuance of Duplicate Registration Certificate (Form 14) at any local board other than the local board with which such registrant is registered, the local board with which such application is filed shall immediately mail the application to the State Director in whose State is located the local board shown on the application as the local board with which the registrant is registered, for transmission to the proper local board. Upon receipt of a completed Application for Issuance of Duplicate Registration Certificate (Form 14), the local board with which the registrant is registered shall issue a duplicate Registration Certificate (Form 2) to such registrant and shall mail it to the registrant's present mailing address as shown on Application for Issuance of

Duplicate Registration Certificate (Form 14).

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

LEWIS B. HERSHEY,
Director.

JUNE 27, 1945.

[F. R. Doc. 45-11442; Filed, June 27, 1945;
2:38 p. m.]

[Amdt. 314]

PART 618—REGISTRATION OUTSIDE CONTINENTAL UNITED STATES, ALASKA, HAWAII, AND PUERTO RICO

SERIAL AND ORDER NUMBERS TO BE ASSIGNED AND RECORDS TO BE COMPLETED BY LOCAL BOARD RECEIVING REGISTRATION CARD

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

Amend paragraph (b) of § 618.11 to read as follows:

§ 618.11 *Registrant's serial and order numbers to be assigned and records to be completed by local board receiving Registration Card (Form 1-F).* * * *

(b) If the local board determines that it has jurisdiction of the registrant, it shall:

(1) Transcribe from the Registration Card (Form 1-F) to an appropriate colored Registration Card (Form 1) all information needed to complete the Registration Card (Form 1), including placing the name of the registrant and the name of the registrar on the lines provided for their respective signatures;

(2) Prepare a Registration Certificate (Form 2-F) from the information contained on the Registration Card (Form 1-F). The date on which the registrant was registered as certified at the bottom of the reverse side of the Registration Card (Form 1-F) shall be inserted as the date of registration on the face of the Registration Certificate (Form 2-F). When the Registration Certificate (Form 2-F) has been completed, it shall be signed by a member or clerk of the local board and mailed to the registrant at his present mailing address as given on line 3 of the Registration Card (Form 1-F): *Provided*, That if such mailing address is outside of the continental United States, the Territory of Hawaii, the Territory of Alaska, Puerto Rico, the Virgin Islands of the United States, Canada, Cuba, and Mexico, such certificate shall be mailed to the Director of Selective Service, Washington 25, D. C.

(3) Assign serial numbers and order numbers to its registrants and make en-

tries in the local board records in the manner prescribed for late registrants, unless the local board is located in the Virgin Islands or is District of Columbia Local Board No. 1 (Foreign), in which case it will assign such serial numbers and order numbers in the manner directed by the Director of Selective Service.

(4) File the Registration Card (Form 1) in the appropriate alphabetical file and the Registration Card (Form 1-F) in the registrant's Cover Sheet (Form 53).

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

LEWIS B. HERSHEY,
Director.

JUNE 27, 1945.

[F. R. Doc. 45-11443; Filed, June 27, 1945;
2:38 p. m.]

[Amdt. 315]

PART 619—CANCELLATION OF REGISTRATION
MISCELLANEOUS AMENDMENTS

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

1. Amend § 619.1 to read as follows:

§ 619.1 *Cancellation on determination of local board.* (a) The Director of Selective Service, the State Director of Selective Service, or the registrant, may file with the registrant's local board a written request for a determination that the registrant is a person not required by law to be registered. Upon the filing of such a request the local board shall, or if such a request has not been filed, the local board may upon its own motion, make a determination (1) that the registrant is a person required by law to be registered, or, (2) that the registrant is not a person required by law to be registered.

(b) Upon making such a determination the local board shall mail notice thereof to the State Director of Selective Service and to the registrant. If the Director of Selective Service made a request for such a determination the local board shall also mail the Director of Selective Service notice thereof.

(c) If the local board makes a determination that the registrant is not a person required by law to be registered, it shall cancel his registration when the time within which the registrant may take an appeal from such determination to the board of appeal and to the President has expired, or if an appeal from such determination has been taken, when it has been determined upon appeal that

the registrant is a person not required by law to be registered.

(d) In cancelling the registration of a registrant under this section, the local board shall (1) write across the face of his Registration Card (Form 1) "canceled—§ 619.1 SS Reg. Date _____"; (2) take up and cancel the Registration Certificate (Form 2) if issued and available; (3) report the cancellation on Local Board Action Report (Form 110); and (4) retain the entire file of the registrant.

(e) This section shall not be applicable to a registrant who is a nondeclarant alien.

2. Delete §§ 619.2, 619.3, 619.4, 619.5, and 619.6 in their entirety.

3. Amend § 619.11 to read as follows:

§ 619.11 *When cancellation authorized by Director of Selective Service.* The Director of Selective Service may authorize or direct the cancellation by a local board of the registration of any particular registrant or of a registrant who comes within a specified group of registrants. Whenever the Director of Selective Service authorizes or directs the cancellation of the registration of any particular registrant or of a registrant within a specified group of registrants, the local board shall cancel the registration and shall take such other action as the Director of Selective Service may prescribe.

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

LEWIS B. HERSHEY,
Director.

JUNE 27, 1945.

[F. R. Doc. 45-11444; Filed, June 27, 1945;
2:38 p. m.]

Chapter VIII—Foreign Economic
Administration

Subchapter B—Export Control

[Amdt. 39]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS; MISCELLANEOUS
COMMODITIES

Section 801.2 *Prohibited exportations* is hereby amended in the following particulars:

In the Schedule of Commodities the Department of Commerce Schedule B numbers and commodity descriptions of the following commodities are hereby amended as follows:

Schedule B No. and Commodity

809990 Knit apparel, n. e. s. (except men's) (include knit dresses) (report knit headwear in 395700)

is amended to read:

309990 Knit apparel, n. e. s. (include men's and boy's) (include knit dresses) (report knit headwear in 395700)

700005 Generators, direct current

is amended to read:

700000 Generators, direct current
799590 Wheels, except automobile and car

is amended to read:

799500 Wheels, n. e. s.

This amendment shall become effective immediately upon publication.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: June 20, 1945.

WALTER FREEDMAN,
Acting Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 45-11110; Filed, June 23, 1945;
9:01 a. m.]

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 678, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; 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 3900—SPECIAL ORDERS APPLICABLE TO THE TERRITORY OF HAWAII

[Territory of Hawaii Order THO-4, as Amended Mar. 8, 1945, Amdt. 1]

LIMITATIONS AS TO PRIORITIES ASSISTANCE

Territory of Hawaii Order THO-4 is amended as follows:

Delete paragraph (b) in its entirety and substitute the following therefor:

(b) *Orders for Mainland procurement must be presented to Honolulu District Office for authentication.* Despite what any War Production Board Order may provide to the contrary all rated purchase orders, and all purchase orders, whether rated or unrated, for controlled materials, as defined in CMP Regulation No. 1, and all purchase orders bearing War Production Board allotment numbers or symbols which purchase orders have their origin within the Territory of Hawaii and call for delivery of material or equipment to the Territory of Hawaii, must initially be presented to the Honolulu District Office of the War Production Board for authentication; and no material or equipment hereafter brought into the Territory of Hawaii can be used, processed, assembled, distributed, sold or otherwise disposed of unless the purchase order or other document upon which such material or equipment was acquired from the Mainland shall have been authenticated by the Honolulu District Office of the War Production Board. Each such purchase order, when approved, shall be authenticated by imprinting thereon a facsimile of the signature of the Regional Director of the War Production Board, Region 10, together with the case number prefixed by the letters TH-A, TH-E, or TH—, followed by serial numbers. Example:

"J. A. Folger, Regional Director of the War Production Board, Region 10, TH-A, 1234".

Issued this 26th day of June 1945.

WAR PRODUCTION BOARD,
JAMES F. MCINDOE,
Regional Priorities Manager,
Region No. 10.

Confirmed:

J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-11454; Filed, June 27, 1945;
4:36 p. m.]

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

[Priorities Reg. 1, as Amended June 28, 1945]

- Sec.
- 944.1 Purpose and scope of this regulation; definitions.
- 944.1a Certain defense orders rated AA-5.
- 944.1b Specific authorizations rated AA-5.
- 944.2 Rules for acceptance and rejection of rated orders.
- 944.3 Report to War Production Board of improperly rejected orders.
- 944.4 Assignment of preference ratings.
- 944.4a Cancellation of preference ratings.
- 944.5 Sequence of preference ratings.
- 944.6 Doubtful cases.
- 944.7 Sequence of filling rated orders.
- 944.8 Delivery or performance dates.
- 944.9 Report to War Production Board of improper delay of orders.
- 944.10 Effect of other regulations and orders.
- 944.10a Effect of revocation of orders and regulations.
- 944.11 Use or disposition of material acquired with priorities assistance.
- 944.12 Intra-company deliveries.
- 944.13 Scope of regulations and orders.
- 944.13a Defense against claims for damages.
- 944.14 Inventory restriction.
- 944.14a Delivery for unlawful purposes prohibited.
- 944.15 Records.
- 944.16 Audit and inspection.
- 944.17 Reports.
- 944.18 Violations.
- 944.19 Appeals for relief in exceptional cases.
- 944.20 Notification of customers.

§ 944.1 *Purpose and scope of this regulation; definitions.* This regulation states the basic rules of the War Production Board which apply to all business transactions unless they are covered by more specific regulations or orders of the War Production Board which are inconsistent with this regulation. It includes transactions which are not subject to priority control in any other way than by this regulation. The following definitions apply for purposes of this regulation and any other regulation or order of the War Production Board, unless otherwise indicated.

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

(b) "Defense order" means:

(1) Any contract or purchase order for material to be delivered to, or for the account of, the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Selective Service System, the

Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, Defense Supplies Corporation, Metals Reserve Company.

(For status of Panama Canal and Coast Guard in general see Interpretation 1 e)

(2) Any contract or purchase order placed by any agency of the United States Government for material to be delivered under the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(3) Any contract or purchase order for material which is to be ultimately delivered to the government of any country whose defense the President deems vital to the defense of the United States pursuant to the act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

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

§ 944.1a *Certain defense orders rated AA-5.* Every defense order of the type defined in paragraph (b) (1) of § 944.1 which is placed after March 18, 1944, for any material and which has not been specifically assigned a higher preference rating, is hereby assigned a rating of AA-5.

§ 944.1b *Specific authorizations rated AA-5.* When a War Production Board order or regulation with respect to a particular material requires specific authorization for the placing of a purchase order or for delivery or acceptance of delivery, every purchase order for delivery of that material which is specifically authorized pursuant to the order is rated AA-5 unless it is otherwise assigned a higher rating or an applicable order or regulation (for example, Priorities Regulation 25) states that there is no such automatic rating. This does not apply to materials for which ratings may not be used (such as those on List A of Priorities Regulation 3), or materials for which only certain specified ratings may be used (such as those on Schedule A of M-328).

§ 944.2 *Rules for acceptance and rejection of rated orders.* Every order bearing a preference rating must be accepted and filled regardless of existing contracts and orders except in the following cases:

(a) A person must not accept a rated order for delivery on a date which would interfere with delivery on equal or higher rated orders which he has already accepted, or if delivery of the material ordered would interfere with delivery on an order which the War Production Board has directed him to fill for that material or for a product which he makes out of it.

(b) A person must not accept a rated order (except an AAA order) for delivery on a date which can be met only by using material which was specifically produced for delivery on another rated order, and which is completed or is in production and scheduled for completion within 15 days.

(c) If a person, when receiving a rated order bearing a specific delivery date, does not expect to be able to fill it by the time requested, he must not accept it for

delivery at that time. He must either (1) reject the order, stating when he could fill it, or (2) accept it for delivery on the earliest date he expects to be able to deliver, informing the customer of that date. He may adopt either of these two courses, depending on his understanding of which his customer would prefer. He may not reject a low rated order just because he expects to receive conflicting higher rated orders in the future, nor because he would for any reason prefer to have higher ratings.

(d) If a person receives a rated order which is not required by § 944.8 to bear a specific delivery date and which he cannot fill promptly, he must accept it as long as he expects to be able to fill it within a reasonable time, unless he makes a consistent practice of not carrying a backlog and rejecting orders which cannot be promptly filled. He may treat different classes of customers differently in this respect, but only if there is a reasonable basis for the distinction. For example, he may make a regular practice of rejecting unfillable orders from all retailers but holding for backlog orders from all industrial customers.

(e) A rated order need not be (but may be) accepted in the following cases, but there must be no discrimination in such cases against rated orders, or between rated orders of different customers:

(1) If the person seeking to place the order is unwilling or unable to meet regularly established prices and terms of sale or payment. (When a person who has a rating asks a supplier to quote his regularly established prices and terms of sale or payment or the earliest date on which he could make delivery on that rating, the supplier must do so, except that if this would require detailed engineering or accounting work, he may give his best estimate without such work and state that it is not binding. However, the supplier need not quote if he is not required to accept the rated order and knows that he will not do so if he receives it. Any quotation as to delivery date to a person whose order has not been received will be subject to the effect on the supplier's deliveries of rated orders received by him after making the quotation and before he receives the firm order from the person making the inquiry.)

(For status of OPA ceiling prices under this section see Interpretation 2. For rule covering types of sales and types of purchasers see Interpretation 3.)

(2) If the order is for the manufacture of a product or the performance of a service of a kind which the person to whom the order is offered has not usually made or performed, and in addition if either (i) he cannot fill the order without substantially altering or adding to his facilities or (ii) the order can readily be performed by someone else who has usually accepted and performed such orders.

(3) If the order is for material which the person to whom the order is offered produces or acquires for his own use only, and he has not filled any orders for that material within the past two years, except on "special sales" as permitted in Priorities Regulation 13. If

he has, but the rated order would take more than the excess over his own needs, he may not reject the rated order unless filling it would interfere with equal or higher rated orders already on hand, or orders which the War Production Board has directed him to fill, for the material or for a product which he makes out of it.

(4) If filling the order would stop or interrupt his production or operations during the next 40 days in a way which would cause a substantial loss of total production or a substantial delay in operations.

(For types of contracts which must be deferred see Interpretation 1b. For rule as to use of facilities of controlled materials producers see Interpretation 4.)

(f) Any person who fails or refuses to accept an order bearing a preference rating shall, upon written request of the person placing the order, promptly give his reasons in writing for his failure or refusal.

(g) Some orders of the War Production Board provide special rules as to the acceptance and rejection of orders for particular materials. In such cases, the rules stated above in this section are inapplicable to the extent that they are inconsistent with the applicable order of the War Production Board. In addition, the War Production Board may specifically direct a person in writing to fill a particular purchase order or orders. In such cases he must do so without regard to any of the above rules in this § 944.2, except that he may insist upon compliance with regularly established prices and terms of payment.

§ 944.3 *Report to War Production Board of improperly rejected orders.* When a rated order is rejected in violation of this regulation, the person who wants to place it may file a report of the relevant facts with the War Production Board, which will take such action as it considers appropriate after requiring an explanation from the person rejecting the order.

§ 944.4 *Assignment of preference ratings.* Preference ratings may be assigned to contracts, orders or deliveries by means of preference rating certificates, or by rules, regulations or orders of the War Production Board assigning ratings to particular orders or deliveries or to specified classes of orders or deliveries. Such ratings may be assigned to accepted contracts or orders, and also to orders which have not been placed or accepted at the time the rating is applied for. Ratings are also assigned by certain governmental agencies, authorized by the War Production Board, to their own purchase orders or contracts. In some cases the War Production Board will raise or lower ratings already assigned and in that event the rules of Priorities Regulation 12 (§ 944.33) apply. Specific orders may also be issued as to particular deliveries or as to the use of particular facilities, without assigning ratings thereto.

§ 944.4a *Cancellation of preference ratings.* If a preference rating which has been assigned to a named person is revoked, he must immediately, in the case of each order to which he has ap-

plied the rating, either cancel the order or inform his supplier that it is no longer to be treated as rated. If a regulation or order of the War Production Board which assigns a rating to a class or group of persons without naming them individually, is revoked they may not apply the rating to orders placed after the revocation. Orders to which they have already applied the rating for delivery within three months after the revocation remain validly rated, but, in the case of each order which they have placed for delivery after three months from that date, they must either cancel the order or withdraw the rating. If any person receives notice from his customer or otherwise that the customer's order is no longer rated or that the customer's order is cancelled, he must immediately withdraw any extensions of the rating which he has made to any order placed by him for more than \$25 worth of material. The War Production Board may specify different rules for the treatment of outstanding ratings at the time it revokes them.

(For the rules about transferring preference ratings when contracts are assigned, see Interpretation 5.)

§ 944.5 *Sequence of preference ratings.* Preference ratings in order of precedence are: AAA, AA-1, AA-2, AA-2X, AA-3, etc.; A-1-a, A-1-b, etc.; A-2, A-3, etc.; B-1, B-2, etc. The letter "X" after a numeral indicates that such rating is inferior to the rating of the same numeral and superior to the rating of the next numeral. (For example, AA-2X is inferior to AA-2 and superior to AA-3.) The War Production Board, after March 18, 1944, will not assign ratings below AA-5 but any such ratings which were assigned before that date may be applied or extended.

§ 944.6 *Doubtful cases.* Whenever there is doubt as to the preference rating applicable to any order, or as to whether a particular order is a defense order, the matter is to be referred to the War Production Board for determination, with a statement of all pertinent facts.

§ 944.7 *Sequence of filling rated orders.* (a) Every person who has rated orders on hand must schedule his operations, if possible, so as to fill each rated order by the required delivery or performance date (determined as explained in § 944.8). If this is not possible for any reason, he must give precedence to higher over lower rated orders and to all rated over unrated orders. However, material specifically produced for a rated order may not be used to fill a higher rated order (except AAA) subsequently received if the material is completed or is in production and scheduled for completion within 15 days. A low rated order bearing an earlier delivery or performance date must be filled before a higher rated order bearing a later delivery or performance date if it is possible to fill both of them on the required dates.

(b) As between conflicting orders which bear the same preference rating, precedence must be given to the order which was received first with the rating. As between conflicting orders received with the same preference rating on the

same date, precedence must be given to the order which has the earlier required delivery or performance date.

(c) If a rated order or the rating applicable to an order is cancelled when the supplier has material in production to fill it, he need not immediately stop to put other rated orders into production if doing so would cause a substantial loss of total production. He may continue to process that material which he had put into production for the cancelled order to a stage of completion which would avoid a substantial loss of total production, but he may not incorporate any material which he needs to fill any rated order on hand. He may not, however, delay putting other rated orders into production for more than 15 days.

(For the effect of changes in customers' orders, see Direction 1 to this regulation. For further explanations of paragraph (b) see Interpretation 1c. For an explanation of how to determine the date on which a purchase order is received, see Interpretation 12).

§ 944.8 *Delivery or performance dates.*

(a) Every rated order placed after March 18, 1944, must specify delivery or performance on a particular date or dates or within specified periods of not more than 31 days each, which in no case may be earlier than required by the person placing the order. Any order which fails to comply with this rule must be treated as an unrated order. The words "immediately" or "as soon as possible", or other words to that effect, are not sufficient for this purpose. There are four exceptions to this rule, where a rated order need not bear a required delivery or performance date as long as it is understood that delivery or performance is required as soon as practicable or customary: (1) Orders for maintenance, repair or operating supplies as identified by the symbol MRO or otherwise; (2) orders placed with or by persons who normally take physical delivery of the item ordered to hold it in stock for resale; (3) orders for not more than \$100; (4) orders rated AAA.

(b) The required delivery or performance date, for purposes of determining the sequence of deliveries or performance pursuant to § 944.7, shall be the date on which delivery or performance is actually required. The person with whom the order is placed may assume that the required delivery or performance date is the date specified in the order or contract unless he knows either (1) that the date so specified was earlier than required at the time the order was placed, or (2) that delivery or performance by the date originally specified is no longer required by reason of any change of circumstances. A delay in the scheduled receipt of any other material which the person placing the order requires prior to or concurrently with the material ordered, shall be deemed a change of circumstances within the meaning of the foregoing sentence.

(c) If, after accepting a rated order which specifies the time of delivery, the person with whom it is placed finds that he cannot fill it on time or within 15 days

following the specified time, owing to the receipt of higher rated orders or for other reasons, he must promptly notify the customer, telling him approximately when he expects to be able to fill the order. Inability to fill the order on time or within fifteen days following the specified time does not authorize a supplier to cancel the order.

§ 944.9 *Report to War Production Board of improper delay of orders.* When delivery or performance of a rated order is unreasonably or improperly delayed, the customer may file a report of the relevant facts with the War Production Board, which will take such action as it considers appropriate after requiring an explanation from the person with whom the order is placed.

§ 944.10 *Effect of other regulations and orders.* Specific allocations or other directions of the War Production Board for delivery of material or the use of facilities must be complied with regardless of ratings, unless otherwise specified. If restrictions under two or more regulations or orders of the War Production Board apply to the same subject matter, the most restrictive controls unless otherwise expressly provided. Defense orders or other rated orders are not exempt from restrictions on the amount of materials that may be made or delivered unless expressly so stated.

§ 944.10a *Effect of revocation of orders and regulations.* (a) When an order or regulation of the War Production Board is revoked, all published amendments, schedules, appendices, and directions to that order or regulation are revoked, unless otherwise stated in the instrument revoking the order or regulation.

(b) When an order or regulation of the War Production Board is revoked, all directions, authorizations, production or delivery schedules, and other instruments, addressed to named persons and requiring or permitting them to take specific action pursuant to the order or regulation, remain in effect unless expressly revoked. There are two exceptions: (1) Where an appeal from a restriction in an order or regulation has been granted on certain conditions, or an authorization relaxing a restriction has been issued on certain conditions, and the restriction is entirely revoked, the conditions need no longer be complied with after the revocation unless compliance with those conditions is required by some other order or regulation; (2) a production or delivery schedule or other instrument telling a person what to make, or what orders to fill during a specified period, remains in effect throughout the period but, after the revocation of the order under which the schedule or other instrument was issued, he may make additional products or fill additional orders which do not interfere with it.

(c) "Suspension orders" and "consent orders" issued on the basis of a violation of orders and regulations of the War Production Board remain in effect after revocation of such orders and regulations, unless otherwise provided. If you are subject to a suspension order or consent order which you think should be lifted or modified because of the lifting of the restriction on which the violation

was based, you may address a request for relief to the Chief Compliance Commissioner, War Production Board, Washington 25, D. C.

§ 944.11 *Use or disposition of material acquired with priorities assistance.* (a) Any person who gets material with priorities assistance must, if possible, use or dispose of it (or of the product into which it has been incorporated) for the purpose for which the assistance was given. This restriction applies to material obtained by means of a preference rating, allocation, specific direction, CMP allotment, or any other action of the War Production Board. Physical segregation is not required as long as the restrictions applicable to any specific lot of material or product are observed with respect to an equivalent amount of the same material or product.

(b) When a material, or a product into which it has been incorporated, can no longer be used for the purpose for which the priorities assistance was given (for example, when the priorities assistance was given to fill a particular contract or purchase order and the material or product does not meet the customer's specifications or the contract or purchase order is cancelled), the holder may use or dispose of it only as follows:

(1) If the holder acquired or made the material or product for use and not for sale or resale and is not regularly engaged in the business of selling it, a proposed sale by him is a special sale covered by Priorities Regulation 13 and he may sell or transfer it only as provided in that regulation.

(2) If the proposed sale is not one described by paragraph (b) (1), this paragraph (b) imposes no restriction on the sale. However, in such a case the holder must comply with all requirements of other applicable sections of this regulation and of other orders and regulations of the War Production Board. This is true of all such sales of any material including scrap.

(3) Whether or not he is in the regular business of selling similar materials or products, a holder may, within the limitations of paragraph (c) of § 944.14 of this regulation, use it himself for any purpose for which he has the necessary rating or other qualification which would be necessary for a special sale to him under Priorities Regulation 13 or directions issued under it. However, if the material or product is a controlled material or a Class A product obtained pursuant to an allotment under CMP Regulation 1, the holder may use it only in accordance with paragraph (u) of that regulation, or any applicable direction issued under it. In addition, the holder must comply with any applicable War Production Board order that requires him to get permission from the War Production Board before using any particular material or product and he may not use it in any manner or for any purpose prohibited by a regulation or order of the War Production Board. It may also be used in any other manner specifically authorized in writing by the War Production Board. Field offices of the Board will tell applicants how to get authorization.

§ 944.12 *Intra-company deliveries.* When any rule, regulation or order of the War Production Board prohibits or restricts deliveries of any material by any person, such prohibition or restriction shall, in the absence of a contrary direction, apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

(For rule as to effect of inventory and small order provisions on separate operating units of same company see Interpretation 8.)

§ 944.13 *Scope of regulations and orders.* All regulations and orders of the War Production Board (including directions, directives and other instructions) apply to all subsequent transactions even though they are covered by previous contracts. Regulations and orders apply to transactions in the territories or insular possessions of the United States unless the regulation or order specifically states that it is limited to the continental United States or to the 48 states and the District of Columbia. Regulations and orders do not apply to transactions in the Philippine Islands unless they specifically state that they do. However, restrictions of War Production Board orders or regulations on the use of material or on the amount of inventory shall not apply when the material is used or the inventory is held directly by the Army or Navy outside the 48 states and the District of Columbia, unless otherwise specifically provided.

NOTE: Parenthetical note deleted June 28, 1945.

§ 944.13a *Defense against claims for damages.* No persons shall be held liable for damages or penalties for any default under any contract or order which shall result directly or indirectly from compliance with any rule, regulation or order of the War Production Board, notwithstanding that any such rule, regulation or order shall thereafter be declared by judicial or other competent authority to be invalid.

§ 944.14 *Inventory restriction.* (a) No person shall knowingly make delivery of any material whatever, and no person shall accept delivery thereof if the inventory of such material of the person accepting delivery is, or will by virtue of such acceptance become, in excess of a practicable minimum working inventory reasonably necessary to meet deliveries to be made by the person accepting delivery on the basis of his current or scheduled method and rate of operation.

(b) If any order of the War Production Board imposes a specific inventory limit on a particular material or product or for a particular class of persons, that limitation governs and the restrictions of paragraph (a) above may be disregarded unless the order also states that a practicable minimum working inventory may not be exceeded. The following four exceptions apply to para-

graph (a) and to all other inventory restrictions on delivery and acceptance of delivery in WPB orders and regulations unless they contain specific provisions to the contrary:

(1) Order M-161 lists certain materials which are exempt from inventory restrictions;

(2) Priorities Regulation 13 provides a limited exemption from inventory restrictions in the case of items which are bought on special sales;

(3) A person may import materials without regard to the inventory restriction in paragraph (a), but the restriction does apply to any deliveries he makes and to the amount that any person accepting delivery from him may receive of such imported material.

(4) A person may also receive, in anticipation of starting or resuming civilian production, the minimum amount of material he would need during the first 30 days of such production, providing no priorities assistance is used to get such material. Records of such receipts and the basis on which they were computed must be preserved as required by § 944.15 of this regulation.

(c) No person shall process, fabricate, alloy or otherwise alter the shape or form of any material if his inventory of such material in its processed, fabricated, alloyed or otherwise altered shape or form is, or will by virtue of such operation become, in excess of a practicable minimum working inventory thereof. However, this does not restrict a person from altering the form of surplus materials by scrapping or reprocessing them, unless an order of the War Production Board specifically prohibits.

(d) If because of a change in operations, slowing or stoppage of production, delayed delivery by a supplier or any other cause, a person who has ordered material for future delivery would if he accepted delivery on the dates specified exceed the limits prescribed by this regulation, he must promptly adjust his outstanding orders. If a person cancels or cuts back a contract with his supplier, delivery of material may nevertheless be accepted by him and the inventory restriction of paragraph (a) exceeded to the following extent only:

(1) Delivery may be accepted from any supplier who has shipped the material or loaded it for shipment before receipt of the instruction to cancel or cut back; or

(2) Delivery may be accepted of any special item which the supplier actually has in stock or in production or special components or special materials which he has acquired for the purpose of filling that contract. A special item, as used above, means one that the producer does not usually make, stock, or sell and which cannot readily be disposed of to others; or

(3) Even if the material is not a special item, delivery may be accepted from a producer if it has already been produced or is in production before receipt of the instruction to cancel or cut back, and it cannot be used to fill other orders on the producer's books.

(e) Appeals from the provisions of this section should be addressed by letter in duplicate to the War Production Board, Washington 25, D. C., Ref: PR-1; § 944.14.

§ 944.14a *Delivery for unlawful purposes prohibited.* No person shall deliver any material which he knows or has reason to believe will be accepted, redelivered, held or used in violation of any order or regulation of the War Production Board.

(For application of this section to seasonal industries see Interpretation 1a, and to minimum sale quantities and production runs see Interpretation 7.)

§ 944.15 *Records.* Each person participating in any transaction to which any rule, regulation or order of the War Production Board applies shall keep and preserve for at least two years accurate and complete records of the details of each such transaction and of his inventories of the material involved. Such records shall include the dates of all contracts or purchase orders accepted, the delivery dates specified in such contracts or purchase orders, and in any preference rating certificates accompanying them, the dates of actual deliveries thereunder, description of the material covered by such contracts or purchase orders, description of deliveries by classes, types, quantities, weights and values, the parties involved in each transaction, the preference ratings, if any, assigned to deliveries under such contracts or purchase orders, details of defense orders (or other orders required by the War Production Board to be filled) either accepted or offered and rejected, and other pertinent information. Records kept by any person pursuant to this section shall be kept either separately from the other records of such person and chronologically according to daily deliveries by such person, or in such form that such a separate chronological record can be promptly compiled therefrom. Whenever a regulation or order requires a person to restrict his operations in proportion to his operations in a base period (for example, an order may forbid him to use more of a certain kind of material than he used in the fourth quarter of 1942) he must determine, as accurately as is reasonably possible, his base period operations and preserve a written record of any figures and work sheets showing how he made his calculations for inspection by War Production Board officials as long as the regulation or order remains in force and for two years after that. Whenever a person is restricted as to the quantity of material he may use in production or the amount he may produce, under quota restrictions, limitation orders, authorized production schedules, special directions or similar provisions, he must keep reasonably adequate records of the material consumed and of production to show whether he is complying with the restrictions. This record-keeping requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Photographic copies of records may be kept. See Interpretation 6.)

§ 944.16 *Audit and inspection.* All records required to be kept by this regulation or by any rule, regulation or order of the War Production Board shall, upon request, be submitted to audit and inspection by its duly authorized representatives.

§ 944.17 *Reports.* Every person shall execute and file with the War Production Board such reports and questionnaires as it shall from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

§ 944.18 *Violations.* Any person who violates any provision of this regulation or any other rule, regulation or order of the War Production Board, or who, by any statement or omission, wilfully falsifies any records which he is required to keep, or who otherwise wilfully furnishes false or misleading information to the War Production Board, and any person who obtains a delivery, an allocation of material or facilities, or a preference rating by means of a material and wilful, false or misleading statement, may be prohibited by the War Production Board from making or obtaining further deliveries of material or using facilities under priority or allocation control and may be deprived of further priorities assistance. The War Production Board may also take any other action deemed appropriate, including the making of a recommendation for prosecution under section 35 (A) of the Criminal Code (18 U. S. C. Sec. 80), or under the Second War Powers Act (Public No. 507, 77th Congress, March 27, 1942).

§ 944.19 *Appeals for relief in exceptional cases.* Any person who considers that compliance by himself or another with a rule or regulation or order of the War Production Board would work an exceptional and unreasonable hardship on him may appeal for relief. The rules for the filing and handling of appeals are given in Priorities Regulation 16.

§ 944.20 *Notification of customers.* Any person who is prohibited from or restricted in making deliveries of any material by the provisions of any rule, regulation or order of the War Production Board shall, as soon as practicable, notify each of his regular customers of the requirements of such rule, regulation or order, but the failure to give notice shall not excuse any customer from the obligation of complying with any requirements applicable to him.

Issued this 28th day of June 1945.

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

INTERPRETATION 1B

TYPES OF EXISTING CONTRACTS WHICH MUST BE DEFERRED

Section 944.2 of Priorities Regulation 1, as amended, makes compulsory the acceptance and filling of rated orders for any material "regardless of existing contracts and orders". The "existing contracts" referred to include not only ordinary purchase contracts but other arrangements achieving substantially

the same results, though in form they may concern the use of production facilities rather than the material produced. Preference ratings are applicable to facilities as well as materials.

Examples of such "existing contracts" which must be subordinated to higher rated orders are (1) arrangements whereby a producer, regularly engaged in producing a given product for sale to others, leases a portion of his plant, or the whole of it for a relatively short period, as a going concern to one of his customers and operation is continued under the producer's management and with the producer's regular personnel; and (2) arrangements whereby such a producer, in lieu of buying raw materials and selling the product, accepts raw materials belonging to a customer for processing pursuant to a toll agreement or similar undertaking. If the deliveries to be made to such customer carry a preference rating, the sequence of deliveries as compared with deliveries to other persons placing orders with the producer is to be determined as provided in § 944.7 of Priorities Regulation No. 1. (Issued Mar. 18, 1944.)

INTERPRETATION 1C

SEQUENCE OF DELIVERIES AND PRODUCTION FOR RATED ORDERS

The provisions of § 944.7 (b) of Priorities Regulation No. 1, as amended, with respect to the sequence of deliveries bearing the same preference rating, are applicable only in cases where different deliveries bearing the same preference rating cannot be made on schedule. If material supply and available facilities permit deliveries bearing the same rating to be made on schedule, Regulation No. 1 does not have any particular effect on the sequence of production for such deliveries. Where it is necessary to choose between deliveries bearing the same preference ratings, delivery to the customer from whom the order was first received with the rating is to be preferred and production schedules must be adjusted accordingly. For example, suppose a rated order is received from one customer in January for August delivery and another order bearing the same rating is received from a second customer in June calling for July delivery. If both deliveries cannot be made on schedule, the second customer is not permitted to get the material away from the first customer. The producer must defer production on the second order to the extent necessary to make delivery on the first order on the August delivery date. If, on the other hand, both deliveries can be made on schedule, it is not necessary to produce or make delivery on the first customer's order ahead of that of the second. (Issued Mar. 18, 1944.)

INTERPRETATION 1E

ARMY INCLUDES PANAMA CANAL—NAVY INCLUDES COAST GUARD

(a) Section 944.1 (b) defines "defense order" to mean, among other things, any contract or purchase order for material or equipment to be delivered to or for the accounts of the Army or Navy of the United States, the Panama Canal or the Coast Guard. At the present time the Panama Canal is part of the Army and the Coast Guard is part of the Navy. Some question has arisen as to whether the specific enumeration in Priorities Regulation No. 1 of the Panama Canal and the Coast Guard means that they do not fall within general references to the Army and Navy in other regulations and orders of the War Production Board. In particular, inquiries have been made as to whether exemptive provisions in limitation and conservation orders in favor of the Army and Navy also provide exemptions for the Panama Canal and the Coast Guard when the latter are not specifically mentioned.

An exemptive or other provision applicable to the Army also applies to the Panama

Canal, and a provision applicable to the Navy to the Coast Guard, unless the provision expressly states otherwise.

(b) Question has also been raised as to the status of the Office of Strategic Services under § 944.1 (b) and similar general references to the Army and Navy in other regulations and orders of the War Production Board.

The operations of the Office of Strategic Services are under the direction and supervision of the Joint Chiefs of Staff. Therefore, any provision in a regulation or order of the War Production Board which applies to both the Army and the Navy (but not a provision which applies to the Army alone or to the Navy alone) also covers the Office of Strategic Services. (Issued Mar. 18, 1944.)

INTERPRETATION 2

REGULARLY ESTABLISHED PRICES AND OPA CEILING PRICES

An order bearing a preference rating may not be rejected on the ground that the price is below the regularly established price, if the purchaser offers the OPA ceiling price.

Section 944.2 of Priorities Regulation 1 makes the acceptance of rated orders mandatory except in the several situations specified in the section. The only exception dealing with price is contained in paragraph (e) (1) which states that a rated order need not be accepted "if the person seeking to place the order is unwilling or unable to meet regularly established prices and terms of sale or payment".

"Regularly established prices" cannot be higher than OPA ceiling prices. They may, however, be lower. (Issued Mar. 18, 1944.)

INTERPRETATION 3

REJECTION OF RATED ORDERS FOR FAILURE TO MEET ESTABLISHED PRICES AND TERMS

(a) Section 944.2 of Priorities Regulation 1 states that every order bearing a preference rating must be accepted and filled with certain exceptions listed in the section. One exception is where a buyer does not "meet regularly established prices and terms of sale or payment". This exception applies to a seller who receives a rated order for quantities which are less than the minimum which he regularly sells. For example, a manufacturer who has been selling only in carload lots may reject a rated order for a less than carload lot.

This exception applies similarly to a person who regularly sells only in multiples of a specified quantity and receives a rated order for a number which is not a multiple of that quantity. For example, a manufacturer who regularly sells his product only in standard shipping packages containing one dozen receives a rated order for 40. He may fill the whole order or he may fill it to the extent of 36 and reject it for 4.

A further problem arises when a manufacturer receives such an order with split ratings. For example, suppose the manufacturer who sells his product only in standard shipping packages of a dozen receives an order for 30 rated AA-4 and 20 rated AA-5. In such a case the general rule is that amounts in excess of a multiple of the standard shipping package ordered at higher ratings may be included with amounts ordered at lower ratings if the manufacturer wishes to adhere to his standard shipping package and not fill the order as received. He may then, in the case supposed, treat the order as one for 24 items rated AA-4 and 24 rated AA-5 and reject it for 2 of the items. Of course, he may fill the order as placed if he prefers to do so; but, if he does not he must fill it as illustrated above.

(b) The exception also applies to the seller who regularly sells only to certain types of trade purchasers, such as wholesalers, jobbers or retailers. He may reject orders from other

types of purchasers but only if it is practicable to obtain the merchandise in the required quantity through regular trade channels.

(c) The exception applies to a manufacturer who receives a rated order which, together with orders on hand, totals less than his minimum production run of a product which is mass produced and cannot be filled from inventory. It makes no difference that he has regularly sold in quantities as small as that ordered. For example, suppose a manufacturer's minimum production run is 1,000 units, but he has regularly sold in lots of 10 units. At a time when he has none of the particular product in inventory and no orders on hand, he receives a rated order for 600 units. He may reject the order. If, however, he has on hand a previously accepted order for 400 units, he would be required to accept the order for 600 units.

(d) It should be noted that paragraph (e) of § 944.2 in which the above exception appears includes the requirement that "there must be no discrimination in such case against rated orders, or between rated orders of different customers." This means, for example, that a seller who sells principally at wholesale but also at retail to one or more customers may not reject rated retail orders from other customers. However, if a manufacturer or wholesaler has an exclusive distributor, either for all sales or for a particular territory, he may reject orders from other purchasers provided the exclusive distributor is in a position to fill the orders promptly. (Issued Jan. 6, 1945.)

INTERPRETATION 4

ACCEPTANCE OF RATED ORDERS FOR USE OF FACILITIES BY CONTROLLED MATERIALS PRODUCERS

Section 944.2 of Priorities Regulation No. 1 provides for the compulsory acceptance of defense and other preference rated orders for the use of facilities, and § 944.7 provides for the sequence of deliveries on such orders. With respect to all such orders placed with a producer of controlled materials, the provisions of these sections are applicable only to the extent that they do not interfere with the acceptance, production, and delivery of orders which he is permitted to fill under paragraph (t) (3) of CMP Regulation No. 1. (Issued Mar. 18, 1944.)

INTERPRETATION 5

EFFECT OF ASSIGNMENT OF A RATED ORDER OR CONTRACT ON SEQUENCE OF DELIVERY

When a rated contract is assigned, the rating remains applicable to the contract as assigned if, but only if, the assignee uses the material covered by the contract for substantially the same purpose for which the rated contract was placed.

Examples. (1) The Navy places a rated order with A and A extends the rating to B. Later the Navy and A cancel the contract and the Navy enters into a new contract with C for delivery of the same product at the same time and applies the same rating to it. A assigns to C his contract with B. The rating which A had extended to B remains valid as of the time it was extended by A, and B must honor it in making delivery to C.

(2) A steel mill places an order for a repair part rated AA-1 under CMP Regulation No. 5. The steel mill finds that it does not need the part but another steel mill needs the same and asks the first mill to assign its contract for the part. The second mill could also apply a AA-1 rating to the delivery. However, it prefers to use the first mill's rating so as to come ahead of the orders which have been placed since the first mill placed its order. The second mill may not make this use of the rating, since the rated order was placed for the repair of the first mill's facilities and the purpose of the order has thus been changed.

(3) The War Production Board assigns a rating on a PD-1A certificate to a textile manufacturer to buy some textile machinery. He places an order with a machinery manufacturer and applies the rating to the order. He decides he does not need the machinery but finds another textile producer who does need the machinery and is willing to purchase the same from him. He therefore assigns the contract for the machinery to the second textile producer. The rating does not apply to the delivery to the second producer since it was assigned by the War Production Board only for the purpose of filling a specific need shown by the first textile producer. (Issued July 24, 1943.)

INTERPRETATION 6

MICROFILM RECORDS

Records required to be kept by § 944.15 of Priorities Regulation No. 1 or by any other order or regulation of the War Production Board may be kept in the form of microfilm or other photographic copies instead of the originals. (Issued Aug. 14, 1943.)

INTERPRETATION 7

MINIMUM SALE QUANTITIES AND PRODUCTION RUNS

(a) *Applicable provisions of the regulations.* Section 944.14 of Priorities Regulation No. 1 forbids the making or acceptance of a delivery which will give the customer more than the "practicable minimum working inventory reasonably necessary" for him to make his own deliveries. A similar provision in paragraph (b) (2) of Priorities Regulation No. 3 says that a customer who is applying a rating for which no specific quantities have been authorized may use it only to get the "minimum required amounts".

(b) *Factors to be considered in determining how much can be ordered and delivered.* In determining a customer's minimum inventory "reasonably necessary" under Priorities Regulation No. 1 or his "minimum required amounts" under Priorities Regulation No. 3, it is proper in some cases to consider not only the immediate needs of the customer's plant but also whether the amount which he orders will be a minimum production run for his supplier. The customer may order and receive (and the supplier may deliver) the customer's requirements for a longer period in advance than he actually needs at the time of delivery if, but only if, it is not practicable for him to get the item from any supplier in the smaller quantities which he presently needs. The supplier may reject his customer's order if it is less than the minimum which he regularly sells or less than his minimum production run of a product which is mass produced under the conditions explained in Interpretation 3 of Priorities Regulation 1.

(c) *Relief in exceptional cases.* If the conditions stated in paragraph (b) above cannot be satisfied but the customer wants to order or accept delivery of more than his actual needs at the time of delivery, he should apply to the War Production Board for permission, stating the facts and why it is not practicable to satisfy the condition of paragraph (b).

(d) *Special provisions for controlled materials and Class A products.* This interpretation does not apply to deliveries of controlled materials under the Controlled Materials Plan. Rules regarding deliveries of controlled materials are given in CMP Regulation No. 2, and additional rules for Class A products are explained in Interpretation 9 to CMP Regulation No. 1.

(e) *Specific limits on ratings may not be exceeded.* This interpretation does not apply to the use of a rating where a specific quantity is stated in the instrument assigning the rating. If a person is assigned a rating for a specific amount of material, he may not use it to get more. If he finds that

he can only get the material in larger quantities, he should apply for a modification of the rating.

(f) *No effect on contractual rights.* The times and amounts in which deliveries are to be made are to be determined by agreement between the supplier and the customer. Nothing in this interpretation relieves a supplier from fulfilling a contract to make deliveries at specified times in specified amounts. For example, if a customer has agreed to buy and a supplier has agreed to furnish 100 units a month for six months, this interpretation does not obligate the buyer to accept 600 units delivered during the first month, although it permits him to do so under the conditions described in paragraph (b). (Issued Jan. 6, 1945.)

INTERPRETATION 8

EFFECT OF INVENTORY AND SMALL ORDER PROVISIONS ON SEPARATE OPERATING UNITS OF THE SAME COMPANY

(a) If an individual plant, branch store, division or other operating unit normally keeps separate inventory from the rest of the corporation or firm, inventory restrictions in WPB orders and regulations apply to it separately. Thus, although another unit may have exceeded an inventory limit, this does not prevent a unit which has not exceeded it from acquiring additional inventory within the limit.

(b) Likewise, if an order of the War Production Board provides an exemption for small purchases, an operating unit which normally buys separately need not consider purchases made by other units in determining whether it comes within the exemption.

(c) It may happen that the same operating unit will be treated separately for purposes of inventory restrictions but not for purposes of small order exemptions. For example, if a distributor purchases centrally for direct shipment to several outlets which keep separate inventories, the outlets are treated separately for purposes of inventory restrictions but the central purchasing agency must include all its purchases in determining whether a transaction comes within a small order exemption.

(d) This interpretation applies only in cases where a contrary rule is not expressly stated in the applicable War Production Board order or regulation. Also it only applies where the regular business practice of the unit in question is to keep a separate inventory or to buy separately. It does not apply if the regular practice has been changed just for the purpose of coming within this interpretation. (Issued Nov. 22, 1944.)

INTERPRETATION 9: Revoked Mar. 18, 1944.

INTERPRETATION 10

EFFECT OF CANCELLATION OF A PURCHASE ORDER ON DIRECTIVE REQUIRING ITS IMMEDIATE PRODUCTION

In many instances, both under the Controlled Materials Plan and otherwise, the War Production Board has issued directives to producers and manufacturers requiring them to produce particular orders ahead of their normal place on the producers' or manufacturers' schedules. Typical of such directives are directives requiring them to produce certain orders by a given date, regardless of the effect of doing so on the production of other orders. If and when the particular orders are cancelled, the directives lose all effect. This is so since the reason for issuing the directives, namely, the urgent need for a particular product, no longer exists when the order for the product has been cancelled. (Issued Sept. 21, 1944.)

INTERPRETATION 11

ACCEPTANCE OF POST-WAR ORDERS

(a) Some orders and regulations of the War Production Board forbid the placing or

acceptance of purchase orders for certain materials or products unless the purchase orders bear specified preference ratings, or unless they are accompanied by an allotment symbol or special authorization, or unless they meet some other condition. Such provisions do not, however, prohibit the placing or acceptance of a purchase order which by its express terms, is not to be filled until after removal of such restrictions by the War Production Board.

(b) A manufacturer may not, of course, schedule such orders for production or place material in production to fill such orders until after the applicable WPB restriction is removed. He may order material, but since § 944.14 of Priorities Regulation 1 would prevent his receiving it, the order must call for delivery at a future time when the material can be received. Also, if he is ordering a material which is itself subject to a restriction on placing or accepting of orders, that purchase order must as well be conditioned on the removal of the restriction.

(c) For example, Order L-111 forbids the acceptance of an order for new hand trucks unless the order bears a rating of AA-5 or higher. Nevertheless, an unrated order for hand trucks may be accepted subject to the condition that no steps will be taken to fill it until the restriction on acceptance of unrated orders is removed.

(d) [Deleted Nov. 13, 1944]
(Issued Nov. 13, 1944.)

INTERPRETATION 12

DATE ON WHICH PURCHASE ORDER IS RECEIVED

Section 944.7 (b) provides that between conflicting orders which bear the same preference rating, precedence must be given to the order which was received first with the rating. Some questions have arisen as how to fix the date when the order was "received", due to the fact that occasionally specifications are not sent to the manufacturer with the customer's order. The word "order" as used in § 944.7 (b) means a purchase order accompanied by specifications in sufficient detail to enable the manufacturer to put the product in production. Not until such specifications have been furnished is there an "order". The date on which such specifications are furnished to the manufacturer is the date on which the order is "received". This date, and not the date on which the order without specifications was first received by the manufacturer, controls the position the order takes in the manufacturer's schedule.

For example, where an engine manufacturer on February 1st receives a rated order for fifty engines for July delivery but the customer does not, until March 1st, furnish the specifications as to carburetors, pumps, or other equipment, necessary before the engines can be put into production, March 1st is the date the "order was received" for the purposes of § 944.7 of Priorities Regulation No. 1. (Issued Nov. 8, 1944.)

INTERPRETATION 13

APPLICABILITY OF ORDERS AND REGULATIONS TO USED OR SECOND-HAND MATERIALS AND PRODUCTS

(a) Every order or regulation of the War Production Board applies to materials and products in used or second-hand form (other than scrap) to the same extent as to new items, unless the order or regulation or a published interpretation of it expressly states otherwise.

(b) The following examples illustrate the above rule: (1) Order L-265 regulates the manufacture and distribution of "electronic equipment". The definition of this term in paragraph (a) (3) of the order does not exclude used or second-hand equipment from the coverage of the order. Therefore, all of the provisions of the order apply to both new

and used or second-hand electronic equipment.

(2) Paragraph (c) of Order L-190 controls the distribution of new Class D scales. The term "new" is defined in the order. Therefore, the restrictions of paragraph (c) apply only to Class D scales which are "new", as defined in the order, and this interpretation does not apply to that order. (Issued Mar. 27, 1945.)

INTERPRETATION 15

MAKING OR DELIVERING MATERIAL EARLIER THAN REQUIRED BY CUSTOMERS

(a) Paragraph (a) of § 944.14 of Priorities Regulation 1 prohibits a person from knowingly making a delivery which will give his customer more than the "practicable minimum working inventory reasonably necessary" for him to make his own deliveries. Paragraph (c) of that section prohibits a person from processing or fabricating material if his inventory of the material in its processed or fabricated form will be more than a practicable minimum working inventory of it. These two restrictions should be borne in mind by any supplier who wants to make or deliver any material to his customer earlier or in greater quantities than required by the customer.

(b) For example: A supplier has accepted his customer's order for a product to be delivered at the rate of 100 a month for six months. The supplier would like to ship 200 a month for three months, or perhaps the entire 600 in the first month. Since the customer's requirements of 100 a month are presumably all he could accept within the inventory limitations of paragraph (a) of § 944.14, the requirement that the supplier may not knowingly ship more than this would prevent him from delivering earlier than required by his customer, unless he received notice from his customer that the receipt of the larger amount would not cause him to have an excess inventory.

(c) Thus, before delivering a material or product substantially earlier or in greater quantities than is called for by his customer's order, a supplier is required to satisfy himself that the receipt by the customer of the changed quantities will be within the permissible inventory limitations applicable to the customer. The supplier may rely on any statement or notice to this effect from his customer, unless he knows or has reason to know that it is false.

(d) Similarly, assuming his customer would not be permitted to receive the larger quantities, the supplier should take this into account in his plans for processing the material or product so that he himself will not have an inventory greater than permitted by § 944.14, paragraph (c).

(e) This interpretation, of course, does not change the rule on delivery or acceptance of minimum sales quantities or production runs to the extent described in Interpretation 7 to Priorities Regulation 1. Also, if any WPB order or regulation permits increased deliveries to the extent necessary to avoid shipping partly filled containers (such as paragraph (y) (4) of Order M-300), the rule in this interpretation does not prevent such deliveries. (Issued May 2, 1945.)

INTERPRETATION 16

APPLICABILITY OF PRIORITY RULES TO SUPPLIERS OF COMPLETE PRODUCTS AND PARTS FOR THE COMPLETE PRODUCTS

(a) *Applicability of rules regarding acceptance of orders.* A person who supplies parts for a complete product, as well as the complete product itself, may not accept an order for the complete products calling for delivery on a date which would interfere with delivery of equal or higher rated orders for parts which he has already accepted. In other

words, he must comply with the rules in § 944.2 of Priorities Regulation 1 in accepting orders for complete products and orders for parts only, and this is true even if the complete product is subject to a frozen schedule under Priorities Regulation 18 and the parts are not. Thus if he gets a rated order for complete products calling for delivery on June 1, 1945, and cannot fill this order without using parts which are required for delivery on an equal or higher rated parts order previously accepted, calling for delivery on June 1, 1945, he may not accept the order for the complete products. In such a case, he must either (1) reject the order, stating when he could fill it, or (2) accept it for delivery on the earliest date he expects to be able to deliver, informing the customer of that date.

(b) *Arranging sequence of shipments under scheduling orders, and effect of frozen schedules.* (1) In arranging the sequence of shipments on a shipping schedule filed under Order M-293 and other scheduling orders, a manufacturer may not schedule an order for complete products for shipment on a date which would interfere with delivery of an equal or higher rated parts order which he has on his books. In other words, the manufacturer must comply with the rules in § 944.7 of Priorities Regulation 1 in arranging his shipping schedules under the scheduling orders. The fact that in some cases the complete products are subject to the scheduling provisions and parts are not, does not allow the manufacturer to disregard the parts orders in scheduling the orders for complete products. Furthermore, it would make no difference whether the parts were made by the manufacturer, or whether he made some and bought some, or whether he bought them all.

(2) However, where a shipping schedule for the complete products has been properly made up under Order M-293, or any other scheduling order, and has become a frozen schedule under Priorities Regulation 18, orders for parts (or for the complete product) subsequently received, may not be allowed to interfere with deliveries under the frozen schedule, unless the War Production Board takes affirmative action to permit or direct such interference. But when the next schedule is made up and filed, these newly received orders must be given the preference required by Priorities Regulation 1, as explained above.

(c) *Illustrations.* (1) If a manufacturer of internal combustion engines, who also makes (or buys) parts for such engines, has on hand an order rated AA-1 for 1,000 cylinder heads calling for delivery in January 1946, and then receives an AA-1 rated order for 1,000 engines also calling for delivery in January 1946, he may not accept the engine order unless he could fill it during January without using cylinder heads needed to fill the cylinder head order on time.

(2) If the manufacturer has accepted an AA-2 rated order for engines for delivery in January 1946, and thereafter receives an AA-1 rated order for cylinder heads for delivery in January, he must accept the latter order. Furthermore, in making up his January shipping schedule for engines under Table 4 of M-293, he must not schedule the engine order for shipment during the month unless he could fill it without using cylinder heads needed to fill the cylinder head order on time. However, if both of the orders call for delivery in December 1945, and his engine schedule for December, including this particular engine order, has already been frozen under Priorities Regulation 18, then he must not accept the cylinder head order for delivery in December unless he could fill it without interfering with the frozen schedule or unless the War Production Board specifically authorizes or directs him to do so. (Issued May 8, 1945.)

[F. R. Doc. 45-11474; Filed, June 28, 1945; 11:23 a. m.]

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

[Priorities Reg. 1, Interpretation 1A, as Amended June 28, 1945]

INVENTORIES IN SEASONAL INDUSTRIES

The following amended interpretation is issued with respect to Priorities Regulation 1:

The question has been raised, in connection with various seasonal industries, whether a company which is engaged in such an industry and which normally stocks up inventory in advance of the season, is forbidden by § 944.14 of the foregoing regulation from doing so.

The prohibition against accepting delivery of inventory "in excess of the practicable minimum working inventory reasonably necessary to meet deliveries of the products of the person accepting delivery, on the basis of his current or scheduled method and rate of operation," does not prevent the acceptance of delivery by such person of his requirements of the inventory in question provided, (a) that such person is not guilty of hoarding, and (b) that the deliveries accepted are no greater and no further in advance than those which he would normally accept in the ordinary course of his business to meet reasonably anticipated requirements.

Issued this 28th day of June 1945.

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

[F. R. Doc. 45-11473; Filed, June 28, 1945; 11:23 a. m.]

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

[Priorities Reg. 1, Revocation of Interpretation 1d]

APPLICATION OF ORDERS AND REGULATIONS TO SALES BY AUCTIONEERS, RECEIVERS, TRUSTEES, ETC.

Interpretation 1d of Priorities Regulation 1 is hereby revoked. Sales by auctioneers and sales by receivers, trustees, etc. in the course of liquidation are "special sales" and are governed by Priorities Regulation 13.

Issued this 28th day of June 1945.

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

[F. R. Doc. 45-11475; Filed, June 28, 1945; 11:23 a. m.]

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

[Priorities Reg. 1, Interpretation 14, as Amended June 28, 1945]

SUMMARY OF WPB CONTROLS REGARDING IDLE OR EXCESS INVENTORIES

The following amended interpretation is issued with respect to Priorities Regulation 1:

Introduction

(a) *Purpose of this interpretation.* This interpretation summarizes some of the important rules on what to do when you have materials or products which are idle or excess in your inventory because of a termina-

tion or cut-back in your war contracts or other change in your operations. These are not new rules on this subject, nor are they necessarily complete, but they are intended to be convenient references to rules which are now effective in WPB orders and regulations. As these orders and regulations are revised from time to time, you should be sure to look at the latest copies.

(b) *General rule.* The general rule is that if you got a material or product by using a preference rating, allotment or other WPB priorities assistance, you must if possible use or dispose of it (or of the product into which it has been incorporated) for the purpose for which the assistance was given. This is the rule of § 944.11 (a) of Priorities Regulation 1, which also states the conditions under which physical segregation of inventory is not required.

Disposition or Use of Excess

(c) *In general.* If you have a termination, cut-back, or other reduction in your operations, it may be impossible to use the material or product for the purpose for which the priorities assistance was given. In this case, you may dispose of it as explained in paragraphs (b) (1) and (b) (2) of § 944.11 of PR-1, or you may use it as explained generally in paragraph (b) (3) of that section. These rules are summarized in paragraphs (d) and (e) below.

(d) *Disposition—(1) Special sales.* If you want to sell the excess material or product to someone else, and you acquired or made it for your own use and you do not sell it in the regular course of your business, you should look at Priorities Regulation 13 for the rules governing such "special sales". These include special sales as scrap (other than plant generated scrap). Also, all sales of surplus materials or products by Government agencies are special sales.

(2) *Other sales.* If the sale of the particular material or product, including scrap, is not a special sale, it is permitted as long as you comply with all requirements of WPB orders and regulations which apply to the material or product you are selling. For example, you are usually required to accept rated orders and observe the sequence of preference ratings; and if the material or product may be sold or scrapped only on specific WPB authorization as described in the applicable E, L, M, R, or U order, you must do what the order says.

(e) *Use—(1) Must be in compliance with applicable WPB orders.* If you want to use the excess material or product, you must always comply with all applicable WPB orders and regulations governing its use, inventory, etc. This is in addition to the rules in paragraphs (e) (2), (3) and (4) below. To find out what orders or regulations are applicable to the particular material or product, it may be helpful to look at the WPB monthly publication, "Products and Priorities," or you can ask your nearest WPB field office.

(2) *Use permitted if you could buy under PR-13.* You may use the excess material or product in your inventory for any permitted purpose for which you have the necessary rating or other qualification to buy from someone else at a "special sale" under PR-13. Thus, if that regulation says that a particular material may be sold for use only to someone who has an AA-5 rating, you could use it yourself for any permitted purpose for which you have that or a higher rating.

(3) *Use of controlled material.* In the case of steel, copper or aluminum in controlled material form, or a Class A product, you must look at paragraph (u) of CMP Regulation 1 which explains in more detail how you can divert and use such materials or products.

(4) *Special permission.* If you think you could get permission to buy the particular material or product from someone else under PR-13 and the rules in paragraphs (e) (2) and (3) above do not let you use it in your own inventory, you may ask for special permission to use the material or product yourself. The way to get this permission is explained in Direction 52 to CMP Regulation 1 on controlled materials and Class A products, and in Direction 4 to PR-1 for other materials and products. This permission may be given for use in other war contracts or in permitted civilian uses as long as there is no interference with war production in your area. (For prohibited or restricted civilian uses, see paragraph (f) below.) However, permission to use excess materials under these rules will not constitute an exception or appeal from the provisions of any E, L, or M order which might apply to the use you are interested in. Thus, you may also have to appeal or apply for the exception as provided in the particular order.

(f) *Resuming civilian production.* If you want to divert idle or excess materials for use in resuming civilian production presently limited or prohibited, the rules for getting the necessary permission are explained in Priorities Regulation 25. If permission is granted, you can use materials in your inventory under the rules described in paragraph (e) above.

(g) *Special provision for transfer among war contractors.* If you have a war contract which has been terminated or modified, and another contractor is producing similar products for the same procuring agency, he may be able to receive excess materials (from you, your suppliers, or the procuring agency) in excess of inventory limits. This is permitted when authorized by the procuring agency to the extent described in Direction 3 to PR-1 and Inventory Direction 17 to CMP Regulation 2. These directions cover both the inventory exceptions necessary to receive excess materials of this kind, and also the sale or exchange of the materials.

Bringing Inventory Back to Normal

(h) *Inventory limitations.* If the termination or cut-back results in your having a bigger inventory than you need, the mere possession of it is not prohibited as long as the particular material or product was properly acquired. This is explained in Interpretation 3 to CMP Regulation 2. However, you may not receive further deliveries of the particular material or product held in excess, nor may you fabricate above permitted inventory levels, except as provided in the applicable regulations or orders. The general inventory rule is in § 944.14 of PR-1; there are also specific inventory limits on particular materials or products in certain E, L, M, P, R, and U orders, and CMP Regulation 2 sets forth a detailed inventory control for controlled materials. In general, upon any reduction in operations, outstanding orders for the items which constitute an excessive inventory must be promptly adjusted, or, if necessary, cancelled. However, certain further deliveries may be received to the extent permitted by § 944.14 (d) of Priorities Regulation 1 and paragraph (c) of CMP Regulation 2, and special items may be received as permitted by those paragraphs and by Direction 7 to PR 1 and Direction 23 to CMP Regulation 2. A limited inventory exception in the case of items bought on special sales is provided in PR-13.

(i) *Cancelling ratings or allotments.* In cutting back or cancelling orders as described above you will probably have to cancel your ratings to the extent described in § 944.4a of PR-1, and make the necessary adjustments in your allotments and authorized controlled material orders as explained in paragraph

(u) (2) of CMP Regulation 1 and Interpretation 28 and 31 to CMP Regulation 1.

Issued this 28th day of June 1945.

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

[F. R. Doc. 45-11485; Filed, June 24, 1945;
11:23 a. m.]

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

[Priorities Reg. 1, Direction 5 as Amended June 28, 1945]

DELIVERIES OF MATERIAL TO FILL A PRODUCTION SCHEDULE AUTHORIZED UNDER PRIORITIES REGULATION 25

The following amended direction is issued pursuant to Priorities Regulation 1:

Notwithstanding the provisions of § 944.14 of Priorities Regulation 1, a person who has been given an authorized production schedule under Priorities Regulation 25 may accept delivery of any item of non-controlled materials or products which he needs to fill that production schedule providing his inventory is not, or will not by virtue of accepting the delivery become, in excess of his succeeding six months requirements.

Non-controlled materials or products, for the purposes of this direction, means any material or product which is not in a controlled material form as defined in CMP Regulation 1.

Inventory Direction 20 to CMP Regulation 2 states similar rules for controlled materials. This direction expires June 30, 1945 unless sooner revoked or modified.

Issued this 28th day of June 1945.

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

[F. R. Doc. 45-11476; Filed, June 28, 1945;
11:23 a. m.]

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

[Priorities Reg. 12, Direction 1]

RE-RATING OF THIRD-QUARTER PRODUCTION SCHEDULES

The following direction is issued pursuant to Priorities Regulation 12:

Notwithstanding the provisions of Priorities Regulation 12, no person who has been or is assigned a new preference rating for his third quarter production schedule under CMP Regulations is required to re-rate purchase orders for materials which he has placed prior to receipt of the new rating with preference ratings previously assigned. However, if new ratings are assigned on any CMP authorization, they must be applied on all orders placed after receipt of the new rating.

Issued this 28th day of June 1945.

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

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

[Priorities Reg. 13, Direction 1, as Amended June 28, 1945]

SPOT AUTHORIZATIONS UNDER PRIORITIES REGULATION NO. 25

The following direction is issued pursuant to Priorities Regulation 1:

(a) A holder may make a special sale of copper, copper base alloy, aluminum or steel in a form described as a controlled material in CMP Regulation 1, to a buyer who gives him an order bearing a CMP allotment symbol whose initial letter is "Z". The buyer need not charge material bought under this paragraph against any CMP allotment account. No special permission from the War Production Board is required to make such a sale to a buyer who has been authorized to use a CMP allotment symbol whose initial letter is "Z".

(b) A holder may also make a special sale of a noncontrolled material or product which, pursuant to Priorities Regulation 13, may be sold to a user on a rating of AA-5, if the buyer furnishes an order bearing a CMP allotment symbol whose initial letter is "Z" which has been granted to him under Priorities Regulation 25.

(c) A production schedule authorized under Priorities Regulation 25 does not permit the person holding such a schedule to acquire materials or products which are limited under Priorities Regulation 13 to sales on ratings higher than AA-5 or which require special permission of the War Production Board.

(d) This direction expires June 30, 1945 unless sooner revoked or modified.

Issued this 28th day of June 1945.

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

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

[Priorities Reg. 25, as Amended June 28, 1945]

SPOT AUTHORIZATIONS FOR PRODUCTION

Section 944.46 *Priorities Regulation 25* is amended to read as follows:

§ 944.46 *Priorities Regulation 25—*

(a) *What this regulation does.* This regulation describes the revised spot authorization method for getting authorizations to produce a product that is still restricted or limited by certain L orders. Other orders controlling products using relatively less amounts of the same materials and manpower have been revoked or relaxed, but these L orders had to be retained because the products controlled require substantial amounts of materials and manpower, and unlimited production would interfere with the war effort. This regulation applies only to the L orders listed on Direction 1 to this regulation and to any other orders which expressly state that authorizations may be obtained under this regulation. This regulation differs from the previous spot authorization method chiefly in that preference ratings and allotments are no longer given with the spot authorization.

(b) *Policy for granting spot authorizations.* The WPB will give spot authoriza-

tions where it finds that the use of materials and manpower in the proposed production will not interfere with war production and will not be so great as to interfere with a reasonably free supply of basic materials for industry generally.

(c) *No priorities assistance will be given.* Beginning July 1, 1945, no allotments of controlled material will be made, and no preference rating will be assigned on a spot authorization. The WPB does not guarantee, by granting an authorization that controlled materials or other materials and products will be available to a particular applicant.

(d) *How to apply for spot authorization.* Application for a spot authorization should be made by filing Form WPB-4000 (or special form where provided by an order) with the WPB Field Office for the district for the plant in which you propose to produce. The application should be accompanied by Form WPB-3820 (Statement of Manpower Information) unless (1) the plant is located in a Group III, IV, or unclassified Labor Area, or (2) you do not propose to use more than 100 production workers for all production in the plant. If either of these two conditions apply, you should attach a statement to that effect.

(e) *Effect of spot authorizations.* (1) A spot authorization (on Form CMPL-150C or Form WPB-4000) provides an exemption from the provisions of orders which refer to this regulation, or of orders which are listed on Direction 1 to this regulation. When the orders themselves include provisions as to the effect of a spot authorization, the exemption applies only to the extent stated in those provisions. In the absence of such provisions, the exemption applies to present production restrictions in the order. All other provisions of the order and the provisions of other applicable orders or regulations still apply.

(2) *Material obtained from another source or for another purpose may not be used.* You may not use any material or products to fill a production schedule authorized under a spot authorization which you obtained by using a preference rating or allotment symbol assigned for another purpose or another production schedule unless you are unable to use or dispose of the materials or products for the production schedule or the purpose for which the allotment or rating was given. For example, if you have been making domestic mechanical refrigerator repair parts with an allotment and rating assigned pursuant to an application on Form CMP-4B for that purpose, you may not use these parts to make domestic mechanical refrigerators authorized by a spot authorization under this regulation. This does not prevent the use of the rating and allotment symbol assigned by Priorities Regulation 27 for production materials for production authorized under this regulation, where you are otherwise qualified under Priorities Regulation 27.

(3) *Schedules not automatically rated.* Authorization of a production schedule under this regulation does not of itself give the applicant a preference rating of

AA-5 under § 944.1b of Priorities Regulation 1.

(4) *Rated orders for other products you can produce must still be accepted.* Spot authorizations to produce civilian products do not allow you to refuse to accept and produce rated orders for civilian or military production. If you receive a spot authorization, you still must comply with all the provisions of Priorities Regulation 1 regarding the acceptance and filling of rated orders.

(5) *Restrictions on Class A components.* Spot authorization to make a product restricted by a WPB Order not only gives you relief from the production restrictions of that order but also will grant the same relief automatically to any sub-contractor who furnishes you with a Class A component of the product which is restricted by the same order.

(f) *Relationship to the appeals procedure.* An appeal may not be filed from the restrictions of an order which can be waived by a spot authorization. The only relief is by filing for a spot authorization. However, if your application for a spot authorization is denied, and if you will consequently suffer exceptional and unreasonable hardship, you can then appeal in the way described in Priorities Regulation 16.

(g) (1) *Spot authorizations until July 1st.* Until July 1, 1945, WPB will continue to issue spot authorizations in the manner provided in this regulation before this amendment of June 28, 1945. However, no further allotments of material for the third or subsequent quarters of 1945 will be made.

(2) *Authorizations issued prior to July 1st effective after July 1.* Any spot authorization issued under this regulation prior to July 1st which authorizes production after July 1st remains in effect if the restrictions of the L or M order from which it gave an exemption continue in effect. Spot authorizations issued for products controlled by provisions in L and M orders which are revoked may be disregarded, after July 1st, in producing such product.

Issued this 28th day of June 1945.

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

[F. R. Doc. 45-11483; Filed, June 28, 1945;
11:24 a. m.]

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

[Priorities Reg. 25, Direction 1, as Amended June 28, 1945]

WPB ORDERS COVERED BY PRIORITIES REGULATION 25

Direction 1 to Priorities Regulation 25 is amended to read as follows:

Production of products covered by the following WPB orders may be authorized under Priorities Regulation 25. The order should be referred to, since it may still restrict models and types that may be made or materials that may be used, or impose other limitations on the product; from these

provisions the regulation will in most cases afford no relief.

If one of the following orders is amended to refer to Priorities Regulation 25, authorization under the regulation will affect the provisions of the order only to the extent provided in the amended order.

Until one of the following orders has been specifically amended to provide otherwise, authorizations granted under this regulation will give relief only from the provisions of the order which either prohibit manufacture entirely or restrict the amount of manufacture permitted. The authorization will not in any way relieve the person receiving it from any other restrictions of the order.

NOTE: List amended June 28, 1945.

- L-1-e Motor trucks and truck trailers
- L-2-g Passenger automobiles.
- L-5-c Domestic mechanical refrigerators
- L-13-b Use of metal in furniture and fixtures
- L-23-b Domestic electric ranges
- L-23-c Domestic cooking appliances and domestic heating stoves
- L-257-c Farm machinery
- L-260-a Furniture and furniture parts
- L-265 Electronic equipment

Issued this 28th day of June 1945.

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

[F. R. Doc. 45-11479; Filed, June 28, 1945;
11:23 a. m.]

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

[Priorities Reg. 25, Direction 4]

CANCELLATION OF Z-1 ALLOTMENTS AND PREFERENCE RATINGS

The following direction is issued pursuant to Priorities Regulation 25:

All third and subsequent quarter allotments identified by the CMP allotment symbol Z-1, and all preference ratings of AA-5 assigned to third and subsequent quarter production schedules authorized under Priorities Regulation 25, are cancelled.

Persons who have placed rated orders and made allotments are required to cancel the ratings and the allotments on orders for delivery after July 1, 1945.

Suppliers must disregard ratings and allotments identified by the CMP allotment symbol Z-1 on orders calling for delivery after July 1, 1945.

Issued this 28th day of June 1945.

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

[F. R. Doc. 45-11480; Filed, June 28, 1945;
11:23 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-704, Revocation]

RADER AND GARVER

Suspension Order No. S-704 was issued January 31, 1945 against Ralph Rader and Leonard R. Garver of Walla Walla, Washington for beginning construction of a bulk pea storage elevator at 12th and Reese, Walla Walla, Washington, without authorization from the War Production Board. In view of changed conditions, the project has now been determined to

be essential. For this reason the Chief Compliance Commissioner has directed that the suspension order be revoked. In view of the foregoing, it is hereby ordered, that: § 1010.704 *Suspension Order No. S-704* be revoked.

Issued this 27th day of June 1945.

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

[F. R. Doc. 45-11373; Filed, June 27, 1945;
11:15 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-720, Amdt. 1]

LEO GLASS AND CO.

Leo Glass and Beatrice Glass, his wife, under the registered trade name of Leo Glass and Company, are in the business of the manufacture of costume jewelry. Suspension Order No. S-720 was issued against them February 14, 1945, effective February 21, 1945 and was modified March 3, 1945 to permit them to do toll work. In view of the revocation of Conservation Order M-199 the Chief Compliance Commissioner has directed that Suspension Order No. S-720 be amended by striking out paragraph (b) thereof.

In view of the foregoing, *It is hereby ordered.* That: Suspension Order No. S-720 effective February 21, 1945 as modified March 3, 1945 be amended by striking out paragraph (b) thereof.

Issued this 27th day of June 1945.

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

[F. R. Doc. 45-11452; Filed, June 27, 1945;
4:36 p. m.]

PART 1010—SUSPENSION ORDER

[Suspension Order S-806, Stay of Execution]

ROYAL HEATING CO.

Michael Palmer, doing business as Royal Heating Company, 5328 Chene Street, Detroit, Michigan, is engaged in the sale and installation of new and used heating systems. He has appealed from the provisions of Suspension Order S-806 and has requested a stay pending final determination of the appeal. The Chief Compliance Commissioner has directed that the suspension order be stayed, subject to reinstatement, pending final determination of the appeal or until further order by the Chief Compliance Commissioner or his Deputy. In view of the foregoing,

It is hereby ordered. That: Suspension Order No. S-806, issued June 7, 1945 and effective June 14, 1945 be stayed.

Issued this 27th day of June 1945.

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

[F. R. Doc. 45-11453; Filed, June 27, 1945;
4:36 p. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 2, Inventory Dir. 20, as Amended June 28, 1945]

DELIVERIES OF CONTROLLED MATERIALS TO FILL A PRODUCTION SCHEDULE AUTHORIZED UNDER PRIORITIES REGULATION 25

§ 3175.120 *Inventory Direction 20 to CMP Regulation 2.* Pursuant to paragraph (b) (2) of CMP Regulation 2, it is hereby ordered, that:

Notwithstanding the provisions of CMP Regulation 2 a user of controlled material who has been given an authorized production schedule under Priorities Regulation 25 may accept delivery of any item of controlled material which he needs to fill that production schedule providing his inventory is not, or will not by virtue of accepting the delivery become, in excess of his succeeding six months requirements.

This direction permits a person to exceed the inventory limits stated in CMP Regulation 2 only to the extent that the excesses are obtained from idle and excess stocks pursuant to Priorities Regulation 13 or through the use of deferred allotments granted under Priorities Regulation 25.

Direction 5 to Priorities Regulation 1 states similar rules for non-controlled materials.

This direction expires June 30, 1945 unless sooner revoked or modified.

Issued this 28th day of June 1945.

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

[F. R. Doc. 45-11481; Filed, June 28, 1945; 11:24 a. m.]

PART 3289—RADIO AND RADAR DIVISION

[General Limitation Order L-265, as Amended June 28, 1945]

ELECTRONIC EQUIPMENT

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

§ 3289.31 *General Limitation Order L-265—(a) Definitions.* For the purpose of this order:

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

(2) "Manufacture" means produce, fabricate or assemble electronic equipment, or perform any act or operation upon electronic equipment so as to modify or convert it from one to another type, use or mode of operation, but shall not include acts incidental to the maintenance or repair of electronic equipment.

(3) "Electronic equipment" means any electrical apparatus or device involving the use of vacuum or gaseous tubes and any associated or supplementary device, apparatus or component part therefor, and shall include any acoustic phonograph other than those operated with spring motors. The term shall not include:

(i) Hearing aid devices;
(ii) Wire telephone and telegraph equipment;

(iii) Electric batteries;
(iv) Power and light equipment;
(v) Medical, therapeutic, x-ray and fluoroscopic equipment other than replacement electron tubes therefor;

(vi) Phonograph records, needles, blank recording discs and cutting styli.

(vii) Automotive maintenance equipment as defined in Limitation Order L-270;

(viii) Incandescent, fluorescent and other electric discharge lamps, as defined in Limitation Order L-28; and rectifier tubes, as defined in Limitation Order L-264.

(ix) Industrial type instruments and associated circuit devices, for measuring or controlling temperature, pressure, flow, liquid level, relative humidity, specific gravity, acidity, alkalinity, speed, power load, or frequency of electric power generating stations.

(x) Cabinets.

(xi) Antennae.

(4) "Preferred order" means any order for delivery to or for the account of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Veterans' Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, Defense Supplies Corporation, Metals Reserve Company, any foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), or any order bearing a preference rating of AA-4 or higher.

(5) "Transfer" means sell, lease, trade, give, deliver, or physically transfer in any way so as thereby to make available for the use of a person other than the transferor, but shall not include the transfer of electronic equipment by one person to another person for repair or storage thereof nor the return of such equipment to the owner thereof (or his agent).

(6) "Producer" means any person to the extent engaged in the manufacture of electronic equipment for transfer or for commercial use.

(7) "Supplier" means any person to the extent that his business consists in whole or in part of the sale, distribution or transfer from stock or inventory of electronic equipment, and includes wholesalers, distributors, jobbers, dealers, retailers, servicemen, branch warehouses or other distribution outlets controlled by producers and other persons performing a similar function.

(8) "Consumer" means any person who owns, operates or purchases electronic equipment for his own use.

(b) *Restrictions.* (1) No producer shall manufacture any electronic equipment except:

(i) To fill preferred orders, or

(ii) To fulfill, under the Controlled Materials Plan, any authorized production schedule, as defined in CMP Regulation 1;

(iii) To the extent specifically authorized under Priorities Regulation 25.

(2) No producer or supplier (other than Defense Supplies Corporation) shall transfer any electronic equipment to any consumer, nor shall any consumer accept the transfer of any electronic equipment from any producer or supplier (other than Defense Supplies Corporation) except:

(i) To fill preferred orders, or

(ii) To fill orders bearing a preference rating of AA-5 or higher, or

(iii) To fill an order for any component part of electronic equipment provided the consumer delivers to the producer or supplier concurrently with the transfer a used, defective or exhausted part of similar kind and size which cannot be repaired or reconditioned; or, when circumstances render the delivery of a part for a part impractical, provided the consumer's purchase order (or written confirmation thereof) is accompanied by a certificate in substantially the following form signed by the consumer:

CONSUMER'S REPAIR CERTIFICATE

I hereby certify that the part(s) specified on this order are essential for presently needed repair of electronic equipment which I own or operate.

Signature and Date

(iv) To fill an order for any component part of electronic equipment from a consumer, *Provided*, That the consumer's purchase order (or written confirmation thereof) is accompanied by a certificate in substantially the following form signed by the consumer:

CONSUMER'S PR-25 CERTIFICATE

I hereby certify that I have been authorized to produce electronic equipment under PR-25 and that the parts specified on this order are required to fill my authorized production schedules.

Signature and date

(3) No producer or supplier shall transfer any electronic equipment to any supplier, nor shall any supplier accept the transfer of any electronic equipment from any producer or supplier, except:

(i) To fill preferred orders, or

(ii) To fill orders bearing a preference rating of AA-5 or higher or

(iii) To fill an order for component parts of electronic equipment required by the receiving supplier for the repair of electronic equipment then in his possession, or to replace in the inventory of the receiving supplier parts similar in kind and equal in number which have been delivered on or after the 24th day of April 1943 by the receiving supplier to consumers against defective or exhausted parts or consumer's repair or PR 25 certificates, or to other suppliers against supplier's certificates, as specified in this order; provided the purchase order is accompanied by a certificate in substantially the following form signed by the receiving supplier:

SUPPLIER'S CERTIFICATE

I hereby certify that I am entitled to purchase the items specified on the accompanying purchase order under the provisions of Limitation Order L-265, with the terms of which I am familiar.

Signature and Date

The producer or supplier to whom the above certificate is furnished shall be entitled to rely thereon as evidence that the purchase order is within the provisions of this paragraph (b) (3) (iii), unless he has knowledge or reason to believe that it is false.

(4) No producer or supplier shall retain in his inventory, possession or control, for more than sixty (60) days, any used, defective, exhausted or condemned parts which cannot be reconditioned; but must dispose of them for salvage where practical, or destroy such parts as have no practical salvage value.

(5) After June 30, 1943, no person shall mark radio receiving type tubes with the symbol "MR" except when authorized or directed to do so by the War Production Board. No person shall use radio receiving type tubes which are marked "MR" in the manufacture of electronic equipment to fill any preferred order. No person shall transfer or accept the transfer of such tubes on any preferred order or any other order bearing a preference rating, except rated purchase orders for export. No producer shall transfer for export in any calendar quarter a quantity in excess of fifteen (15%) percent of his production of such tubes during that calendar quarter. Producers of such tubes may transfer them to each other without restriction.

(c) *Exceptions.* (1) The provisions of this order shall not apply:

(i) To the transfer of any finished product of the following kinds which was produced and designed for home use and the manufacture of which was completed on or before the 24th day of April 1943, to wit: radio receiving sets; phonographs and record players; sound motion picture projectors.

(ii) To transfers of electronic equipment which transfers are made on or before the 23d day of June 1943 pursuant to purchase orders placed prior to the 24th day of April 1943.

(iii) To the lease of electronic equipment to any person by any person: *Provided*, That the lessor was actually engaged in the leasing of such equipment as a normal incident and part of his established business prior to the 24th day of April 1943.

(iv) To the transfer of any finished product of the following kinds, the manufacture of which was completed on or before the 24th day of April 1943: automobile radio receiving sets designed for the reception of standard broadcasts; automatic phonographs as defined in Limitation Order L-21.

(v) To transfers of radio antennae; antenna couplers; power supplies and battery cables for battery type home radio receivers; automobile radio control assemblies, loudspeakers and cables; electric fence exciters; or musical instruments (other than phonographs and radios) which involve the use of vacuum or

gaseous tubes and the manufacture of which was completed on or before the 24th day of April 1943.

(vi) To gratuitous transfers of electronic equipment to or for the account of War Emergency Radio Service by any person; and to the manufacture or transfer of electronic equipment for the account of War Emergency Radio Service by any individual who is not a commercial producer or supplier of electronic equipment.

(vii) To the transfer of electronic equipment built under an authorized production schedule for use with sound motion pictures.

(2) The War Production Board may from time to time specifically authorize in writing exceptions to the provisions and restrictions of paragraphs (b) (2) and (b) (3) hereof.

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

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

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

(g) *Communications.* All reports to be filed, appeals and other communications, concerning this order, should be addressed to War Production Board, Radio and Radar Division, Washington 25, D. C. Ref: L-265.

Issued this 28th day of June 1945.

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

[F. R. Dec. 45-11487; Filed, June 28, 1945;
11:25 a. m.]

PART 3289—RADIO AND RADAR DIVISION

[General Limitation Order L-265, Interpretation 3, as Amended June 28, 1945]

STATUS OF CERTIFICATE ORDERS

The following amended interpretation is issued with respect to General Limitation Order L-265:

Purchase orders accompanied by either the "Consumer's Repair Certificate", "the Consumer's PR 25 Certificate" or the "Supplier's Certificate" specified in Order L-265 carry no priority by virtue of the certificate. They are unrated orders, and they must not be filled, therefore, to the prejudice of required deliveries on rated orders. The fact that a certificate order was placed earlier than a rated order does not give it any kind of pref-

erence. Shipments on certificate orders cannot be made to any extent that they will prevent or interfere with required shipments on rated orders. Furthermore, certificate orders do not give rise to any preference ratings. Ratings cannot be applied or extended by suppliers simply on the basis of certificate orders on hand.

Issued this 28th day of June 1945.

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

[F. R. Dec. 45-11488; Filed, June 28, 1945;
11:25 a. m.]

PART 3289—RADIO AND RADAR DIVISION

[General Limitation Order L-265, Interpretation 4, as Amended June 28, 1945]

RESTRICTIONS UNDER PARAGRAPH (B) OF ORDER L-265 UNAFFECTED BY PR-27

The following amended interpretation is issued with respect to General Limitation Order L-265:

Several questions have arisen with respect to the effect of Priorities Regulation 27 on the restrictions on the manufacture of electronic equipment contained in Order L-265.

Priorities Regulation 27 provides priorities assistance for manufacturers needing limited amounts of production materials and states the conditions under which the ratings assigned by the regulation may be used. Paragraph (g) (2) of Priorities Regulation 27 specifically points out that persons who operate under that regulation must comply with all applicable WPB orders and regulations which prohibit or restrict (by quotas or otherwise) the manufacture of products, the use of materials, and the purchase and sale of commodities.

Priorities Regulation 27 does not relax in any way the restrictions on the manufacture of electronic equipment under Order L-265. Under paragraph (b) (1) of that order no producer may manufacture any electronic equipment except (i) to fill preferred orders or (ii) to fill an authorized production schedule as defined in CMP Regulation 1 and (iii) production specifically authorized under Priorities Regulation 25. Priorities Regulation 27 does not establish any authorized production schedule for electronic equipment, nor may the AA-4 rating assigned by the regulation be used to purchase complete equipment such as radios or phonographs since these are not production materials.

Paragraph (g) (3) of Priorities Regulation 27 points out that that regulation does not permit a person to purchase material for inventory contrary to the inventory restrictions of Priorities Regulation 1, CMP Regulation 2, or other applicable orders and regulations. Under § 944.14 of Priorities Regulation 1 this means that the priorities assistance granted by Priorities Regulation 27 may not be used to build up an inventory of component parts in anticipation of starting or resuming civilian production. While paragraph (b) (4), § 944.14 of Priorities Regulation 1 does allow the acceptance of a 30-day inventory in anticipation of starting or resuming civilian production, such an inventory is permitted only if it can be obtained without priorities assistance. Under Order L-265 the only electronic components that can be purchased without priorities assistance are those which are supported by a supplier's, a consumer's repair or PR-25 certificate. It should be emphasized that the use of these certificates is limited to the receiving of repair parts or to the receiving of parts which are required to fill production schedules which have already been authorized under PR-25. They

can not be used to obtain inventories for future production not yet authorized.

Issued this 28th day of June 1945.

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

[F. R. Doc. 45-11489; Filed, June 28, 1945;
11:25 a. m.]

PART 3289—RADIO AND RADAR DIVISION
[General Limitation Order L-265,
Direction 1, as Amended June 28, 1945]

PRODUCTION SCHEDULES NOT AFFECTED BY
OPEN-ENDING OF CMP

The following amended direction is issued pursuant to General Limitation Order L-265:

The restriction in paragraph (b) of Order L-265 prohibiting the manufacture of electronic equipment except to fill preferred orders or "an authorized production schedule, as defined in CMP Regulation 1" remains in effect in spite of the provisions of paragraph (o) (4) of CMP Regulation 1. That paragraph removes the restriction formerly contained in CMP Regulation 1 against exceeding CMP authorized production schedules, but does not affect the restriction in Order L-265.

Issued this 28th day of June 1945.

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

[F. R. Doc. 45-11484; Filed, June 28, 1945;
11:24 a. m.]

PART 3292—AUTOMOTIVE VEHICLES, PARTS
AND EQUIPMENT

[General Limitation Order L-2-g, as
Amended June 28, 1945]

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

§ 3292.36 *General Limitation Order L-2-g—(a) Definitions.* As used in this order.

(1) "Automobile" means any self-propelled vehicle designed for the purpose of carrying passengers, or the chassis therefor, with a seating capacity of not more than ten. The term "automobile" includes station wagons, taxicabs, ambulances and hearses.

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

(3) "Producer" means any person who was regularly established in the business of manufacturing automobiles at any time during the period August 1, 1941 to November 30, 1941, or who at any subsequent date has received a written authorization to produce automobiles issued under this order.

(b) *Limitation on production of passenger automobiles.* The War Produc-

tion Board will authorize the production of automobiles on and after July 1, 1945 by written authorizations, specifying the quantities and the period in which production is to be made. No person shall produce any automobiles except as so authorized.

(c) *Basis for authorizations.* (1) The War Production Board will determine the total number of automobiles the production of which can be permitted without interference with the war effort. This total will be divided among the different producers in the same proportion as the production which was authorized for the period August 1 to November 30, 1941, subject to such compensating adjustments as may be necessary to take care of new producers or for other reasons.

(2) Any person who was not established in 1941 as a producer of automobiles but who wishes to engage in that business and to receive a written authorization to produce automobiles, and any person who upon receipt from the War Production Board of a written authorization to produce automobiles believes that he is entitled to produce a larger quantity than authorized, may apply for permission to do so as explained in Priorities Regulation 25.

(d) *No general priorities assistance to be granted.* The War Production Board cannot undertake to assure producers that they will be able to get all the materials needed for the production authorized. It is not the policy of the Board to make allotments of controlled materials or to assign preference ratings to cover the authorized production.

(e) *Restrictions on various materials remain in effect.* A number of materials normally used in the production of automobiles are expected to continue in short supply and various War Production Board orders restricting their delivery or use remain in effect. Consequently, producers of automobiles and of automotive parts will, in many cases, have to find substitutes for such materials.

(f) *Prohibition on spare tires for new automobiles.* No producer shall equip any automobile with more than four new tires, nor shall any producer or any other person sell, ship or deliver any automobile equipped with more than four new tires.

(g) *Production subject to rationing by Office of Price Administration.* The automobiles produced pursuant to this order will be subject to the rationing procedures of Ration Order 2-B, or subsequent ration orders, of the Office of Price Administration.

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

(i) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any depart-

ment or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(j) *Reports.* Producers shall file such reports as may be required from time to time by the War Production Board.

(k) *Communications.* All reports required to be filed under this order, and all communications concerning this order, shall, unless otherwise directed, be addressed to: Automotive Division, War Production Board, Washington 25, D. C., Ref: Order L-2-g.

Issued this 28th day of June 1945.

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

[F. R. Doc. 45-11482; Filed, June 28, 1945;
11:24 a. m.]

Chapter XI—Office of Price Administration

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Control Order 1, Amdt. 11]

LIVESTOCK SLAUGHTER AND MEAT DISTRIBUTION

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

Control Order 1 is amended in the following respects:

1. Section 23 (a) (1) is amended to read as follows:

(1) "Meat" has the meaning given to that term in Revised Ration Order 16 except that:

(i) All edible rendered fats extracted from cattle, calves, sheep, lambs or swine are excluded; and

(ii) The items listed in section 30.1 (a) (2) of Revised Ration Order 16 are included except pork skins (gelatine) and pork skins (No. 1).

2. Section 23 (a) (3) is added to read as follows:

(3) The District of Columbia and any city no part of which is included within one or more counties shall each be deemed to be a county.

3. Section 23 (g) (1) is amended by substituting for the sixth sentence the following: "Where such authorization is granted, the trading areas specified in the authorization shall be substituted for the counties, as the basis for the delivery calculations under paragraphs (c), (d), and (e) and for the reports required under paragraph (k)."

This amendment shall become effective June 27, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11451; Filed, June 27, 1945;
4:21 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[2d Rev. RO 3, Amdt. 25]

SUGAR

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

Section 3.27 (a) is amended by deleting the phrase "between March 16, 1945 and June 15, 1945" between the words "is registered shall" and the words "for each such user" and by substituting in place thereof the phrase "beginning March 16, 1945".

This amendment shall become effective June 27, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11448; Filed, June 27, 1945;
4:20 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13, Amdt. 83]

PROCESSED FOODS

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

Section 6.14 (a) is amended by deleting the phrase "between March 16, 1945 and June 15, 1945" between the words "is registered shall" and the words "for each such user" and by substituting in place thereof the phrase "beginning March 16, 1945".

This amendment shall become effective June 27, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11449; Filed, June 27, 1945;
4:21 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16, Amdt. 55]

MEAT, FATS, FISH AND CHEESES

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

Section 7.18 (a) is amended by deleting the phrase "between March 16, 1945 and June 15, 1945" between the words "is registered shall" and the words "for each such user" and by substituting in place

¹ 9 F.R. 1433, 1534, 2233, 2826, 2828, 3031, 3513, 3579, 3847, 3944, 4099, 4350, 4474, 4880, 5220, 5254, 5220, 5166, 5426, 5346.

² 9 F.R. 3, 104, 574, 695, 765, 848, 1997, 1727, 1817, 1908, 2233, 2234, 2240, 2440, 2567, 2791, 3032, 3513, 3579, 3708, 3710, 3944, 3947, 4026, 4351, 4475, 4604, 4818, 4876, 5074, 5436, 5695, 5829, 6234, 6235, 6647, 6951, 7080, 7081, 7202, 7257, 7345, 7437, 7773, 8793, 9169, 9954, 10087, 10636, 11113.

³ 10 F.R. 2521, 2875, 3223, 3556, 3549.

thereof the phrase "beginning March 16, 1945".

This amendment shall become effective June 27, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11450; Filed, June 27, 1945;
4:21 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 1, Amdt. 23 to Supp. 7]

PACKED FRUITS, BERRIES AND VEGETABLES OF THE 1944 AND LATER PACKS

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

Supplement 7 to Food Products Regulation No. 1 is amended in the following respects:

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

(b) *What sales are covered by this supplement.* This supplement applies to sales by all persons except wholesalers and retailers. However, the following sales and deliveries are not subject to the maximum prices or other requirements of this or any other maximum price regulation:

(1) Sales and deliveries of products covered by this supplement by a processor in any calendar year in which his total volume of sales of the products does not exceed 1,500 quarts (or an equivalent amount in other container sizes).

(2) Sales and deliveries by a processor of any vegetable or mixture of vegetables which is processed only by such operations as chopping, shredding or grading and packaged in containers for sale as a salad or salad mix.

2. The "Note" in section 5 (a) (1) (iii) which precedes the example is revoked.

3. Section 10 (b) is amended to read as follows:

(b) Adjustment of dollars-and-cents maximum prices for processors who perform the wholesale or retail function (section 2.3 of FPR 1). This section applies only to maximum prices figured under section 5 (b).

4. Section 10 (f) is amended to read as follows:

(f) Uniform prices where the processor or repacker has more than one factory (section 2.7 of FPR 1). For the purpose of this supplement, however, the last undesignated paragraph is inapplicable.

5. Section 13a (c) (4) is amended to read as follows:

(4) "Median price" means the middle price of a series of prices arranged in order of size or if the series consists of an even number of prices, the simple arithmetic average of the two middle prices.

6. Table 9 in Appendix C to section 15 is amended to read as follows:

¹ 10 F.R. 1750, 2188.

TABLE 9—DIRECT SUBSIDY PAYABLE PER DOZEN CONTAINERS

(All areas, varieties, sieve sizes and grades.)

Amount of subsidy to be subtracted from gross maximum price per dozen containers in making sales to purchasers other than government procurement agencies.

No. 2 and No. 95 vacuum cans..... \$0.20
No. 10 cans..... 1.02

To figure amount of subsidy for other container sizes, multiply the amount named above for No. 2 and No. 95 vacuum cans by the appropriate conversion factor in Table 5.

7. Appendix D to section 15 is amended in the following respects:

a. Table 9 is amended to read as follows:

TABLE 9—DIRECT SUBSIDY PAYABLE PER DOZEN CONTAINERS

(All areas, varieties, sieve sizes and grades)

Amount of subsidy to be subtracted from gross maximum price per dozen containers in making sales to purchasers other than government procurement agencies.

No. 2 and No. 95 vacuum cans..... \$0.11
No. 10 cans..... 0.54

To figure amount of subsidy for other container sizes, multiply the amount named above for No. 2 and No. 95 vacuum cans by the appropriate conversion factor in Table 5.

b. Paragraph (a) of the "Special pricing provisions applicable to packed pole beans in areas other than Area 11, packed bush beans in Area 11, certain styles of pack, and blends of sieve sizes," appearing immediately following Table 9 in Appendix D is amended to read as follows:

(a) In each area other than Areas 10 and 11, the maximum prices for packed pole beans shall be: In No. 2 cans, five cents per dozen, in No. 2½ cans, seven and one-half cents per dozen, and in No. 10 cans twenty-five cents per dozen, higher than the maximum prices for packed bush beans in the same area. In Area 10 the maximum prices for packed pole beans shall be: In No. 2 cans, nine cents per dozen, in No. 2½ cans, thirteen and one-half cents per dozen, and in No. 10 cans, forty-five cents per dozen, higher than the maximum prices for packed bush beans in the same area.

8. Table 8 in Appendix E to section 15 is amended to read as follows:

TABLE 8—DIRECT SUBSIDY PAYABLE PER DOZEN CONTAINERS

(All areas and grades)

Amount of subsidy to be subtracted from gross maximum price per dozen containers in making sales to purchasers other than government procurement agencies.

No. 1 picnic cans	No. 1 tall cans	No. 303 cans	No. 2 and No. 95 vacuum cans	No. 2½ cans	No. 10 cans
\$0.08	\$0.10	\$0.10	\$0.12	\$0.16	\$0.54

9. Table 8 in Appendix F to Section 15 is amended by adding "No. 95 vacuum cans" to the table immediately following No. 2 cans, to read as follows:

8 oz. cans	No. 1 picnic cans	No. 303 cans	No. 2 vacuum cans	No. 2 and No. 95 vacuum cans	No. 10 cans
\$0.05	\$0.06	\$0.07	\$0.06	\$0.08	\$0.42

This amendment shall become effective July 3, 1945.

Issued this 28th day of June 1945.

CHESTER BOWLES,
Administrator.

For the reasons set forth in the accompanying statement of considerations and by virtue of the authority vested in me by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, I find that the issuance of this amendment insofar as it establishes maximum prices for packed pole beans produced in Area 10 at a differential over bush beans produced in the same area of 9¢ per dozen for #2 cans, 13½¢ per dozen for #2½ cans and

45¢ per dozen for #10 cans is necessary to correct a gross inequity.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-11497; Filed, June 28, 1945; 11:40 a. m.]

Section 24 of Revised Maximum Price Regulation 271 is amended in the following respects:

1. An undesignated paragraph is added after the headnote and before Table I to read as follows:

The prices in the following tables are maximum prices, f. o. b. country shipping point, for U. S. No. 1 potatoes, per 100 pounds, graded, sacked and loaded on carrier and for dry onions per 50 pounds, in sacks, loaded on carrier.

2. The title of Table I is amended to read as follows:

TABLE I—EARLY WHITE POTATOES

(These prices apply to potatoes planted after September 1 and harvested between the following November 1 and July 1.)

PART 1351—FOOD AND FOOD PRODUCTS
[RMPR 271, Amdt. 40]

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.

3. Table IV is added, to read as follows:

TABLE IV—WHITE POTATOES EXCEPT EARLY WHITE POTATOES

(These prices apply to all potatoes except those planted after September 1, and harvested between the following November 1 and July 1)

Area and State	Producing area	July	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June and after
North Atlantic:													
Maine	All	\$2.60	\$2.40	\$2.25	\$2.15	\$2.25	\$2.35	\$2.40	\$2.45	\$2.55	\$2.65	\$2.75	\$2.75
New Hampshire	do	2.95	2.85	2.60	2.60	2.70	2.80	2.85	2.90	3.00	3.10	3.20	3.20
Vermont	do	2.95	2.85	2.60	2.60	2.70	2.80	2.85	2.90	3.00	3.10	3.20	3.20
Massachusetts	do	2.95	2.85	2.60	2.60	2.70	2.80	2.85	2.90	3.00	3.10	3.20	3.20
Rhode Island	do	2.95	2.85	2.60	2.60	2.70	2.80	2.85	2.90	3.00	3.10	3.20	3.20
Connecticut	do	2.85	2.75	2.60	2.60	2.70	2.80	2.85	2.90	3.00	3.10	3.20	3.20
New York	Long Island	2.85	2.75	2.60	2.50	2.60	2.70	2.75	2.80	2.90	3.00	3.10	3.10
	Rest of State	2.75	2.65	2.50	2.40	2.50	2.60	2.65	2.70	2.80	2.90	3.00	3.00
New Jersey	All	2.85	2.75	2.60	2.50	2.60	2.70	2.75	2.80	2.90	3.00	3.10	3.10
Pennsylvania	do	2.80	2.70	2.55	2.45	2.55	2.65	2.70	2.75	2.85	2.95	3.05	3.05
East North Central:													
Ohio	All	2.95	2.70	2.55	2.45	2.55	2.65	2.70	2.75	2.85	2.95	3.05	3.05
Indiana	do	2.95	2.70	2.55	2.45	2.55	2.65	2.70	2.75	2.85	2.95	3.05	3.05
Illinois	do	2.95	2.70	2.55	2.45	2.55	2.65	2.70	2.75	2.85	2.95	3.05	3.05
Michigan	do	2.85	2.60	2.45	2.35	2.45	2.55	2.60	2.65	2.75	2.85	2.95	2.95
Wisconsin	do	2.65	2.45	2.30	2.20	2.30	2.40	2.45	2.50	2.60	2.70	2.80	2.80
West North Central:													
Minnesota	Traverse, Grant, Douglas, Todd, Morrison, Mille Lacs, Kanabec, Pine, and all counties north thereof.	2.50	2.30	2.15	2.05	2.15	2.25	2.30	2.35	2.45	2.55	2.65	2.65
	Rest of State	2.65	2.45	2.30	2.20	2.30	2.40	2.45	2.50	2.60	2.70	2.80	2.80
Iowa	All	2.80	2.65	2.45	2.40	2.50	2.60	2.65	2.70	2.80	2.90	3.00	3.00
North Dakota	Bowman, Golden Valley, Billings, Slope, McKenzie, Williams, Divide Counties.	2.65	2.45	2.30	2.25	2.35	2.45	2.50	2.55	2.65	2.75	2.85	2.85
	Rest of State	2.50	2.30	2.15	2.05	2.15	2.25	2.30	2.35	2.45	2.55	2.65	2.65
South Dakota	All	2.60	2.40	2.25	2.15	2.25	2.35	2.40	2.45	2.55	2.65	2.75	2.75
Nebraska	do	2.80	2.60	2.45	2.25	2.35	2.45	2.50	2.55	2.65	2.75	2.85	2.85
Kansas	do	2.50	2.40	2.30	2.20	2.30	2.40	2.45	2.50	2.60	2.70	2.80	2.80
Missouri	do	2.50	2.45	2.30	2.20	2.30	2.40	2.45	2.50	2.60	2.70	2.80	2.80
South Atlantic:													
Delaware	All	2.70	2.70	2.50	2.45	2.55	2.65	2.70	2.75	2.85	2.95	3.05	3.05
Florida	do	2.70	2.70	2.50	2.45	2.55	2.65	2.70	2.75	2.85	2.95	3.05	3.05
Georgia	do	2.70	2.70	2.50	2.45	2.55	2.65	2.70	2.75	2.85	2.95	3.05	3.05
Maryland	do	2.70	2.70	2.50	2.45	2.55	2.65	2.70	2.75	2.85	2.95	3.05	3.05
North Carolina	do	2.70	2.70	2.50	2.45	2.55	2.65	2.70	2.75	2.85	2.95	3.05	3.05
South Carolina	do	2.70	2.70	2.50	2.45	2.55	2.65	2.70	2.75	2.85	2.95	3.05	3.05
Virginia	do	2.70	2.70	2.50	2.45	2.55	2.65	2.70	2.75	2.85	2.95	3.05	3.05
West Virginia	do	2.70	2.70	2.50	2.45	2.55	2.65	2.70	2.75	2.85	2.95	3.05	3.05
South Central:													
Kentucky	All	2.70	2.70	2.50	2.45	2.55	2.65	2.70	2.75	2.85	2.95	3.05	3.05
Tennessee	do	2.70	2.70	2.50	2.45	2.55	2.65	2.70	2.75	2.85	2.95	3.05	3.05
Alabama	do	2.70	2.70	2.50	2.45	2.55	2.65	2.70	2.75	2.85	2.95	3.05	3.05
Mississippi	do	2.70	2.70	2.50	2.45	2.55	2.65	2.70	2.75	2.85	2.95	3.05	3.05
Arkansas	do	2.70	2.70	2.50	2.45	2.55	2.65	2.70	2.75	2.85	2.95	3.05	3.05
Louisiana	do	2.70	2.70	2.50	2.45	2.55	2.65	2.70	2.75	2.85	2.95	3.05	3.05
Oklahoma	do	2.70	2.70	2.50	2.45	2.55	2.65	2.70	2.75	2.85	2.95	3.05	3.05
Texas	do	2.70	2.70	2.50	2.45	2.55	2.65	2.70	2.75	2.85	2.95	3.05	3.05
West:													
Montana	All	2.60	2.40	2.25	2.25	2.35	2.45	2.50	2.55	2.65	2.75	2.85	2.85
Idaho	Idaho, Lewis, Nez Perce, Clearwater, Latah, Benewah, Shoshone, Kootenai, Bonner, and Boundary Counties.	2.70	2.50	2.35	2.25	2.35	2.45	2.50	2.55	2.65	2.75	2.85	2.85
	Rest of State	2.60	2.40	2.25	2.15	2.25	2.35	2.40	2.45	2.55	2.65	2.75	2.75
Wyoming	All	2.60	2.40	2.25	2.25	2.35	2.45	2.50	2.55	2.65	2.75	2.85	2.85
Colorado	LaPlata, Hinsdale, Gunnison, Pitkin, Eagle, Route, and all counties west thereof.	2.55	2.35	2.20	2.10	2.20	2.30	2.35	2.40	2.50	2.60	2.70	2.70
	Rest of State	2.60	2.40	2.25	2.15	2.25	2.35	2.40	2.45	2.55	2.65	2.75	2.75
New Mexico	All	2.70	2.70	2.50	2.45	2.55	2.65	2.70	2.75	2.85	2.95	3.05	3.05
Arizona	do	2.75	2.75	2.55	2.50	2.60	2.70	2.75	2.80	2.90	3.00	3.10	3.10
Utah	do	2.50	2.30	2.15	2.05	2.15	2.25	2.30	2.35	2.45	2.55	2.65	2.65
Nevada	do	2.75	2.55	2.40	2.30	2.40	2.50	2.55	2.60	2.70	2.80	2.90	2.90
Washington	do	2.70	2.60	2.35	2.25	2.35	2.45	2.50	2.55	2.65	2.75	2.85	2.85
Oregon	Malheur County	2.60	2.40	2.25	2.15	2.25	2.35	2.40	2.45	2.55	2.65	2.75	2.75
	Curry, Jackson, Josephine, Klamath, Lake, Harney, Crook, and Deschutes Counties.	2.50	2.55	2.45	2.30	2.40	2.50	2.55	2.60	2.70	2.80	2.90	2.90
	Rest of State	2.70	2.50	2.35	2.25	2.35	2.45	2.50	2.55	2.65	2.75	2.85	2.85
California	Modoc and Siskiyou Counties	2.50	2.55	2.45	2.30	2.40	2.50	2.55	2.60	2.70	2.80	2.90	2.90
	Rest of State	2.50	2.75	2.60	2.50	2.60	2.70	2.75	2.80	2.90	3.00	3.10	3.10

1 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, 3764, 4035, 4154, 4347, 4600, 5457.

This amendment shall become effective 12:01 a. m. July 1, 1945.

Issued this 28th day of June 1945.

CHESTER BOWLES,
Administrator.

Approved: June 20, 1945.

GROVER B. HILL,
First Assistant War Food
Administrator.

[F. R. Doc. 45-11492; Filed, June 28, 1945;
11:40 a. m.]

**PART 1360—MOTOR VEHICLES AND MOTOR
VEHICLE EQUIPMENT**

[RMPR 341, Amdt. 10]

**MAXIMUM PRICES FOR USED COMMERCIAL
MOTOR VEHICLES**

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

Revised Maximum Price Regulation 341 is amended in the following respects:

1. The provision of Amendment 9 relating to section 18 (b) (3) (i) of the regulation is amended by the addition of a new sentence to follow the first sentence, to read as follows: "However, where an application for dealer authorization is denied in the first instance or a dealer authorization is revoked by an authorized Regional Administrator the request for review shall be filed with his regional office."

2. The provision of Amendment 9 relating to section 18 (b) (3) (ii) of the regulation is amended by the addition of a new sentence to follow the first sentence, to read as follows: "However, where the authorized Regional Administrator denied the application for dealer authorization in the first instance or revoked the dealer authorization, the Administrator shall grant or deny the application for dealer authorization or affirm or reverse the order of revocation."

3. The effective date provision of Amendment 9 is amended to read as follows:

This Amendment 9 shall become effective August 1, 1945, except as to the filing and processing of applications and the issuance of orders of authorization and denial it shall become effective June 27, 1945.

This amendment shall become effective this 27th day of June 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11447; Filed, June 27, 1945;
4:20 p. m.]

¹⁸ F. R. 11175, 17038, 17414; ⁹ F. R. 3847, 4396, 7000, 10841.

**PART 1360—MOTOR VEHICLES AND MOTOR
VEHICLE EQUIPMENT**

[MPR 540, Amdt. 8]

**MAXIMUM PRICES FOR USED PASSENGER
AUTOMOBILES**

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 540 is amended in the following respects:

1. Section 5 (b) is amended to read as follows:

(b) For sales on and after July 1, 1945. For any used car sold on and after July 1, 1945, the price a seller may charge is the total of the following applicable charges:

(1) The base price determined in accordance with section 6, reduced by 4% for each half year after July 1, 1945, including the half year containing the date of sale. If the amount is in cents (that is a certain number of dollars and cents) it shall be evened to the nearest dollar; and

(2) The applicable equipment allowance in Appendix D reduced by 4% for each half year after July 1, 1945, including the half year containing the date of sale (This allowance may not be evened to the nearest dollar); and

(3) When the car is sold as warranted used car (as defined in section 7) and the sale is by a dealer to a person not generally engaged in the business of selling used cars, add \$100, or if it is higher add 25% of the total of the allowances permitted in (1) and (2) above. If the warranted maximum price is in cents (that is a certain number of dollars and cents) it shall be evened to the nearest dollar.

This amendment shall become effective July 1, 1945.

Issued this 28th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11494; Filed, June 28, 1945;
11:41 a. m.]

**PART 1360—MOTOR VEHICLES AND MOTOR
VEHICLE EQUIPMENT**

[MPR 540, Amdt. 9]

**MAXIMUM PRICES FOR USED PASSENGER
AUTOMOBILES**

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 540 is amended in the following respects:

1. The provision of Amendment 7 relating to section 15 (b) (3) (i) of the regulation is amended by the addition of a new sentence to follow the first sentence, to read as follows: "However, where an application for dealer authorization is denied in the first instance or a

dealer authorization is revoked by an authorized Regional Administrator the request for review shall be filed with his regional office."

2. The provision of Amendment 7 relating to section 15 (b) (3) (ii) of the regulation is amended by the addition of a new sentence to follow the first sentence, to read as follows: "However, where the authorized Regional Administrator denied the application for dealer authorization in the first instance or revoked the dealer authorization, the Administrator shall grant or deny the application for dealer authorization or affirm or reverse the order of revocation."

3. The effective date provision of Amendment 7 is amended to read as follows:

This amendment 7 shall become effective August 1, 1945, except as to the filing and processing of applications and the issuance of orders of authorization and denial it shall become effective June 27, 1945.

This amendment shall become effective this 27th day of June 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11446; Filed, June 27, 1945;
4:20 p. m.]

**PART 1360—MOTOR VEHICLES AND MOTOR
VEHICLE EQUIPMENT**

[MPR 569, Amdt. 5]

MAXIMUM PRICES FOR USED MOTORCYCLES

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 569 is amended in the following respects:

1. The provision of Amendment 3 relating to section 16 (b) (3) (i) of the regulation is amended by the addition of a new sentence to follow the first sentence, to read as follows: "However, where an application for dealer authorization is denied in the first instance or a dealer authorization is revoked by an authorized Regional Administrator the request for review shall be filed with his regional office."

2. The provision of Amendment 3 relating to section 16 (b) (3) (ii) of the regulation is amended by the addition of a new sentence to follow the first sentence, to read as follows: "However, where the authorized Regional Administrator denied the application for dealer authorization in the first instance or revoked the dealer authorization the Administrator shall grant or deny the application for dealer authorization or affirm or reverse the order of revocation."

3. The effective date provision of Amendment 3 is amended to read as follows:

This Amendment 3 shall become effective August 1, 1945, except as to the filing

¹⁹ F. R. 14994; ¹⁰ F. R. 2658.

¹⁰ F. R. 1393, 1911, 5037, 6954.

and processing of applications and the issuance of orders of authorization and denial it shall become effective June 27, 1945.

This amendment shall become effective this 27th day of June, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11445; Filed, June 27, 1945;
4:20 p. m.]

PART 1377—WOODEN CONTAINERS
[MPR 424, Amdt. 7]

TIGHT COOPERAGE AND TIGHT COOPERAGE STOCK

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 424 is amended in the following respects:

1. Section 5 is amended to read as follows:

Sec 5. *Maximum prices for tight staves and headings*—(a) *Factory or mill sales*. On direct factory sales, that is, sales made by the producing factory, the maximum prices, f. o. b. mill or railhead, for sawed, tight staves and headings are those contained in Tables II to V, inclusive and Table VII of Appendix A. Actual transportation cost may be added for the distance in excess of 25 miles from the mill to the railhead. Except, however; (1) On shipment of sawed tight staves and/or headings of 6,000 lbs. or less from a producing factory, a mark-up of 10% may be added to the maximum prices contained in the schedules. This mark-up does not apply on shipments of bourbon staves or heading.

(2) When staves and headings are sawed in the Southern Area and finished in the Upper Area, the maximum price shall be the Upper Area price, or the Southern Area price plus transit freight, whichever is the lower.

(3) When staves and headings are sawed in the Upper Area and finished in the Southern Area, the maximum price shall be the Upper Area price.

(b) *Warehouse sales*. In warehouse sales, the maximum prices for tight staves and headings (except bourbon staves and headings) shall be the maximum f. o. b. producing factory price plus the warehouseman's average percentage mark-up on the same items in March 1942 plus average inbound freight from the producing factory to the warehouse. On warehouse sales of bourbon staves and headings the maximum prices for staves and headings shall be the maximum f. o. b. producing factory price plus the warehouseman's average percentage mark-up on the same items in March 1942 as applied to the maximum prices in effect under this regulation on December 31, 1944, plus average inbound freight from the producing factory to the warehouse. As used in this regulation a

"warehouse sale" is a sale in which shipment or delivery is made from an established storage or distribution place located and operated independently of the producing mill or factory. No shipment from a stove or heading mill or finishing plant may be considered a "warehouse sale."

Average inbound freight is to be weighted by the quantity in the warehouse at the time of making the computation. The average must be figured at least once each month.

As used in this regulation the term "warehouseman" means one who maintains an established storage or distribution place, located and operated independently of a producing mill or factory and from which shipments of cooperage stock are made.

A warehouseman who had no such mark-up in March 1942 may apply in writing to the Office of Price Administration, Washington 25, D. C., setting forth the nature of his business operations, including such facts as the classes of customers to which he sells, a description of the items to be sold, the requested mark-up and the names and addresses of the applicant's nearest competitors. The Administrator will by order establish a mark-up for the applicant based on the mark-ups used by his competitors.

(c) *Sales by dealers or merchants*. In sales by dealers or merchants of their purchased stock, the maximum prices for tight staves and/or headings of more than 6,000 lbs. shall be the maximum f. o. b. producing factory price contained in the schedule plus a mark-up of 7% of the f. o. b. factory price, except that for bourbon staves and headings the mark-up shall be 5¼% of the f. o. b. factory price.

On shipments of 6,000 lbs. or less a dealer's or merchant's maximum price shall be the maximum f. o. b. producing factory price contained in the schedule plus a mark-up of 7% of the f. o. b. factory price, except for bourbon stock on which the mark-up shall be 5¼% of the f. o. b. factory price. This mark-up, except for bourbon stock, is in addition to the 10% mark-up provided for such sales in section 5 (a) (1).

As used in this regulation the term "dealer or merchant" means one who, although he does not take actual physical possession, buys, takes title to, resells, and assumes credit risks and responsibility for grade and count. No producer may qualify as a dealer or merchant under this regulation of products which he has produced in the rough.

2. In section 6 (a) (1), the first sentence under the heading "Percentage Mark-up on Barrels" is amended to read as follows:

Bourbon barrels. The mark-up shall be \$3.30 for 45/50 gallon bourbon whiskey barrels and \$2.05 for 30 gallon whiskey barrels, regardless of where produced and of the area in which the stock was produced.

3. In section 6, paragraph (a) (2) is amended to read as follows:

(2) Cooperage producers located in states other than those included in the stock-producing areas (Table 1, Appen-

dix A) shall use the maximum prices of staves and headings in the upper area for the purpose of computing cooperage prices, except bourbon, under paragraph (a) (1) of this section.

4. Section 6 (b) is amended to read as follows:

(b) *Warehouse sales*. In warehouse sales, the maximum prices for tight cooperage covered by this regulation shall be the maximum f. o. b. producing factory price plus the warehouseman's average percentage mark-up in March 1942 plus average inbound freight actually paid or incurred by the warehouseman (computed in accordance with section 5 (b)), except that the mark-ups on bourbon barrels may not exceed, dollar-wise, the highest mark-up added by the seller on sales of similar barrels during 1944. A warehouse sale is defined in section 5 (b).

5. Section 6 (c) is amended to read as follows:

(c) *Sales by dealers or merchants*. In sales by dealers or merchants the maximum prices for sawed tight cooperage covered by this regulation shall be the maximum f. o. b. producing factory price plus the seller's average percentage mark-up on such sales in March 1942, except that the mark-up on bourbon barrels may not exceed, dollar-wise, the highest mark-up added by the seller on sales of similar barrels during 1944. Sales by dealers or merchants are defined in section 5 (c).

6. In section 18, Table II, the prices for bourbon (green) staves, per M, are amended as follows:

Southern producing area		Upper producing area	
Over 30" through 36"	26" through 30"	Over 30" through 36"	26" through 30"
¾"	¾" to ¾"	¾"	¾" to ¾"
\$280	\$169	\$290	\$177

7. In section 18, Table III, the prices for finished sets of bourbon staves are amended as follows:

Southern producing area		Upper producing area	
34" through 36"	30"	34" through 36"	30"
79½" through 81"	68"	79½" through 81"	68"
\$6.22	\$3.72	\$6.40	\$3.85

8. In section 18, Table IV, the prices for sets of bourbon (green) headings are amended as follows:

Southern producing area		Upper producing area	
19" through 21"	16" to 19"	19" through 21"	16" to 19"
¾"	¾"	¾"	¾"
\$1.37	\$0.84	\$1.43	\$0.89

18 F.R. 9516, 11175; 9 F.R. 3351, 9835; 10 F.R. 621.

9. In section 18, a new table, Table VII, is added to read as follows:

TABLE VII—CIRCLE SAWN WHITE OAK BOURBON GRADE EXPORT STAVES AIR DRIED AND LISTED¹ (Per M Staves, f. o. b. mill or railhead)

Dimension in the rough as sawn (inches)	Maximum prices	
	Southern area	Upper area
38 x 1 1/2 x 4 1/2 average width	\$290	\$301
38 x 1 1/2 x 4 1/2 average width	325	336
38 x 1 3/4 x 4 1/2 average width	359	372
38 x 1 3/4 x 4 1/2 average width	393	408
38 x 1 3/4 x 4 1/2 average width	428	443
37 x 1 1/2 x 4 1/2 average width	283	293
37 x 1 1/2 x 4 1/2 average width	317	329
37 x 1 3/4 x 4 1/2 average width	351	364
37 x 1 3/4 x 4 1/2 average width	386	400
37 x 1 3/4 x 4 1/2 average width	420	435
35 x 1 1/2 x 4 1/2 average width	267	277
35 x 1 1/2 x 4 1/2 average width	302	313
35 x 1 3/4 x 4 1/2 average width	336	348
35 x 1 3/4 x 4 1/2 average width	370	384
35 x 1 3/4 x 4 1/2 average width	405	420
28 x 1 1/2 x 4 1/2 average width	149	156
28 x 1 1/2 x 4 1/2 average width	169	177
28 x 1 3/4 x 4 1/2 average width	189	198
28 x 1 3/4 x 4 1/2 average width	209	219
28 x 1 3/4 x 4 1/2 average width	229	240
28 x 1 1/2 x 4 average width	134	141
28 x 1 1/2 x 4 average width	152	160
28 x 1 3/4 x 4 average width	170	178
28 x 1 3/4 x 4 average width	188	197
28 x 1 3/4 x 4 average width	206	216

¹ The maximum prices for these specifications are the base prices for the determination of export prices under the Second Revised Maximum Export Price Regulation. These prices supersede any other prices for these items previously approved or authorized under this regulation.

Rules and regulations as laid down in the "Grade Rules and Specifications covering Tight Barrel Staves and Heading of the Associated Cooperage Industries of America, Inc." as revised May 13, 1942, are to govern.

This amendment shall become effective July 3, 1945.

Issued this 28th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11493; Filed, June 28, 1945; 11:41 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 11, Amdt. 60]

FUEL OIL

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

Revised Ration Order 11 is amended in the following respects:

1. Section 1394.5159 (a) (11) is amended to read as follows:

(11) Production of paving products or dust palliatives. For the production of a product for paving purposes or a dust palliative.

2. Section 1394.5159 (a) (12) is amended to read as follows:

(12) Surfacing or maintaining roads or laying dust on roads. For surfacing or maintaining roads or laying dust on roads.

¹ 9 F.R. 2357.

3. Section 1394.5159 (b) is amended by substituting for the phrase "(a) (2), (4) and (11)" the phrase "(a) (2) and (4)".

This amendment shall become effective on July 2, 1945.

Issued this 28th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11496; Filed, June 28, 1945; 11:40 a. m.]

PART 1499—COMMODITIES AND SERVICES [SR 14D, Amdt. 3]

MODIFICATIONS OF MAXIMUM PRICES ESTABLISHED BY THE GENERAL MAXIMUM PRICE REGULATION FOR CERTAIN TOBACCO 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 of Supplementary Regulation 14D is amended in the following respects:

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

(b) *Manufacturers' maximum prices for twist tobacco.* (1) A manufacturer may sell, and any person may buy from that manufacturer, twist tobacco of a minimum weight provided for in paragraph (a) for a maximum list price equal to that established by the manufacturer under the General Maximum Price Regulation for the same twist tobacco prior to adjustment of its weight, and for a maximum net selling price determined pursuant to this paragraph (b).

(2) A manufacturer's maximum net selling price for any particular brand of twist tobacco shall be his maximum list price therefor, less, at his election, either

(i) His March 1942 customary discounts and allowances on sales of that brand to the particular class of purchasers in question, or

(ii) The following minimum discounts and allowances:

Amount of purchase	Trade discount	Additional discount for payment within 10 days
Less than 30 lbs.	10	2
30 lbs. but less than 60 lbs.	10 and 3	2
60 lbs. or over	10 and 5	2

Trade discounts may be given wholly or partly in the form of free goods valued in the manner customarily used for that purpose by the particular manufacturer during March 1942.

(3) Any manufacturer of an item of twist tobacco may increase his maximum net selling price for such tobacco by the amounts set forth in the following table:

¹ 10 FR. 1180, 5103.

TABLE A

Amount that may be added to maximum net selling price (cents per twist)

Number of twists per pound:	
More than 12 twists per pound	1/2
More than 8 but not more than 12 twists per pound	1
More than 6 but not more than 8 twists per pound	1 1/2
More than 4.8 but not more than 6 twists per pound	2
More than 3 but not more than 4 twists per pound	3
Number of twists per pound—Con.	
More than 2.4 but not more than 3 twists per pound	4
More than 2 but not more than 2.4 twists per pound	5
Twists weighing more than 1/2 pound each.—Exact weight of the twist in pounds multiplied by 12 cents per pound. If the result contains a fractional part of a cent, such amount shall be reduced to the nearest full cent.	
Example: Twist weighing .8 pound, multiplied by 12 cents, equals 9.6¢. Amount that may be added is 9¢ per twist.	

(4) Except as expressly permitted in this subdivision, no manufacturer shall so alter his March 1942 customary terms of sale to any class of purchasers as to make them more burdensome to a purchaser.

2. Paragraph (c) is amended to read as follows:

(c) *Manufacturers' notice to purchasers.* (1) Before or at his first delivery of any twist tobacco of a weight other than its March 1942 weight, or at a maximum net selling price different from its March 1942 net selling price, to any purchaser, every manufacturer shall give the purchaser a completed notice in writing as follows:

The Office of Price Administration has authorized us to reduce the size of (insert brand name) twist tobacco from — ounces to — ounces per twist. The Office of Price Administration has authorized us to establish the following minimum discounts on our sales of (insert brand name) twist tobacco:

Amount of purchase	Trade discount	Additional discount for payment within 10 days
Less than 30 lbs.	10	2
30 lbs. but less than 60 lbs.	10 and 3	2
60 lbs. or over	10 and 5	2

The permission given us does not allow you to increase your ceiling prices for this brand and no change in your ceiling prices or discounts can be made because of it. The Office of Price Administration requires you to keep this notice for examination.

NOTE: The first or second sentence of the notice may be omitted if not applicable in a particular case.

(2) Every manufacturer of an item of twist chewing tobacco, the maximum net selling price of which has been adjusted pursuant to paragraph (b) (3) above, shall supply each purchaser of the item from him with the following written

notice attached to or stated on the invoice covering the first delivery to the purchaser after July 2, 1945:

On our _____ (describe item by brand and weight) of twist chewing tobacco, we are authorized by the Office of Price Administration to increase our maximum net selling price by _____ cents per twist. Customary discounts and allowances in effect in March 1942 on your purchases of twist chewing tobacco will not be lowered.¹ The Office of Price Administration requires that you keep this notice for examination.

3. Paragraph (d) is amended to read as follows:

(d) *Wholesalers' and jobbers' maximum prices; notice to purchasers.* (1) After receipt of notice from his supplier, any wholesaler or jobber may sell, and any person may buy from that wholesaler or jobber, twist tobacco of a minimum weight provided in paragraph (a) at a maximum price not greater than that established by the particular wholesaler or jobber under the General Maximum Price Regulation for his sales of the same twist tobacco to a purchaser of the same class, prior to adjustment of its weight. Upon receipt of notification pursuant to paragraph (c) (2), above, of an adjustment of his supplier's maximum net selling price for an item of twist chewing tobacco, a wholesaler may adjust his maximum price by the amount of the increase in the price of his supplier. Such adjustment shall be applicable to floor stocks. Where any manufacturer has not adjusted his maximum net selling price pursuant to paragraph (b) (3) above, with respect to any item of twist chewing tobacco, the wholesaler shall not adjust his maximum price with respect to that item. No wholesaler or jobber shall so alter his March 1942 customary terms of sale to any class of purchasers as to make them more burdensome to a purchaser.

(2) Each wholesaler or jobber shall mark on the invoice or sales slip given to any purchaser, covering his first sale to that purchaser of a brand of twist tobacco of a weight adjusted pursuant to (a) the following:

Weight of brands of twist tobacco included in this purchase has been reduced by the manufacturer with the Office of Price Administration authorization. Wholesalers, jobbers and retailers are authorized to sell the reduced weight without changing their ceiling prices for those brands.

(3) Before or at his first delivery of any item of twist tobacco for which his supplier has adjusted the maximum net selling price pursuant to paragraph (b) (3), above, the wholesaler or jobber shall supply each purchaser of the item from him with the following written notice:

The Office of Price Administration has authorized a price increase of _____ cents per twist on the (describe item by brand and weight) of twist chewing tobacco. You may

¹ This sentence may be omitted if notice of allowed change of discounts under subparagraph (2) (1) is being given at the same time as this notice or has been given at some prior time.

add the amount of the increase per twist to your March 1942 price for this item, to find your new maximum price. Retailers must maintain their customary price differentials allowed by them during March 1942 below the manufacturer's stated retail price. The Office of Price Administration requires that you keep this notice for examination.

4. Paragraph (e) is amended to read as follows:

(e) *Retailers' maximum prices.* (1) After receipt of notice from his supplier, any retailer may sell, and any person may buy from that retailer, twist tobacco of a minimum weight provided in subparagraph (2) for a maximum price not greater than that established by the particular retailer under the General Maximum Price Regulation for his sales of the same twist tobacco to a purchaser of the same class, prior to adjustment of its weight.

(2) Upon receipt of notification pursuant to paragraph (d) (3), above, from the wholesaler or jobber of an adjustment of the manufacturer's maximum net selling price for an item of twist chewing tobacco, pursuant to paragraph (b) (3), a retailer may adjust his maximum price by adding the amount of the increase per twist to his March, 1942 price established under the General Maximum Price Regulation, in accordance with such notification. Such adjustment shall be applicable to floor stocks. Where the addition of the allowed price increase results in a price containing a fraction of a cent the retailer shall give the purchaser the option of buying the number of twists for which the retailer's new maximum price times such number results in a price for the multiple unit of a round number of cents. If the purchaser offers to buy the number of twists for which the price results in round cents, but the retailer refuses to sell the purchaser that number, the retailer's maximum price shall be rounded off to the next lowest full cent.

5. Paragraphs (f) and (g) are redesignated (g) and (h) respectively, and a new paragraph (f) is added to read as follows:

(f) *State and local taxes.* Maximum prices established under (b), above, are exclusive of State and local taxes upon tobacco products. Sellers may add to those prices the amount of such taxes applicable to the item being priced and paid or payable by them to the taxing authority or to a prior vendor.

This amendment shall become effective July 3, 1945.

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

Issued this 28th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11495; Filed, June 28, 1945; 11:41 a. m.]

Chapter XXIII—Surplus Property Board

[SPB Reg. 3,¹ Order 2]

PART 8303—DISPOSITIONS OF SURPLUS PROPERTY IN RURAL AREAS AND TO FARMERS

ALLOCATION OF TRUCKS FOR DISPOSAL TO FARMERS AND FARMERS' COOPERATIVES IN CERTAIN COUNTIES IN THE STATES OF WASHINGTON, IDAHO, MONTANA, AND OREGON

Acting pursuant to § 8303.4 and in reliance upon the certificate of the War Food Administrator to the Board that farm production is impaired or threatened to be impaired in the State of Washington, in the Counties of Spokane, Whitman, Asotin, Garfield, Columbia and Walla Walla; in the State of Idaho, in the Counties of Bonner, Kootenai, Benewah, Latah, and Nez Perce; in the State of Montana, in the Counties of Teton, Hill, Choteau, Fergus, Dawson, McCone, Valley, Roosevelt and Sheridan; in the State of Oregon, in the Counties of Jefferson, Wasco, Sherman, Gilliam, Morrow, and Umatilla, by a shortage of one-half ton, three-fourths ton, one ton, one and one-half ton and two ton cargo stake, dump, express, pickup, weapon carrier and chassis trucks: *It is hereby ordered, That:*

The Department of Commerce, as disposal agency, shall allocate for disposal to farmers and farmers' cooperative associations located in the State of Washington, in the counties of Spokane, Whitman, Asotin, Garfield, Columbia and Walla Walla; in the State of Idaho, in the counties of Bonner, Kootenai, Benewah, Latah, and Nez Perce; in the State of Montana, in the counties of Teton, Hill, Choteau, Fergus, Dawson, McCone, Valley, Roosevelt and Sheridan; in the State of Oregon, in the counties of Jefferson, Wasco, Sherman, Gilliam, Morrow, and Umatilla; and holding certificates of the Agricultural Adjustment Agency, 172 one-half ton, three-fourths ton, one ton, one and one-half ton and two ton cargo, stake, dump, express, pickup, weapon carrier, and chassis trucks, and shall without regard to the requirements of Part 8302,² take immediate steps to so dispose of such property by the method provided in § 8303.4 (c).

This order shall become effective immediately.

SURPLUS PROPERTY BOARD,
By A. E. HOWSE,
Administrator.

June 26, 1945.

[F. R. Doc. 45-11472; Filed, June 28, 1945; 11:29 a. m.]

¹ 10 F.R. 5325.

² SPB Reg. 2, 10 F.R. 5104.

TITLE 46—SHIPPING

Chapter III—War Shipping Administration

[G. O. 48, Supp. 1]

PART 303—CONTRACTS FOR CARRIAGE ON VESSELS OWNED OR CHARTERED BY THE WAR SHIPPING ADMINISTRATION
PRELIMINARY CONTRACTS

General Order 48 and Warshipdocketreceipt 5/15/45 authorized by that General Order are hereby amended, modified and superseded insofar as West Coast United States ports are concerned only. The procedure in connection with the receipt and handling of cargo intended for shipment on vessels owned or operated by or for the account of the War Shipping Administration at United States West Coast ports shall be as prescribed in this supplement.

1. Section 303.40 Uniform dock receipt, "Warshipdocketreceipt 5/15/45." (a) is amended by inserting, after the words "on and after May 15, 1945 all agents," a comma and the following: "Except at West Coast United States ports."

2. The following new sections are added:

§ 303.41 Uniform dock receipt for West Coast United States ports only, "Warshipdocketreceipt-Pac 7/15/45." (a) On and after July 15, 1945 the uniform dock receipt for use at West Coast United States ports only shall be Warshipdocketreceipt-Pac 7/15/45.

(b) The said dock receipt shall be used when and in the manner prescribed in § 303.42.

(c) Different or additional contractual and formal provisions for insertion in Warshipdocketreceipt-pac may be authorized by the Director of Traffic, War Shipping Administration, Washington, D. C.

(d) Agents and others may print Warshipdocketreceipt-pac in whatever form, style and type they deem best suited to their purposes except that all contractual provisions must either precede the signature or be specifically incorporated in the matter preceding the signature. Non-contractual matters such as instructions to shippers may be printed after the signature, on the reverse side of the document or in the margin, and may be modified or changed, omitted in whole or in part, and different or additional instructions not inconsistent with the contractual terms of the dock receipt may be inserted. In cases of doubt, approval of the District Counsel, War Shipping Administration, San Francisco, should be obtained.

(e) The general form of Warshipdocketreceipt-Pac 7/15/45 shall be as follows:

DOCK RECEIPT—NOT NEGOTIABLE

Warshipdocketreceipt-Pac Receipt No.-----
7/15/45

(Insert name of terminal operator or issuer)
Pier -----, 194-----
(Insert port of loading and date)

M. S.

Ship S. S.-----
Port of discharge from ship-----
Destination of goods-----
(If goods to be transhipped
at port of discharge)

Received from -----
for account of ----- (the shipper)
for shipment on the vessel named herein (or other or substitute vessel or vessels) the goods or packages said to contain goods in apparent good order and condition subject to all the terms, conditions and exceptions contained herein and in WARSHIPLADING-7/1/42 (as amended) which are incorporated herein and shall be considered a part hereof with the same force and effect as if herein set forth at length. The goods are received subject to delay or carrier's inability to carry due to accumulation of goods, lack of conveyances, space or facilities of any sort, labor disturbances, strikes, lockouts, riots, war, governmental authority or any other condition or circumstances whatsoever beyond the control of the carrier. Any valuation in excess of \$500 per package or customary shipping unit as provided for in the aforementioned bill of lading shall be declared in writing by the shipper upon delivery to the carrier and inserted herein as well as in the bill of lading and extra freight paid if required. Nothing in this Dock Receipt shall operate to limit or deprive the carrier of any statutory protection or exemption from or limitation of liability.

1. The carrier shall not become responsible for the goods as carried until the goods are actually loaded on the vessel, and until such loading it shall be liable only for loss or damage occasioned by its fault, such as an ordinary bailee is liable for, and such goods while on dock and awaiting shipment are at the risk of the shipper or owner of the goods for loss or damage by flood and all other risks and causes mentioned in paragraphs (a) to (p) inclusive of subdivision 2 of Section 4 of the Carriage of Goods by Sea Act of the United States, or any other cause whatsoever; but subject also to the terms, conditions, exceptions, and limitations of liability and value contained in the aforementioned bill of lading not inconsistent with the terms of this Dock Receipt. It is agreed that the shippers have acquainted themselves with the terms and provisions of the aforementioned bill of lading and by acceptance of this Receipt have assented to those terms and conditions.

2. The word "carrier" as used herein shall be deemed to mean and shall include to the extent of any right, duty or liability to which it or they may be entitled or subject hereunder, the vessel, her owner, master and charterer, the undersigned, and the War Shipping Administration acting in any capacity or any of its or their agents in any capacity. The undersigned has issued this Dock Receipt on its own behalf and as agent for the carrier as defined herein.

(Name of terminal operator or issuer)

PARTICULARS FURNISHED BY SHIPPER OF GOODS

Leading marks and numbers	Number of packages	Kind of packages	Description of goods

Total measurement...cu. ft. Total gross weight...lbs.
Shippers are requested to fill measurement and weight detail on reverse side.

INSTRUCTIONS TO SHIPPERS

1. Shipping Marks, Numbers and Port of Destination must be clearly and durably marked by the shipper on each package, in letters and numbers not less than two inches high together with the name of the port of discharge.

2. A separate Dock Receipt must be obtained for each shipment.

3. Bills of Lading and Export Declaration must unless otherwise agreed be presented to freight office not later than two days before sailing.

4. The weight of each piece or package in excess of 4,000 lbs. must be declared by the shipper on shipment and clearly and durably marked on the outside of each such piece or package.

5. Attention of shippers is called to the fact that serious penalties are specified by law for delivery to a carrier of packages containing explosives and other dangerous articles without disclosure of the nature of the contents and that all such goods must be packed and marked in accordance with laws and regulations pertaining thereto. (May be printed in margin if desirable.)

§ 303.42 Procedure relating to dock receipts for West Coast United States ports only.—(a) Independent terminal operators; dock receipt. Where cargo prior to loading on a vessel operated by or for the account of the War Shipping Administration is received and held on a dock, pier, wharf, terminal or other place not owned or leased by a War Shipping Administration agent or operated under Warshiptermop-GA-CAL, the terminal operator may issue its own form of dock receipt or other contract and may issue such document as its own contract and in its own name. Berth Agents of the vessel upon which such cargo is intended to be loaded or carried shall require such dock receipt or contract to contain the following notation, which may be inserted by means of a stamp provided by the Berth Agent.

The within goods are received and held subject to the terms and conditions contained or incorporated in Warshipdocketreceipt-Pac insofar as the rights and obligations of the carrier, vessel, her owner, master and charterer and the War Shipping Administration are concerned.

(b) Independent terminal operators; draymen's tags, and similar documents. Where terminal operators described in paragraph (a) of this section, issue or sign drayman's tags, lighter receipts or similar documents upon the receipt of cargo to be loaded and transported on vessels operated by or for the account of the War Shipping Administration or where such terminal operators sign or receipt railroad delivery records or orders for cargo delivered by rail, Berth Agents of the vessel shall require that the draymen's tags, lighter receipts, delivery record or receipts or similar documents contain the provision prescribed in paragraph (a).

(c) Contract terminal operators; dock receipt. Where cargo prior to loading on a vessel operated by or for the account of the War Shipping Administration is received and held at a dock, pier, wharf, terminal or other place owned or leased by a War Shipping Administration agent or operated under Warshiptermop-Ga-Cal the said terminal operator shall issue or cause to be issued Warshipdocketreceipt-Pac in the form prescribed in § 303.41.

(d) Coastal terminal operators; drayman's tags and similar documents. Where the terminal operators described in paragraph (c) of this section issue or sign drayman's tags, lighter receipts or

similar documents upon the receipt of cargo intended to be loaded and transported on a vessel operated by or for the account of the War Shipping Administration or where such terminal operators sign or receipt railroad delivery records or orders for cargo delivered by rail the said terminal operator shall cause the following provision to be inserted in such drayman's tags, lighter receipts, delivery records or receipts or similar documents.

The within goods are received and held subject to all the terms and conditions contained or incorporated in Warshipdockreceipt-Pac.

(e) *When dock receipts not required.* Where goods are loaded on vessels direct from railroad cars, lighters or otherwise without coming into the actual or constructive custody or possession of the War Shipping Administration or any of its agents or any terminal operator under Warshiptermop-ga-cal or when the use of received-for-shipment forms of bills of lading has been authorized by the War Shipping Administration and such bill of lading is in fact issued concurrently with the receipt of the goods at a terminal, wharf, pier, dock or other place, the issuance of a dock receipt or the incorporation of the terms of the dock receipt and any other document is not required as far as the War Shipping Administration, its agents, or terminal operators as described in this paragraph are concerned. Similarly no dock receipt is required when cargo is received for which a bill of lading authorized by General Order 16 and supplements thereto (§§ 303.11 to 303.23, inclusive, and §§ 303.31 to 303.34, inclusive) will not be issued.

(f) *General agents and agents.* In the absence of a berth agent, general agents or agents shall perform all the duties and functions prescribed for berth agents by §§ 303.41 and 303.42.

(E.O. 9054, 7 F.R. 837)

[SEAL]

E. S. LAND,
Administrator.

JUNE 27, 1945.

[F. R. Dock. 45-11455; Filed, June 28, 1945; 9:30 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Order 83-H]

PART 13—RULES GOVERNING COMMERCIAL RADIO OPERATORS

SUSPENSION OF REQUIREMENTS

At a session of the Federal Communications Commission, held at its office in Washington, D. C., on the 26th day of June, 1945;

The Commission having under further consideration the matter of the shortage of radiotelegraph operators possessing six months' previous service as qualified operators on a station on board a ship or ships of the United States, and having in mind the related provisions of

No. 129—6

sections 351 and 353 of the Communications Act of 1934, as amended; and

It appearing, that the Commission, by its Orders Nos. 83, 83-A, 83-B, 83-C, 83-D, 83-E, 83-F, and 83-G, suspended for the periods July 9, 1941 to January 9, 1942, January 9, 1942 to July 9, 1942, July 9, 1942 to January 9, 1943, January 9, 1943 to June 30, 1943, July 1, 1943 to December 31, 1943, January 1, 1944 to June 30, 1944, July 1, 1944 to December 31, 1944 and January 1, 1945 to June 30, 1945, respectively, the requirements of six months' previous service contained in section 353 (b) of said act, and paragraphs (c) (3) and (d) (2) of § 13.61 of the rules and regulations; and

It appearing, that a shortage of radiotelegraph operators available for assignment as qualified operators on board cargo ships of the United States, who possess six months' previous service, will continue to exist subsequent to June 30, 1945, and accordingly, further suspension of the foregoing requirement is necessary;

It is ordered, Pursuant to Public Law No. 85, 78th Congress, approved June 22, 1943, that the requirement of six months' previous service contained in section 353 (b) of the Communications Act of 1934, as amended, and in paragraphs (c) (3) and (d) (2) of § 13.61 of the rules and regulations, be, and the same is hereby, suspended for a further period beginning July 1, 1945 and ending December 31, 1945.

[SEAL] FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 45-11491; Filed, June 28, 1945; 11:49 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Reclamation.

PINE RIVER PROJECT, COLO.

FIRST FORM RECLAMATION WITHDRAWAL

JUNE 4, 1945.

The SECRETARY OF THE INTERIOR.

SIR: It is recommended that the following described lands be withdrawn from public entry under the first form of withdrawal as provided in section 3 of the act of June 17, 1902 (32 Stat. 388).

PINE RIVER PROJECT

NEW MEXICO PRINCIPAL MERIDIAN, COLORADO

T. 37 N., R. 6 W.,
Sec. 33, Lots 3 and 4.

Respectfully,

H. W. BASHORE,
Commissioner.

I concur: June 19, 1945.

FRED W. JOHNSON,
Commissioner of the General
Land Office.

The foregoing recommendation is hereby approved, as recommended, and the Commissioner of the General Land

Office will cause the records of his office and the district land office to be noted accordingly.

MICHAEL W. STRAUS,
Assistant Secretary.

JUNE 20, 1945.

[F. R. Doc. 45-11457; Filed, June 28, 1945; 9:44 p. m.]

General Land Office.

[Misc. 2050856]

NEW MEXICO

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

JUNE 16, 1945.

In an exchange of lands made under the provisions of section 8 of the act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976, 43 U.S.C. sec. 315g), the following described lands have been reconveyed to the United States:

NEW MEXICO PRINCIPAL MERIDIAN

T. 15 N., R. 15 W.,
Sec. 14, SW¼.

The area described contains 160 acres.

At 10:00 a. m. on the 63d day from the date on which this order is signed, these lands, subject to valid existing rights and the provisions of existing withdrawals, shall become subject to application, petition, location, or selection as follows:

(a) For a period of 90 days, commencing on the day and at the hour named above, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U.S.C. sec. 682a), by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U.S.C. sec. 282), subject to the requirements of applicable law, and (2) application under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) For a period of 20 days immediately prior to the beginning of such 90-day period, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on the first day of the 90-day period, shall be treated as simultaneously filed.

(c) Commencing at 10:00 a. m. on the 91st day after the lands become subject to application, as hereinabove provided, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public land laws.

(d) Application by the general public may be presented during the 20 day period immediately preceding such 91st day, and all such applications, together

with those presented at 10:00 a. m. on that day, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at Santa Fe, New Mexico, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular 324, May 22, 1914, 43 L. D. 254), and Part 296 of that Title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Subchapter I of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938 shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

FRED W. JOHNSON,
Commissioner.

[F. R. Doc. 45-11458; Filed, June 28, 1945;
9:44 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-644]

CONSOLIDATED GAS UTILITIES CORP.

NOTICE OF APPLICATION

JUNE 26, 1945.

Notice is hereby given that on June 18, 1945, applications were filed by Consolidated Gas Utilities Corporation (Applicant), a Delaware corporation having its principal place of business at Oklahoma City, Oklahoma, for temporary and permanent certificates of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, as amended, to authorize the construction and operation of the facilities hereinafter described. The application for a permanent certificate includes a request for authorization to abandon a certain portion of its transmission facilities pursuant to section 7 (b) of the Natural Gas Act.

The proposed construction consists of a 14-inch O. D. gas pipe line approximately 3.05 miles in length to replace a like amount of 12 $\frac{3}{4}$ -inch O. D. transmission pipe line which is at present an integral part of Applicant's pipe-line system beginning at or near the discharge of Applicant's Hunnewell com-

pressor station in the Southwest Quarter of the Southeast Quarter of Section 16, Township 35 South, Range 1 East, Sumner County, Kansas, and extending thence in a Northwesterly direction across sections 16, 9 and 4 to a point near the Northwest corner of the Northwest Quarter of section 4, all in Township 35 South, Range 1 East.

The facility which Applicant seeks authorization to abandon consists of the 12 $\frac{3}{4}$ -inch O. D. transmission pipe line as above described.

Applicant asserts that the 12 $\frac{3}{4}$ -inch O. D. transmission pipe line has deteriorated due to rust, pitting and corrosion to such an extent that adequate and dependable service cannot be rendered through it. The application further recites that as a result of corrosive action replacement of the existing pipe is necessary to prevent excessive leakage of gas with a consequent waste of natural resources and to eliminate the hazards to continued service presented by the weakened condition of the pipe walls. Applicant further states that replacement of the defective 12 $\frac{3}{4}$ -inch O. D. pipe line is necessary in view of the increased delivery requirements that have occurred during recent years.

Applicant, in support of its request for temporary authorization, submits that the proposed construction is located in an area where there is a critical shortage of manpower and that the work must be done when and as labor is available, and therefore requests authority to proceed pending disposition of its application for a permanent certificate of public convenience and necessity in order to allow ample time within which to complete the construction above described.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 9th day of July, 1945, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the provisional rules of practice and regulations under the Natural Gas Act.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-11434; Filed, June 27, 1945;
12:22 p. m.]

[Docket No. G-625]

METROPOLITAN EASTERN CORP.

ORDER FIXING DATE OF HEARING

JUNE 22, 1945.

Upon consideration of the application filed February 22, 1945, as supplemented, by Metropolitan Eastern Corporation (Applicant), for a certificate of public convenience and necessity under section 7 of the Natural Gas Act, as amended, to authorize the construction and operation of approximately 825 miles of 18-inch natural-gas transmission pipe line

extending from the Carthage Field, Panola County, Texas, in a general northeasterly direction to a point near Hamilton, Ohio, together with five compressor stations having an aggregate of 25,600 horsepower and a dehydration plant.

The Commission orders that:

(A) A public hearing be held commencing on October 15, 1945, at 10:00 a. m. (e. w. t.) in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue, N. W., Washington, D. C., respecting the matters involved and the issues presented in this proceeding.

(B) Interested State commissions may participate in this hearing, as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-11459; Filed, June 28, 1945;
9:50 a. m.]

INTERSTATE COMMERCE COMMISSION.

[2d Rev. S. O. 300, Special Permit 10]

REFRIGERATION OF SEED POTATOES FROM TRENTON, N. J.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph of Second Revised Service Order No. 300 (10 F.R. 6802), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Revised Service Order No. 300 insofar as it applies to the furnishing of standard refrigeration on car FGE 34960, loaded with seed potatoes, shipped June 21 or 22, 1945, by C. H. Robinson, from Trenton, New Jersey, to St. Louis, Missouri, via Pennsylvania Railroad.

The waybill shall show reference to this special permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 21st day of June 1945.

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

[F. R. Doc. 45-11462; Filed, June 28, 1945;
10:34 a. m.]

[2d Rev. S. O. 300, Special Permit 11]
ICING OF POTATOES AT NORFOLK, VA.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph of Revised Service Order No. 300 of April 19, 1945 (10 F.R. 4359), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Revised Service Order No. 300 insofar as it applies to the initial icing only of not to exceed 10 cars June 26 and 30 cars per day thereafter to be loaded with potatoes which have been unloaded from the steamship Arabian Star at Lambert Point, Norfolk, Virginia.

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 25th day of June 1945.

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

[F. R. Doc. 45-11463; Filed, June 28, 1945; 10:34 a. m.]

[2d Rev. S. O. 300, Special Permit 12]

REFRIGERATION OF SEED POTATOES FROM TRENTON, N. J.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph of Revised Service Order No. 300 of April 19, 1945 (10 F.R. 4359), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

rier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Revised Service Order No. 300 insofar as it applies to the furnishing of standard refrigeration on one car loaded June 25 or 26, with foundation stock seed potatoes, from Trenton, New Jersey, to St. Louis, Missouri, as ordered by C. H. Robinson Company (PRR).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 25th day of June 1945.

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

[F. R. Doc. 45-11464; Filed, June 28, 1945; 10:34 a. m.]

[S.O. 319, Special Permit 1]

LOADING OF CITRUS FRUITS IN IMPERIAL VALLEY, CALIF.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph of Service Order No. 319, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 319 insofar as it applies to the furnishing of twenty (20) cars for loading with citrus at various points in the Imperial Valley of California on the Southern Pacific Company and their movement to the U. S. Navy at Los Angeles Harbor, California, for export, not later than July 1, 1945.

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 25th day of June 1945.

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

[F. R. Doc. 45-11461; Filed, June 28, 1945; 10:34 a. m.]

WAR PRODUCTION BOARD.

ORDERS STOPPING CONSTRUCTION ON CERTAIN PROJECTS

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE

The War Production Board has issued certain orders stopping construction on the projects listed below. Thereafter certain of these revocation orders have been cancelled, as indicated below. For the effect of each such revocation order, and cancellation thereof if any, upon the construction of the projects, upon the use of priorities assistance for materials for the projects and upon the delivery of materials therefor, the respective builders and suppliers affected shall refer to the specific order issued to the builder.

Issued this 27th day of June 1945.

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

LIST OF PROJECTS

Authorization Serial No.	Name and address of builder	Location of project	Date of issuance of action taken
GA-1456 135,739	Inland Rubber Corp., Chicago, Ill.	Chicago, Ill.	May 5, 1945, Revocation.
GA-1456 32,798	South Carolina State Highway Dept., Columbia, S. C.	Between Lyman and Greer, S. C.	May 7, 1945, Cancellation of Revocation.
GA-1456 136,892	The Mohawk Rubber Co., 1235 Second Ave., Akron 5, Ohio.	Chattanooga, Tenn.	June 1, 1945, Revocation.
GA-1456 131,824	United States Plywood Corp., 616 West 46th St., New York 19, N. Y.	Bronx, N. Y.	June 1, 1945, Cancellation of Revocation.
GA-1456 128,428	Reed Roller Bit Co., Navigation Blvd. & Mack St., Houston, Tex.	Houston, Tex.	June 1, 1945, Cancellation of Revocation.
GA-1456 135,609	The Firestone Tire & Rubber Co., 1200 Firestone Parkway, Akron, Ohio.	Newcastle, Ind.	June 7, 1945, Revocation.
P-19-e 58,636	Maryland State Roads Comm. Baltimore, Md.	South of Laurel on the Baltimore-Washington Blvd. to Fort George G. Meade, Md.	June 6, 1945, Cancellation of partial revocation.
GA-1456 NC-8394	The Killian Manufacturing Co., Akron, Ohio.	Akron, Ohio.	June 8, 1945, Revocation.
GA-1456 136,789	The Goodyear Tire & Rubber Co., 1144 East Market St., Akron, Ohio.	Akron, Ohio.	June 8, 1945, Revocation.
GA-1456 136,463	B. F. Goodrich Co., 500 South Main St., Akron 18, Ohio.	Akron, Ohio.	June 8, 1945, Revocation.
GA-1456 136,808	The Dayton Rubber Manufacturing Co., Box 1004, Dayton Ohio.	Dayton, Ohio.	June 8, 1945, Revocation.
GA-1456 137,168	The American Brass Co., 414 Meadow St., Waterbury 88, Conn.	Waterbury, Conn.	June 9, 1945, Revocation.
GA-1456 136,029	General Electric Co., 151 Garden St., Poughkeepsie, N. Y.	Poughkeepsie, N. Y.	June 9, 1945, Revocation.
GA-1456 136,919	Anaconda Wire & Cable Co., Hastings-on-Hudson, N. Y.	Marion, Ind.	June 9, 1945, Revocation.
GA-1456 136,205	The Pharis Tire and Rubber Co., 265 West Main St., Newark, Ohio.	Newark, Ohio.	June 9, 1945, Revocation.

[F. R. Doc. 45-11363; Filed, June 27, 1945; 11:17 a. m.]

[C-320, Revocation]

CHARLES S. BISSETT AND HELEN BISSETT

CONSENT ORDER

Consent Order C-320 was issued April 30, 1945 against Charles S. Bissett and Helen Bissett for violation of Conservation Order L-41 upon the consent of Charles S. Bissett and Helen Bissett, the Regional Compliance Manager and the Regional Attorney, and with the approval of a Compliance Commissioner. Charles S. Bissett and Helen Bissett have entered into an option for the sale of the premises located at 119 North Main Street, Cohasset, Massachusetts, and application has been made to the Federal Housing Administration by the prospective purchaser for authorization to complete the construction of the building on the premises. The Federal Housing Administration is prepared to authorize the construction requested in the application and the Regional Compliance Manager and Regional Attorney have consented to the revocation of this consent order.

In view of the foregoing, the Director of the Compliance Division and the Office of General Counsel have directed that Consent Order C-320 be revoked.

Wherefore, it is hereby ordered, That Consent Order C-320 be revoked upon issuance of this order.

Issued this 28th day of June 1945.

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

[F. R. Doc. 45-11486; Filed, June 28, 1945;
11:25 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 5042]

CHARLES K. MCINTOSH ET AL.

In re: Charles K. McIntosh, as trustee, vs. Gaston Bolado Ashe, et al.; File D-6-1214; E.T. sec. 13606.

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 Carl Gall, also known as Karl Gall, in and to the trust established under an agreement executed on July 30, 1919 between William J. Younger and Virginia T. Younger, parties of the first part, and Maud Younger, Herbert L. Younger, Annie E. MacDonald, Alice Y. Nugent, Carl Gall and Margarethe Kolb, parties of the second part,

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

National and Last Known Address

Carl Gall, also known as Karl Gall, Germany (Austria).

That such property is in the process of administration by Charles K. McIntosh, as Trustee, 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 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 June 21, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45-11376; Filed June 27, 1945;
11:26 a. m.]

[Vesting Order CE 13]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN KENTUCKY, MISSOURI, ILLINOIS, INDIANA, MINNESOTA, KANSAS, MICHIGAN AND OHIO COURTS

Under the authority of the Trading with the Enemy Act, as amended, and

Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian:

Having found that each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or enemy-occupied territory appearing opposite such person's respective name in Column 2 of said Exhibit A;

Having determined that it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A, and having taken such measures;

Finding that as a result of such action or proceeding each of said persons obtained or was determined to have an interest in property, which interest is particularly described in Column 4 of said Exhibit A;

Finding that such property is in the possession, custody or control of the person described in Column 5 of said Exhibit A; and

Finding that the Alien Property Custodian has incurred, in each of such court or administrative actions or proceedings, costs and expenses in the amount stated in Column 6 of said Exhibit A,

hereby vests in the Alien Property Custodian, to be used or otherwise dealt with in the interest, and for the benefit, of the United States, from the property in the possession, custody, or control of the persons described in said Column 5 of said Exhibit A, the sums stated in said Column 6 of said Exhibit A, such sums being the amounts of such property equal to the costs and expenses incurred by the Alien Property Custodian in such actions or proceedings.

This order shall not be deemed to limit the powers of the Alien Property Custodian to return such property if and when it should be determined that such return should be made.

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

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

Executed at Washington, D. C., on June 25, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depository	Column 6 Sum vested
		<i>Item 1</i>			
John Calantzis.....	Greece.....	Estate of Costi Calagis, deceased, Fayette County Court, Lexington, Ky., No. 26090.	\$814.06	R. J. Colbert, Master Commissioner, Fayette Circuit Court, Lexington, Ky.	\$47.72
		<i>Item 2</i>			
Louis Hack.....	Luxemburg.....	Estate of Nicholas Hack, deceased, Probate Court, St. Louis, Mo.	243.47	Jefferson Gravo s, Bank of St. Louis, St. Louis, Mo. Account in the name of Louis Hack, Anna Schank, Elizabeth Hack.	14.93
Anna Schank.....	Luxemburg.....	Same.....	243.47	Same.....	14.93
		<i>Item 3</i>			
Elizabeth Hack.....	Luxemburg.....	Same.....	243.47	Same.....	14.93
		<i>Item 4</i>			
Otto Marker.....	Denmark.....	Estate of Peter Marker, deceased, Probate Court, LaSalle County, Ill.	1,425.48	LaSalle County Treasurer, Ottawa, Ill.	28.12
		<i>Item 5</i>			
Ingeborg Marker Jorgensen.....	Denmark.....	Same.....	1,425.48	Same.....	28.11
		<i>Item 6</i>			
Sotera N. Angelinas.....	Greece.....	Estate of Nick H. Angelinas, deceased, Lake Superior Court, Room One, Hammond, Ind.	316.20	Clerk of Court, Lake Superior Court, Hammond, Ind.	19.12
		<i>Item 7</i>			
Fotena Angelinas.....	Greece.....	Same.....	316.20	Same.....	19.11
		<i>Item 8</i>			
Mrs. John Pontasis Thoteny (also known as Photeny Geanakoplis).....	Greece.....	Estate of Peter J. Geanakoplos, deceased, Probate Court, Hennepin County, Minn., No. 60465.	349.30	LaSalle National Bank, Chicago, Illinois, Savings Account No. 26234.	32.69
		<i>Item 9</i>			
Georgia Geanakoplis.....	Greece.....	Same.....	349.30	Same.....	32.69
		<i>Item 10</i>			
Dimitrius Geanakoplis.....	Greece.....	Same.....	349.29	Same.....	32.69
		<i>Item 11</i>			
Marie Foerster.....	Czechoslovakia.....	Estate of Elizabeth Akesson, deceased, Probate Court, Ramsey County, Minn.	166.59	Andrew R. Bratter, Administrator of the estate of Elizabeth Akesson, 328 Court House, 15 W. Kellogg Blvd., St. Paul, Minn.	43.02
		<i>Item 12</i>			
Franz Sikora.....	Czechoslovakia.....	Estate of Elizabeth Akesson, deceased, Probate Court, Ramsey County, Minn.	166.59	Andrew R. Bratter, Administrator of the estate of Elizabeth Akesson, 328 Court House, 15 W. Kellogg Blvd., St. Paul, Minn.	43.02
		<i>Item 13</i>			
Evangelical Lutheran Church.....	Germany.....	Trust under the will of George J. Miller, deceased, Probate Court, Shawnee County, Kans.	1,875.00	The State Savings Bank, Topeka, Kans. Trustee under the will of George J. Miller, deceased.	60.74
		<i>Item 14</i>			
Adolf Langer.....	Czechoslovakia.....	Estate of Joseph Hitschmann, deceased, Probate Court, Barton County, Kans., Vol. F. Pg. 212, Case No. 4334.	150.00	County Treasurer of Barton County, Great Bend, Kans.	22.78
		<i>Item 15</i>			
Aurelia Hitschmann.....	Czechoslovakia.....	Same.....	100.00	Same.....	15.18
		<i>Item 16</i>			
Marinus (Marin) Thyse.....	Netherlands.....	Cornelius Vierhout and Mary H. Vierhout, husband and wife, vs. John Thyse, et al, Circuit Court, Kalamazoo County, Mich.	310.15	First National Bank & Trust Co., Kalamazoo, Mich., Account No. 95816.	55.66
		<i>Item 17</i>			
Pauline Thyse Fritzens.....	Netherlands.....	Same.....	310.15	First National Bank & Trust Co., Kalamazoo, Mich., Account No. 95811.	55.66
		<i>Item 18</i>			
John Vandenberg.....	Netherlands.....	Same.....	77.54	First National Bank & Trust Co., Kalamazoo, Mich., Account No. 95815.	13.92
		<i>Item 19</i>			
Peter Vandenberg.....	Netherlands.....	Same.....	77.54	First National Bank & Trust Co., Kalamazoo, Mich., Account No. 95813.	13.92
		<i>Item 20</i>			
Helen Vandenberg.....	Netherlands.....	Same.....	77.54	First National Bank & Trust Co., Kalamazoo, Mich., Account No. 95812.	13.92
		<i>Item 21</i>			
Helene Vandenberg.....	Netherlands.....	Same.....	77.54	First National Bank & Trust Co., Kalamazoo, Mich., Account No. 95814.	13.92
		<i>Item 22</i>			
Max Donner.....	Czechoslovakia.....	Estate of Feni Fogel, deceased, Probate Court, Lorain County, Ohio, No. 21459.	96.06	First Federal Savings & Loan Association of Lorain, Lorain, Ohio, Account No. 1315.	10.52
		<i>Item 23</i>			
Loty Donner.....	Czechoslovakia.....	Same.....	96.07	First Federal Savings & Loan Association of Lorain, Lorain, Ohio, Account No. 1316.	10.53
		<i>Item 24</i>			
Children of Samuel Donner.....	Czechoslovakia.....	Same.....	142.09	First Federal Savings & Loan Association of Lorain, Lorain, Ohio, Account No. 1317.	15.56
		<i>Item 25</i>			
Kalman Donner.....	Czechoslovakia.....	Same.....	96.07	First Federal Savings & Loan Association of Lorain, Lorain, Ohio, Account No. 1318.	10.53
		<i>Item 26</i>			

1 1/2 interest in \$9,620 U. S. Government Bonds, Series F.

[Vesting Order CE 14]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN CALIFORNIA COURTS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian:

Having found that each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or enemy-occupied territory appearing opposite such person's respective name in Column 2 of said Exhibit A;

Having determined that it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A, and having taken such measures;

Finding that as a result of such action or proceeding each of said persons obtained or

was determined to have an interest in property, which interest is particularly described in Column 4 of said Exhibit A;

Finding that such property is in the possession, custody or control of the person described in Column 5 of said Exhibit A;

Finding that the Alien Property Custodian has incurred, in each of such court or administrative actions or proceedings, costs and expenses in the amount stated in Column 6 of said Exhibit A,

hereby vests in the Alien Property Custodian, to be used or otherwise dealt with in the interest, and for the benefit, of the United States, from the property in the possession, custody, or control of the persons described in said Column 5 of said Exhibit A, the sums stated in said Column 6 of said Exhibit A, such sums being the amounts of such property equal to the costs and expenses incurred by the Alien Property Custodian in such actions or proceedings.

This order shall not be deemed to limit the powers of the Alien Property Custodian to return such property if and when it should be determined that such return should be made.

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

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

Executed at Washington, D. C. on June 25, 1945.

[SEAL] FRANCIS J. McNAMARA,
Deputy Alien Property Custodian.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depository	Column 6 Sum vested
<i>Item 1</i>					
Pierre Frechou.....	France.....	Estate of John Frechou, deceased, in the Superior Court of the State of California, in and for the County of Santa Clara, No. 26499.	\$45,000.00	America Trust Co. and Cecil L. Carlyle, Co. Executors, First and San Fernando Sts., San Jose, Calif.	\$238.77
<i>Item 2</i>					
Leopoldine Schwab Meyer.....	France.....	Estate of S. Schwab, deceased, in the Superior Court of the State of California, in and for the County of Yolo, No. 4738.	20,352.33	County Treasurer, Yolo County, Woodland, Calif.	106.73
<i>Item 3</i>					
Xenia Molchanoff.....	Holland.....	Estate of Evdokia Molchanoff, deceased, in the Superior Court of the State of California, in and for the County of Los Angeles, No. 231843.	4,611.49	Kassinia Molchanoff, administratrix of the Estate of Evdokia Molchanoff, 2102 Wilmet St., Los Angeles 7, Calif.	69.36
<i>Item 4</i>					
Robustina Capone Nanni.....	Italy.....	Estate of Giustino Capone, deceased, in the Superior Court of the State of California, in and for the County of Los Angeles, No. 197731.	1,358.20	Bank of America National Trust and Savings Association, Seventh and Olive Office, Los Angeles, Calif. Savings Account No. 12568.	88.29
<i>Item 5</i>					
Mario Capone.....	Italy.....	Same.....	10.00	Bank of America National Trust and Savings Association, Seventh and Olive Office, Los Angeles, Calif. Savings Account No. 12570.	.65
<i>Item 6</i>					
Hans Friis.....	Denmark.....	Estate of Anna Petersen, deceased, in the Superior Court of the State of California, in and for the County of Humboldt, No. 8284.	1,862.78	Treasurer of Humboldt County, Eureka, Calif.	135.61
<i>Item 7</i>					
Maria Ygoa.....	France.....	Estate of Juan Chotro, deceased, in the Superior Court of the State of California, in and for the County of Los Angeles, No. 231964.	920.37	Ellen B. Vial, administratrix of the Estate of Juan Chorto, 3530 Strong St., Riverside, Calif.	77.70
<i>Item 8</i>					
Marie Lassalle.....	France.....	Estate of Marie Moullet, deceased, in the Superior Court of the State of California, in and for the County of Orange, No. A-11632.	500.00	Edward Mene, Executor, 601 S. Clementine St., Anaheim, Calif.	54.98
<i>Item 9</i>					
Alice Hall Moullac.....	France.....	Estate of Robertine Hines Hall, deceased, in the Superior Court of the State of California, in and for the County of Los Angeles, No. 214368.	268.99	Security First National Bank of Los Angeles, Maine Office, 6th and Spring Sts., Los Angeles, Calif., in the name of Alice Hall Moullac.	36.38
<i>Item 10</i>					
Kyllikki Pohjaha.....	Finland.....	Estate of Anne Bush Nesbitt, deceased, in the Superior Court of the State of California, in and for the County of Los Angeles, No. SMP 1607.	935.79	Security First National Bank of Los Angeles, Main Office, 6th and Spring Sts., Los Angeles, Calif., in the name of Kyllikki Pohjaha.	88.31
<i>Item 11</i>					
Anna Serotowich.....	Poland.....	Estate of Antoni Serotowich, also known as Antony Serotowich, also known as Tony Sirtowich, also known as Tony Sirovovich, also known as Antony Sirovovich, deceased, in the Superior Court of the State of California, in and for the County of Mendocino, No. 6873.	384.32	Treasurer of Mendocino County, Ukiah, Calif.	57.70
<i>Item 12</i>					
Bernslauf Serotowich.....	Poland.....	Same.....	384.32	Same.....	57.70
<i>Item 13</i>					
Joseph Serotowich.....	Poland.....	Same.....	384.32	Same.....	57.69

[Vesting Order CE 15]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN DISTRICT OF COLUMBIA, PENNSYLVANIA, MARYLAND AND LOUISIANA COURTS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian:

Having found that each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or enemy-occupied territory appearing opposite such person's respective name in Column 2 of said Exhibit A;

Having determined that it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A, and having taken such measures;

Finding that as a result of such action or proceeding each of said persons obtained or was determined to have an interest in property, which interest is particularly described in Column 4 of said Exhibit A;

Finding that such property is in the possession, custody or control of the person described in Column 5 of said Exhibit A; and

Finding that the Alien Property Custodian has incurred, in each of such court or administrative actions or proceedings, costs and expenses in the amount stated in Column 6 of said Exhibit A,

hereby vests in the Alien Property Custodian, to be used or otherwise dealt with in the interest, and for the benefit, of the United States, from the property in the possession, custody, or control of the persons described in said Column 5 of said Exhibit A, the sums stated in said Column 6 of said Exhibit A, such sums being the amounts of such property equal to the costs and expenses incurred by the Alien Property Custodian in such actions or proceedings.

This order shall not be deemed to limit the powers of the Alien Property Custodian to return such property if and when it should be determined that such return should be made.

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

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

Executed at Washington, D. C. on June 25, 1945.

[SEAL] FRANCIS J. McNAMARA,
Deputy Alien Property Custodian.

EXHIBIT A

Column 1 Name	Column 2 Country or Territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depository	Column 6 Sum vested
<i>Item 1</i>					
George William Cook.....	France.....	Henry C. Knouse, plaintiff vs. George William Cook, Frontstalg 122, Compiègne, France. In the District Court of the United States for the District of Columbia.	\$15,961.20	Edward C. Knouse, 1427 I St. NW., Washington, D. C., executor of the will of Coralle Franklin Cook.	\$80.98
<i>Item 2</i>					
Carl Gustav Hallin.....	Norway.....	Estate of Bertha Bern, deceased, in the Orphans' Court of Philadelphia County, Pa.	111,343.36	The Fidelity-Philadelphia Trust Co., executor, 135 S. Broad St., Philadelphia, Pa.	222.98
<i>Item 3</i>					
Joseph Anderson.....	Norway.....	Same.....	1,417.92	Same.....	27.87
<i>Item 4</i>					
Ellinor Husvik.....	Norway.....	Same.....	1,417.93	Same.....	27.87
<i>Item 5</i>					
Angela Camarda.....	Italy.....	Estate of Frank Salmieri, deceased, in the District Court of the United States for the District of Columbia, Holding Probate Court 61479.	1,578.35	Santo Salmieri, administrator of the estate of Frank Salmieri, 656 W. 183d St., New York, N. Y.	15.07
<i>Item 6</i>					
Mother and brother of Jacob Tomson, deceased (names unknown).	Estonia.....	Estate of Jacob Tomson, deceased, Orphans' Court of Baltimore County, Baltimore, Md.	2,243.96	Register of Wills, of Baltimore County, Baltimore, Md., in an account titled "Registry of the Orphans' Court for Baltimore County as provided in Chapter 726 of the Legislation Acts of 1941," in the Towson National Bank, Towson, Md.	430.18
<i>Item 7</i>					
Lorentz Ryan.....	Norway.....	Estate of Rafael Ryan, deceased, Orphans' Court, Montgomery County, Pa., No. 47805.	507.48	Security Trust Co., Pottstown, Pa., account in the name of Lorentz Ryan.	4.43
<i>Item 8</i>					
Children of Johan Ryan.....	Norway.....	Same.....	1,014.95	Security Trust Co., Pottstown, Pa., account in the name of Children of Johan Ryan.	8.85
<i>Item 9</i>					
Angela Medoro.....	Italy.....	Estate of Adolph Medoro, deceased, in the District Court of the United States and for the District of Columbia, Holding Probate Court, Administration No. 61605.	362.06	Liberty National Bank, Washington D. C., estate of Adolph Medoro by Zelinda Rose, administratrix.	18.85
<i>Item 10</i>					
Mary Mancini.....	Italy.....	Estate of Tony Di Sandro, deceased, Orphans' Court of Philadelphia County, Philadelphia, Pa., No. 1095 of 1944.	491.72	Erminico Yacovetti, administrator, 3409 N. Goodman St., Philadelphia, Pa.	43.83
<i>Item 11</i>					
Pasquale DiSandro.....	Italy.....	Same.....	491.73	Same.....	43.82
<i>Item 12</i>					
Andrea Franciamore.....	Italy.....	Dominico Alessi vs. Mrs. Josephine Franciamore Genovese, et al., in the Twenty-First Judicial District Court, Parish of Tangipahoa, State of Louisiana, No. 11214.	105.47	Registry of the Twenty-First Judicial District Court of Louisiana, Parish of Tangipahoa, Norman P. Vernon, Clerk of Court, at Amite, Louisiana, account in the name of Andrea Franciamore.	9.91
<i>Item 13</i>					
Rosa Franciamore.....	Italy.....	Same.....	105.47	Registry of the Twenty-First Judicial District Court of Louisiana, Parish of Tangipahoa, Norman P. Vernon, Clerk of Court, at Amite, Louisiana, account in the name of Rosa Franciamore.	9.91

*Cash only.

EXHIBIT A—Continued

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depository	Column 6 Sum vested
Cosmia Franciamore.....	Italy.....	Same..... <i>Item 14</i>	\$105.47	Registry of the Twenty-First Judicial District Court of Louisiana, Parish of Tangipahoa, Norman P. Vernon, Clerk of Court, at Amite, La., account in the name of Cosmia Franciamore.	\$9.90
Milos Pavlovich.....	Yugoslavia.....	Spiro M. Pavlovich, et al. vs. Milos Pavlovich, Case No. 255,013, Docket No. 1, Civil District Court for the Parish of Orleans, New Orleans, La. <i>Item 15</i>	990.93	Clerk, Civil District Court for the Parish of Orleans, New Orleans, La.	19.01
Slovka Trpovich.....	Yugoslavia.....	Estate of Peter Trpovich, deceased, in the Orphans' Court of Beaver County, Pa. <i>Item 16</i>	35.19	Milan Arangelovich, administrator of the estate of Peter Trpovich, 175 Baker St., Allquippa, Pa.	4.81
Vesela Trpovich.....	Yugoslavia.....	Estate of Peter Trpovich, deceased, in the Orphans' Court of Beaver County, Pennsylvania. <i>Item 17</i>	17.60	Milan Arangelovich, administrator of the estate of Peter Trpovich, 175 Baker St., Allquippa, Pa.	2.41
Klimen Trpovich.....	Yugoslavia.....	Same..... <i>Item 18</i>	17.59	Same.....	2.41
Kiril Trpovich.....	Yugoslavia.....	Same..... <i>Item 19</i>	17.60	Same.....	2.41
Lubo Trpovich.....	Yugoslavia.....	Same..... <i>Item 20</i>	17.60	Same.....	2.40

[F. R. Doc. 45-11379; Filed, June 27, 1945; 11:26 a. m.]

[Vesting Order CE 16]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN CALIFORNIA COURTS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian:

Having found that each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or enemy-occupied territory appearing opposite such person's respective name in Column 2 of said Exhibit A:

Having determined that it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A, and having taken such measures;

Finding that as a result of such action or proceeding each of said persons obtained or

was determined to have an interest in property, which interest is particularly described in Column 4 of said Exhibit A;

Finding that such property is in the possession, custody or control of the person described in Column 5 of said Exhibit A; and

Finding that the Alien Property Custodian has incurred, in each of such court or administrative actions or proceedings, costs and expenses in the amount stated in Column 6 of said Exhibit A,

hereby vests in the Alien Property Custodian, to be used or otherwise dealt with in the interest, and for the benefit, of the United States, from the property in the possession, custody, or control of the persons described in said Column 5 of said Exhibit A, the sums stated in said Column 6 of said Exhibit A, such sums being the amounts of such property equal to the costs and expenses incurred by the Alien Property Custodian in such actions or proceedings.

This order shall not be deemed to limit the powers of the Alien Property Custodian to return such property if and when it should be determined that such return should be made.

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

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

Executed at Washington, D. C., on June 25, 1945.

[SEAL] FRANCIS J. McNAMARA,
Deputy Alien Property Custodian.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depository	Column 6 Sum vested
Cornelia Hoozeboom Koster.....	Holland.....	Estate of Peter Laan, deceased, in the Superior Court of the State of California, in and for the County of Los Angeles, No. 179766. <i>Item 1</i>	\$119.87	Riggs National Bank, Washington, D. C., Netherlands Embassy, Custody Account.	\$8.28
Cornelis Hoozeboom.....	Holland.....	Same..... <i>Item 2</i>	119.88	Same.....	6.28
Pieter Hoozeboom.....	Holland.....	Same..... <i>Item 3</i>	17.13	Same.....	.90
Marijke Hoozeboom.....	Holland.....	Same..... <i>Item 4</i>	17.13	Same.....	.90
Coenraad Hoozeboom.....	Holland.....	Same..... <i>Item 5</i>	17.13	Same.....	.90
Catharina Hoozeboom.....	Holland.....	Same..... <i>Item 6</i>	17.13	Same.....	.90
Geertruida Hoozeboom.....	Holland.....	Same..... <i>Item 7</i>	17.13	Same.....	.90
Cornelis Hoozeboom.....	Holland.....	Same..... <i>Item 8</i>	17.13	Same.....	.90

EXHIBIT A—Continued

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depository	Column 6 Sum vested
Johannes Hooigeboom.....	Holland.....	Same..... <i>Item 9</i>	\$17.13	Same.....	\$0.90
Dina Hooigeboom Tesselaar.....	Holland.....	Same..... <i>Item 10</i>	119.88	Same.....	6.27
Pieter Hooigeboom.....	Holland.....	Same..... <i>Item 11</i>	119.88	Same.....	6.27
Maria Petronella Catharina Dekker.....	Holland.....	Same..... <i>Item 12</i>	19.98	Same.....	1.05
Cornelis Hooigeboom.....	Holland.....	Same..... <i>Item 13</i>	19.97	Same.....	1.05
Petronella Hooigeboom.....	Holland.....	Same..... <i>Item 14</i>	19.97	Same.....	1.05
Nicolaas Hooigeboom.....	Holland.....	Estate of Peter Laan, deceased, in the Superior Court of the State of California, in and for the County of Los Angeles, No. 179766. <i>Item 15</i>	19.97	Riggs National Bank, Washington, D. C., Netherlands Embassy, custody account.	1.05
Theodorus Cornelia Hooigeboom.....	Holland.....	Same..... <i>Item 16</i>	19.97	Same.....	1.05
Catharina Agatha Dekker.....	Holland.....	Same..... <i>Item 17</i>	19.97	Same.....	1.05
Willemina Pieternella Buys.....	Netherlands.....	Estate of John Cornelissen, deceased, in the Superior Court of the State of California, in and for the County of Los Angeles, No. 215740. <i>Item 18</i>	2,715.13	Chase National Bank of New York, Account under the name of "Netherlands Embassy, Royal Netherlands Government."	55.73
Pieterella Willemina de Heijde.....	Netherlands.....	Same..... <i>Item 19</i>	2,715.13	Same.....	55.73

[F. R. Doc. 45-11380; Filed, June 27, 1945; 11:26 a. m.]

[Vesting Order CE 17]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN WASHINGTON, NEW MEXICO, COLORADO, IDAHO AND OREGON COURTS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian:

Having found that each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or enemy-occupied territory appearing opposite such person's respective name in Column 2 of said Exhibit A;

Having determined that it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A, and having taken such measures;

Finding that as a result of such action or proceeding each of said persons obtained or was determined to have an interest in property, which interest is particularly described in Column 4 of said Exhibit A;

Finding that such property is in the possession, custody or control of the person described in Column 5 of said Exhibit A; and

Finding that the Alien Property Custodian has incurred, in each of such court or administrative actions or proceedings, costs and expenses in the amount stated in Column 6 of said Exhibit A,

hereby vests in the Alien Property Custodian, to be used or otherwise dealt with in the interest, and for the benefit, of the United States, from the property in the possession, custody, or control of the persons described in said Column 5 of said Exhibit A, the sums stated in said Column 6 of said Exhibit A, such sums being the amounts of such property equal to the costs and expenses incurred by the Alien Property Custodian in such actions or proceedings.

This order shall not be deemed to limit the powers of the Alien Property Custodian to return such property if and when it should be determined that such return should be made.

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

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

Executed at Washington, D. C., on June 25, 1945.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

EXHIBIT A

Column 1 Name	Column 2 Country or Territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depository	Column 6 Sum vested
Stamata Michel.....	Greece.....	Estate of Peter Michel, deceased, Superior Court, Pierce County, Wash., No. 37843. <i>Item 1</i>	\$295.14	Clerk of the Superior Court, Pierce County, Tacoma, Wash.	\$30.52
Anastasios Michel.....	Greece.....	Same..... <i>Item 2</i>	295.14	Same.....	30.52
Stavroula Michel.....	Greece.....	Same..... <i>Item 3</i>	295.13	Same.....	30.52
Francois Cauhape.....	France.....	Estate of John P. Cauhape, deceased, Probate Court, Chaves County, N. Mex., No. 2041. <i>Item 4</i>	1,000.00	William A. Dunn, Esq., Box 32, Roswell, N. Mex.	16.62
Catholic Church of Lescun.....	France.....	Same..... <i>Item 5</i>	500.00	Same.....	8.31

EXHIBIT A—Continued

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depository	Column 6 Sums vested
Pastor M. Nielsen.....	Denmark.....	<i>Item 6</i> Estate of Laura McIntosh, deceased, Superior Court, Pueblo County, Colo., No. 7576.	\$366.36	State Treasurer of the State of Colorado, Denver, Colo.	\$29.22
Johanne Kirstine Lauridsen,	Denmark.....	<i>Item 7</i> Same.....	366.37	Same.....	29.22
Christine Moe.....	Norway.....	<i>Item 8</i> Estate of Charlotte Picard, deceased, Probate Court, Canyon County, Idaho.	1,329.56	County Treasurer of Canyon County, Idaho.....	15.38
Olivia Mathilda Bohn.....	Denmark.....	<i>Item 9</i> Estate of Andrew J. Bohn, County Court of Denver County, Denver, Colo.	101.54	Colorado National Bank, Denver, Colo., Account No. 141376.	21.21
Kristina Antonnette Bohn.	Denmark.....	<i>Item 10</i> Same.....	101.54	Colorado National Bank, Denver, Colo., Account No. 141377.	21.21
Laura Emilla Bohn.....	Denmark.....	<i>Item 11</i> Same.....	101.54	Colorado National Bank, Denver, Colo., Account No. 141378.	21.21
Kristian Edward Bohn.....	Denmark.....	<i>Item 12</i> Same.....	101.54	Colorado National Bank, Denver, Colo., Account No. 141383.	21.20
Niels Kristian Bohn.....	Denmark.....	<i>Item 13</i> Estate of Andrew J. Bohn, County Court of Denver County, Denver, Colo.	101.54	Colorado National Bank, Denver, Colo., Account No. 141379.	21.20
Karl Martin Bohn.....	Denmark.....	<i>Item 14</i> Same.....	101.54	Colorado National Bank, Denver, Colo., Account Account No. 141380.	21.20
Johanna Marie Bohn.....	Denmark.....	<i>Item 15</i> Same.....	101.54	Colorado National Bank, Denver, Colo., Account No. 141381.	21.20
Anton Bohn.....	Denmark.....	<i>Item 16</i> Same.....	101.54	Colorado National Bank, Denver, Colo., Account No. 141382.	21.20
Maria Porfirio.....	Italy.....	<i>Item 17</i> Estate of John Porfirio, County Court of Denver County, Denver, Colo., No. 71561.	1,298.44	International Trust Co., Denver, Colo., account in the name of Maria Porfirio.	202.32
Vincenzo Dinatale.....	Italy.....	<i>Item 18</i> Estate of Antonio Dinatale, deceased, Circuit Court, Multnomah County, Oreg., No. 50-968.	171.60	Title & Trust Co., Portland, Oreg., as trustee for Vincenzo Dinatale.	28.88
Edoardo Dinatale.....	Italy.....	<i>Item 19</i> Same.....	171.60	Title & Trust Co., Portland, Oreg., as Trustee for Edoardo Dinatale.	28.88
Sabattino Dinatale.....	Italy.....	<i>Item 20</i> Same.....	171.60	Title & Trust Co., Portland, Oreg., as trustee for Sabattino Dinatale.	28.87
Mariantonia Dinatale.....	Italy.....	<i>Item 21</i> Same.....	171.60	Title & Trust Co., Portland, Oreg., as trustee for Mariantonia Dinatale.	28.87

* Cash only.]

[F. R. Doc. 45-11381; Filed, June 27, 1945; 11:26 a. m.]

[Vesting Order CE 18]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN WASHINGTON AND WYOMING COURTS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian:

Having found that each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or enemy-occupied territory appearing opposite such person's respective name in Column 2 of said Exhibit A;

Having determined that it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A, and having taken such measures;

Finding that as a result of such action or proceeding each of said persons obtained or

was determined to have an interest in property, which interest is particularly described in Column 4 of said Exhibit A;

Finding that such property is in the possession, custody or control of the person described in Column 5 of said Exhibit A; and

Finding that the Alien Property Custodian has incurred, in each of such court or administrative actions or proceedings, costs and expenses in the amount stated in Column 6 of said Exhibit A,

hereby vests in the Alien Property Custodian, to be used or otherwise dealt with in the interest, and for the benefit, of the United States, from the property in the possession, custody, or control of the persons described in said Column 5 of said Exhibit A, the sums stated in said Column 6 of said Exhibit A, such sums being the amounts of such property equal to the costs and expenses incurred by the Alien Property Custodian in such actions or proceedings.

This order shall not be deemed to limit the powers of the Alien Property Custodian to return such property if and when it should be determined that such return should be made.

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

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

Executed at Washington, D. C., on June 25, 1945.

[SEAL] FRANCIS J. McNAMARA,
Deputy Alien Property Custodian.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depository	Column 6 Sum vested
Johannes Treider	Norway	<i>Item 1</i> Estate of Henry Treider, deceased, Superior Court, Snohomish County, Washington, No. 14228.	\$236.66	National City Bank of New York, New York, N. Y., Account in the name of the Royal Norwegian Government Special Account "H".	\$21.04
Ragna Holm	Norway	<i>Item 2</i> Same	236.66	Same	21.03
Harold Rygge	Norway	<i>Item 3</i> Same	236.66	Same	21.03
Birger Rygge	Norway	<i>Item 4</i> Same	236.66	Same	21.03
Marie Rygge	Norway	<i>Item 5</i> Same	236.66	Same	21.03
Hanna Rygge	Norway	<i>Item 6</i> Same	236.66	Same	21.03
Olga Rygge	Norway	<i>Item 7</i> Same	236.66	Same	21.03
Henry Treider	Norway	<i>Item 8</i> Same	236.66	Same	21.03
Nelly Treider	Norway	<i>Item 9</i> Same	236.66	Same	21.03
Qulvid Treider	Norway	<i>Item 10</i> Same	236.66	Same	21.03
Sigrid Treider	Norway	<i>Item 11</i> Same	236.66	Same	21.03
Eva Treider	Norway	<i>Item 12</i> Same	236.66	Same	21.03
Bergit O. Breiseth	Norway	<i>Item 13</i> Estate of Louis O. Breiseth, deceased, Superior Court, Pierce County, Wash., No. 38513.	342.91	Same	43.44
Aslang O. Breiseth	Norway	<i>Item 14</i> Same	342.91	Same	43.43
Ingeborg Breiseth	Norway	<i>Item 15</i> Estate of Louis O. Breiseth, deceased, Superior Court, Pierce County, Wash., No. 38513.	342.91	National City Bank of New York, New York, New York, Account in the name of the Royal Norwegian Government Special Account "H."	43.43
Agot (Agote) Jensen	Norway	<i>Item 16</i> Estate of Ole O. Lee, deceased, Superior Court, Snohomish County, Wash., No. 15771.	7,964.25	Same	69.04
Hans Pearson (Persen)	Norway	<i>Item 17</i> Estate of P. M. Pearson, deceased, Superior Court, Pierce County, Wash., No. 25327.	562.71	Same	31.14
Soren Pearson (Persen)	Norway	<i>Item 18</i> Same	562.71	Same	31.14
Sobjorn Pearson (Persen)	Norway	<i>Item 19</i> Same	562.71	Same	31.13
Henrika Pearson (Persen)	Norway	<i>Item 20</i> Same	562.71	Same	31.13
Ingeberg Klevsve	Norway	<i>Item 21</i> Estate of Sam H. Berg, deceased, District Court, Natrona County, Wyoming, No. 3313.	123.16	Same	5.35
Oliver H. Klevsve	Norway	<i>Item 22</i> Same	123.16	Same	5.35
Karl Klevsve	Norway	<i>Item 23</i> Same	123.16	Same	5.35
Hannah Klevsve	Norway	<i>Item 24</i> Same	123.17	Same	5.35

[F. R. Doc. 45-11382; Filed, June 27, 1945; 11:26 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

WENTWORTH BUS LINES, INC.

ORDER OF CANCELLATION

A directive having been duly issued on June 2, 1945, by the Director of the Office of Economic Stabilization (10 F.R. 6804) directing the Office of Defense Transportation and the Office of Price Administration to deny the Wentworth Bus Lines,

Inc., of Dover, New Hampshire, its successors and assigns, all applications for priority assistance or for the allocation of materials which are short in supply and to cancel all outstanding priorities and allocations of that company; and

It appearing, that the Office of Defense Transportation, in the exercise of its authority to allocate the use of rubberborne transportation equipment and facilities by carriers and operators thereof, has heretofore issued to the Wentworth

Bus Lines, Inc., of Dover, New Hampshire, Certificate of War Necessity No. 1-13-07 F3746, certifying mileage and motor fuel for the operation of commercial motor vehicles by said company and that said certificate and certifications therein contained are now in full force and effect; and

It is further appearing, that rubberborne transportation equipment, facilities, materials, and supplies, including motor fuel, are short in supply; there-

fore, pursuant to said directive of the Director of the Office of Economic Stabilization,

It is ordered, That Certificate of War Necessity No. 1-13-07 F3746, heretofore issued to the Wentworth Bus Lines, Inc., of Dover, New Hampshire, be and it hereby is cancelled, and the Wentworth Bus Lines, Inc., is directed forthwith to surrender or deliver such certificate of war necessity to Harold L. Barnard, District Manager, Highway Transport Department, Office of Defense Transportation, at his office: 12 Park Street, Concord, New Hampshire.

It is further ordered, That any representative of the Office of Defense Transportation is hereby authorized and directed by lawful and peaceable means to take possession of the said certificate if said Wentworth Bus Lines, Inc., fails or neglects to surrender or deliver it in accordance herewith.

This order shall become effective July 9, 1945.

(E.O. 9156, 7 F.R. 3349; WPB Directive 21, 8 F.R. 5834; Gen. Order ODT 21A, 9 F.R. 12362)

Issued at Washington, D. C., this 26th day of June 1945.

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

[F. R. Doc. 45-11435; Filed, June 27, 1945; 1:35 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 58 Under 3 (e)]

SOLDINE CORP.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith; *It is ordered:*

(a) Maximum delivered prices for sales in various sized containers of "Soldine V-110" a waterproofing compound, manufactured by the Soldine Corporation, Evanston, Illinois, are established as follows:

Maximum price to—	1-gal. size	½-gal. size	1-qt. size	1-pint size
Jobbers and commercial users.....	\$3.25	\$1.76	\$0.92	\$0.49
Dealers.....	8.61	1.95	1.02	.54
Consumers.....	6.00	3.25	1.70	.90

(b) No extra charge may be made for containers.

(c) With or prior to the first delivery of the aforesaid commodity to a jobber, the manufacturer shall furnish such jobber with a written notice containing the schedule of maximum prices set out in paragraph (a) above and a statement that they have been established by the Office of Price Administration.

(d) Prior to making any delivery of Soldine V-110, after the effective date of this order, the manufacturer shall mark or cause to be marked thereon whichever of the following legends is applicable:

Pint size—"Maximum retail price 90 cents".

Quart size—"Maximum retail price \$1.70".

½ Gallon size—"Maximum retail price \$3.25".

Gallon size—"Maximum retail price \$6.00".

This order shall become effective June 28, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11400; Filed, June 27, 1945; 11:44 a. m.]

[Order 59 Under 3 (e)]

GENERAL ANILINE & FILM CORP.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith; *It is ordered:*

(a) Maximum delivered prices for sales of the photographic chemicals listed below, manufactured by Ansco Division, General Aniline & Film Corporation, are established as follows:

	List price	Maximum prices—	
		To distributor	To commercial consumer
Sodium tetraphosphate:			
Per 1-lb. bottle.....	\$0.50	\$0.30	\$0.55
Per 5-lb. bottle.....	2.25	1.35	1.57
Per 25-lb. drum.....	8.73	5.24	6.11
Sodium thiocyanate:			
Per 2-oz. bottle.....	.29	.19	.22
Per 8-oz. bottle.....	.66	.44	.50
Per 32-oz. bottle.....	1.97	1.31	1.48
Per 1-gal. bottle.....	7.41	4.94	5.56
Colamine:			
Per 4-oz. bottle.....	1.16	.70	.82
Per 16-oz. bottle.....	4.13	2.49	2.99
Per ½-gal. bottle.....	16.20	9.76	11.38
Per 5-gal. bottle.....	145.07	96.71	109.28

(b) No extra charge may be made for containers.

(c) Prior to making any delivery of any of the aforesaid commodities after the effective date of this order, the manufacturer shall mark thereon whichever of the following legends is applicable:

- Sodium tetraphosphate:
- 1-lb. bottle—"Maximum retail price 50 cents".
 - 5-lb. bottle—"Maximum retail price \$2.25".
 - 25-lb. drum—"Maximum retail price \$8.73".
- Sodium thiocyanate:
- 2-oz. bottle—"Maximum retail price 29 cents".
 - 8-oz. bottle—"Maximum retail price 66 cents".
 - 32-oz. bottle—"Maximum retail price \$1.97".
 - 1-gal. bottle—"Maximum retail price \$7.41".
- Colamine:
- 4-oz. bottle—"Maximum retail price \$1.16".
 - 16-oz. bottle—"Maximum retail price \$4.13".
 - ½-gal. bottle—"Maximum retail price \$16.20".
 - 5-gal. bottle—"Maximum retail price \$145.07".

This order shall become effective June 28, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11401; Filed, June 27, 1945; 11:43 a. m.]

[MPR 120, Revocation of Order 1399]

LUXNER COAL CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES

Subsequent to June 15, 1945, the date of the issuance of Order No. 1395 under Maximum Price Regulation No. 120, a duplicate thereof was inadvertently issued as Order No. 1399 under said regulation. Therefore, *It is ordered:*

Order No. 1399 under Maximum Price Regulation No. 120 is hereby revoked.

This order shall become effective June 27, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11402; Filed, June 27, 1945; 11:45 a. m.]

[MPR 120, Order 1405]

ARNOLD HALL 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. 8. 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 § 1340.219 and all other provisions of Maximum Price Regulation No. 120.

ARNOLD HALL, HELLCHAWA, KY., ARNOLD HALL MINE, No. 2 SEAM, MINE INDEX No. 7403, WOLFE COUNTY, KY., SUBDISTRICT 3, DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 5.

	Size group Nos.							
	1	2	3	4	5	6	7	8
Truck shipment.....	395	375	350	330	310	275	270	

ELYS CREEK COAL CO., c/o DAN SHACKLEFORD, PENNINGTON GAP, VA., ELYS CREEK MINE, No. 3 SEAM, MINE INDEX No. 7404, LEE COUNTY, VA., SUBDISTRICT 7, RAIL SHIPPING POINT, PENN LEE, VA., F. O. G. 204, DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 5.

	Size group Nos.													
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21
Price classification.....	M	M	M	M	K	K	J	G	E	G	D	K	K	K
Rail shipments and railroad fuel.....	395	365	350	330	325	325	340	315	300	295				
Truck shipment.....	335	375	350	330	310	275	270							

MULLINS ELEHORN COAL CO., c/o E. C. PHILLIPS MANTON, KY., MULLINS MINE, ELEHORN No. 2 SEAM, MINE INDEX No. 7401, FLOYD COUNTY, KY., SUBDISTRICT 1, RAIL SHIPPING POINT, MARRS, KY., F. O. G. 61, DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 3.

	Size group Nos.													
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21
Price classification.....	H	H	H	H	H	H	H	H	E	C	E	C	G	G
Rail shipments and railroad fuel.....	395	380	375	375	365	350	330	330	330	335	315	310	300	295
Truck shipment.....	420	400	365	355	335	315	275	270						

SHEPHERD & SMITH, c/o ANDREW SHEPHERD, ONEDA, KY., SHEPHERD AND SMITH MINE, No. 4 HORSE CREEK SEAM, MINE INDEX No. 7394, CLAY COUNTY, KY., SUBDISTRICT 6, RAIL SHIPPING POINT, MANCHESTER, KY., F. O. G. 111, DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 5.

	Size group Nos.													
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21
Price classification.....	M	M	M	M	K	K	J	G	E	G	D	K	K	K
Rail shipments and railroad fuel.....	380	380	375	375	365	345	340	340	340	375	330	315	310	310
Truck shipment.....	395	375	350	350	330	310	275	270						

TRENY MATRO, RADINE, W. VA., SHOEF CREEK MINE, No. 2 GAS SEAM, MINE INDEX No. 7399, BOONE COUNTY, W. VA., SUBDISTRICT 4, RAIL SHIPPING POINT, PEYTONA, W. VA., F. O. G. 123, DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 3.

	Size group Nos.													
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21
Price classification.....	L	L	L	L	H	H	H	H	G	F	G	B	H	H
Rail shipments and railroad fuel.....	365	365	360	360	360	330	325	325	325	360	320	310	300	295
Truck shipment.....	420	400	365	365	335	315	275	270						

RED ASH POCAHONTAS COAL CO., MERCANTILE LIBRARY BLDG., CINCINNATI 2, OHIO, SERVICE RIVER No. 4 MINE, REFUSE PILE, ALMA SEAM, MINE INDEX No. 7040, BOONE COUNTY, W. VA., SUBDISTRICT 4, RAIL SHIPPING POINT, JEFFREY, W. VA., F. O. G. 123, DEEP MINE.

	Size group Nos.													
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21
Price classification.....	L	L	L	L	H	H	H	H	G	F	G	B	H	H
Rail shipments and railroad fuel.....	365	365	360	360	360	330	325	325	325	360	320	310	300	295
Truck shipment.....	420	400	365	365	335	315	275	270						

This order shall become effective June 28, 1945. [MPR 120, Order 14061] SANDERSON COAL CO. 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. 8. 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 § 1340.219 and all other provisions of Maximum Price Regulation No. 120.

SANDERSON COAL CO., NATIONAL BANK OF COMMERCE BLDG., CHARLESTON, W. VA., SANDERSON No. 1 MINE, No. 5 BLOCK SEAM, MINE INDEX No. 7408, KAWAUBA COUNTY, W. VA., SUBDISTRICT 4, RAIL SHIPPING POINT, SANDERSON, W. VA., F. O. G. 127, DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 4.

	Size group Nos.													
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21
Price classification.....	Q	Q	Q	Q	P	P	O	M	K	M	F	M	M	M
Rail shipment.....	345	340	335	335	330	315	310	310	305	355	310	290	275	270
Railroad fuel.....	345	340	335	335	335	325	325	325	325	335	310	290	275	270
Truck shipment.....	405	385	355	365	385	320	275	270						

BARSTON FORD COAL CO., c/o H. CHANEY, EAST LYNN, W. VA., BARSTON FORD MINE, No. 5 BLOCK SEAM, MINE INDEX No. 7405, WAYNE COUNTY, W. VA., SUBDISTRICT 5, RAIL SHIPPING POINT, EAST LYNN, W. VA., F. O. G. 130, DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 5.

	Size group Nos.													
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21
Price classification.....	Q	Q	Q	Q	O	O	L	L	J	L	G	M	M	M
Rail shipment.....	345	340	335	335	325	315	325	310	305	355	310	290	275	270
Railroad fuel.....	345	340	335	335	335	325	325	325	325	355	310	290	275	270
Truck shipment.....	395	375	350	350	335	310	275	270						

CHANEY AND BERRY, c/o ELMER CHANEY, BOX 120-A, EAST LYNN, W. VA., CHANEY AND BERRY MINE, No. 5 BLOCK SEAM, MINE INDEX No. 7409, WAYNE COUNTY, W. VA., SUBDISTRICTS, RAIL SHIPPING POINT, EAST LYNN, W. VA., F. O. G. 130, DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 5.

	Size group Nos.													
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21
Price classification.....	Q	Q	Q	Q	O	O	L	L	J	L	G	M	M	M
Rail shipment.....	345	340	335	335	325	315	325	310	305	355	310	290	275	270
Railroad fuel.....	345	340	335	335	335	325	325	325	325	355	310	290	275	270
Truck shipment.....	395	375	350	350	335	310	275	270						

CUTSHUR'S COAL CO., COMBS, KY., SECOND CREEK MINE, HAZARD No. 4 SEAM, MINE INDEX No. 7037, PERRY COUNTY, KY., SUBDISTRICT 3, RAIL SHIPPING POINT, COMBS, KY., F. O. G. 100, STRIP MINE, MAXIMUM TRUCK PRICE GROUP No. 5.

	Size group Nos.													
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21
Price classification.....	K	K	K	K	J	J	H	G	F	G	D	K	K	K
Rail shipments and railroad fuel.....	380	375	365	365	360	340	325	325	325	350	315	300	295	295
Truck shipment.....	395	375	350	350	335	310	275	270						

QUEEN SHOALS COAL CO., c/o L. E. WOOFER, CLAY, W. VA., QUEEN No. 1 MINE, PEACOCK SEAM, MINE INDEX No. 7407, CLAY COUNTY, W. VA., SUBDISTRICT 4, RAIL SHIPPING POINT, QUEEN SHOALS, W. VA., F. O. G. 130, DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 5.

	Size group Nos.													
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21
Price classification.....	Q	Q	Q	Q	P	P	M	M	K	M	F	M	M	M
Rail shipment.....	345	340	335	335	320	315	310	305	355	310	290	275	270	270
Railroad fuel.....	345	340	335	335	325	325	325	325	325	355	310	290	275	270
Truck shipment.....	395	375	350	350	335	310	275	270						

[F. R. Doc. 45-11403; Filed, June 27, 1945; 11:50 a. m.]

This order shall become effective June 28, 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 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11404; Filed, June 27, 1945; 11:50 a. m.]

[MPR 120, Order 1407]

ALABAMA BY-PRODUCTS CORP. ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with 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. 13. 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 § 1340.224 and all other provisions of Maximum Price Regulation No. 120.

ALABAMA BY-PRODUCTS CORP., c/o P. O. Box 354, Birmingham, Ala., Rail Shipping Point; COLTA, Ala., Strip Mine, Maximum Price Group No. 3 for Rail Shipments and Railroad Fuel, Maximum Truck Price Group No. 5

	Size group Nos.						
	1 to 5, inclusive	6, 8, 10	7, 9, 11	12, 14, 15, 16	13, 19, 20, 21	17, 18	22, 23
Rail shipment and railroad fuel.....	420	420	410	420	410	410	400
Truck shipment.....	510	505	495	490	450	455	435

BIBB MINING CO., 2109 Third Ave., N., Birmingham, Ala., Thompson #1 Mine, Thompson Seam, Mine Index No. 2044, Bibb County, Ala., Rail Shipping Point; BROOKSTON, Ala., Strip Mine, Maximum Price Group No. 6 for Rail Shipments and Railroad Fuel, Maximum Truck Price Group No. 2

Rail shipment and railroad fuel.....	735	695	585	565	495	465	455
Truck shipment.....	550	520	500	470	460	445	410

FRANK G. CHISM, Birmingham, Ala., Chism Mine, Wadsworth Seam, Mine Index No. 2855, St. Clair County, Ala., Rail Shipping Point; BROOKSTON, Ala., Strip Mine, Maximum Price Group No. 6 for Rail Shipments and Railroad Fuel, Maximum Truck Price Group No. 2

Rail shipment and railroad fuel.....	575	525	515	435	425	415	405
Truck shipment.....	550	520	500	470	460	445	410

DUNLAP COAL CO., Route 3, Jasper, Ala., Dunlap Mine, Mary Lee Seam, Mine Index No. 2087, Walker County, Ala., Rail Shipping Point; EAST JASPER, Ala., Strip Mine, Maximum Price Group No. 1 for Rail Shipments and Railroad Fuel, Maximum Truck Price Group No. 7

Rail shipment and railroad fuel.....	395	385	385	390	380	385	375
Truck shipment.....	465	480	490	425	415	420	385

M. E. HUDDLESTON, 1029-157th St., S., Birmingham, Ala., Huddleston Mine, Mary Lee Seam, Mine Index No. 2083, Jefferson County, Ala., Rail Shipping Point; BIRMINGHAM, Ala., Deep Mine, Maximum Price Group No. 1 for Rail Shipments and Railroad Fuel, Maximum Truck Price Group No. 7

	Size group Nos.						
	1 to 5, inclusive	6, 8, 10	7, 9, 11	12, 14, 15, 16	13, 19, 20, 21	17, 18	22, 23
Rail shipment and railroad fuel.....	396	385	385	390	380	385	375
Truck shipment.....	465	480	490	425	415	420	385

PIERCE AND DAWKINS, c/o J. G. Pierce, Maylene, Ala., Perry Mine, Upper Dogwood Seam, Mine Index No. 3690, Shelby County, Ala., Rail Shipping Point; STRAVEN, Ala., Deep Mine, Maximum Price Group No. 6 for Rail Shipments and Railroad Fuel, Maximum Truck Price Group No. 2

Rail shipment and railroad fuel.....	575	525	515	435	425	415	405
Truck shipment.....	550	520	500	470	460	445	410

ROBBUCK, FERGUSON & POMPEY, c/o Red Robbuck, Newcastle, Ala., Robbuck Mine, Mary Lee Seam, Mine Index No. 2066, Jefferson County, Ala., Rail Shipping Point; DEEP MINE, Maximum Price Group No. 1 for Rail Shipments and Railroad Fuel, Maximum Truck Price Group No. 7

Truck shipment.....	465	489	490	425	415	420	385
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BERT L. WEST, PETERSON, ALA., BUCK DIAMOND COAL CO. MINE, BROOKWOOD SEAM, MINE INDEX NO. 2084, TUSCALOOSA COUNTY, ALA., RAIL SHIPPING POINT, SHIRAS, ALA., DEEP MINE, MAXIMUM PRICE GROUP NO. 1 FOR RAIL SHIPMENTS AND RAILROAD FUEL, MAXIMUM TRUCK PRICE GROUP NO. 7.

Rail shipment and railroad fuel.....	395	385	385	390	380	385	375
Truck shipment.....	465	480	490	425	415	420	385

WOODSTOCK COAL CO., c/o H. C. Corbuen, P. O. Box 111, Fairfield, Ala., No. 1 Mine, Wadsworth Seam, Mine Index No. 2086, Bibb County, Ala., Rail Shipping Point; WOODSTOCK, Ala., Strip Mine, Maximum Price Group No. 6 for Rail Shipments and Railroad Fuel, Maximum Truck Price Group No. 2

Rail shipment and railroad fuel.....	575	550	520	500	470	425	415
Truck shipment.....	550	520	500	470	460	445	410

This order shall become effective June 28, 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 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11405; Filed, June 27, 1945; 11:44 a. m.]

[MPR 188, Revocation of Order 3615]

POLK INDUSTRIES

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188: It is ordered:

(a) This order establishes maximum prices for sales and deliveries of certain

elite appliances

[MPR 188, Order 4019]

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188: It is ordered:

(a) This order establishes maximum prices for sales and deliveries of certain

polk industries

articles manufactured by Elite Appliances, 5014 Fort Hamilton Parkway, Brooklyn, New York.

(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.	Maximum prices for sales by any seller to—			
		Wholesalers (jobbers)	Retailers 6 units or more	Retailers less than 6 units	Consumers
Two burner single heat white enameled hot plate.....	50	Each \$3.10	Each \$3.75	Each \$4.05	Each \$6.05

These maximum prices are for the articles described in the manufacturer's application dated June 7, 1945, and include the Federal Excise Tax.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain either of the following statements:

Either

Order No. -----
 Model No. 50
 OPA Retail Ceiling Price \$6.05
 Do Not Detach
 Federal Excise Tax Included
 Or
 Elite Appliances
 5014 Fort Hamilton Parkway
 Brooklyn, New York
 Model No. 50
 OPA Retail Ceiling Price \$6.05
 Do Not Detach
 Federal Excise Tax Included

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

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

(e) This order shall become effective on the 28th day of June 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
 Administrator.

[F. R. Doc. 45-11410; Filed June 27, 1945; 11:46 a. m.]

[MPR 188, Order 4020]

ROBERT ADEL

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Robert Adel, 22 West 25th Street, New York 10, New York.

(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.	Maximum prices for sales by any seller to—			
		Wholesalers (jobbers)	Retailers 6 units or more	Retailers (less than 6 units)	Consumers
1 heat, 1 burner hot plate.....	123	Each \$0.97	Each \$1.15	Each \$1.25	Each \$1.85

These maximum prices are for the articles described in the manufacturer's application dated March 23, 1945, and include the Federal Excise Tax.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory, and are subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain either of the following statements:

Either

Order No. -----
 Model No. 123
 OPA Retail Ceiling Price \$1.85
 Do Not Detach
 Federal Excise Tax Included
 Or
 Robert Adel
 22 West 25th Street
 New York 10, New York
 Model No. 123
 OPA Retail Ceiling Price \$1.85
 Do Not Detach
 Federal Excise Tax Included

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

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

(e) This order shall become effective on the 28th day of June 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
 Administrator.

[F. R. Doc. 45-11411; Filed, June 27, 1945; 11:46 a. m.]

[MPR 188, Order 4021]

RAVENNA METAL PRODUCTS CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Ravenna Metal Products Company, 6518 Ravenna Avenue, Seattle 5, Wash.

(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 and model No.	Maximum prices to			
	Exclusive distributor (broker)	Jobber	Retailer	Consumer
Keen Kaster Reel 6.....	Each \$3.08	Each \$3.39	Each \$4.01	Each \$6.50

The above wholesale prices are subject to a cash discount of 2 percent 10 days, net 30 days, and are f. o. b. usual point of shipment. These prices include the Federal excise tax.

These maximum prices are for the articles described in the manufacturer's application dated May 12, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices

are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$-----
Including Federal Excise Tax
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

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

(e) This order shall become effective on the 28th day of June 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11412; Filed, June 27, 1945;
11:46 a. m.]

[MPR 260, Order 1331]

BERT REDBURN

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) Bert Redburn, 605 S. W. Broad St., Des Moines, Iowa (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
Berts cigars.....	Kings.....	50	Per M \$48	Cents 6
	Knights.....	50	36	2 for 9
	Queens.....	50	36	2 for 9

(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 pur-

chasers 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 June 28, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11413; Filed, June 27, 1945;
11:48 a. m.]

[MPR 260, Order 1332]

FERMIN REBOLLO

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) Fermín Rebollo, 35 E. 110 Street, New York 29, 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 maxi-

mum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
La Elena.....	Perfecto.....	50	Per M \$115	Cents 15
	Queens.....	50	130	3 for 50
	Coronita.....	50	72	9
	Corona.....	50	105	14
	Corona Extra.....	50	146	19

(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 June 28, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11414; Filed, June 27, 1945;
11:49 a. m.]

[MPR 260, Order 1333]

GEORGE SECHRIST

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) George Sechrist, 88 E. Main Street, Windsor, 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
Queen Perfecto— Post Cigar Co.	Queen Perfecto.	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 June 28, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11415; Filed, June 27, 1945; 11:48 a. m.]

[MPR 260, Order 1334]

MAX FINEGOLD

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) Max Finegold, 1409 McColloch St., Wheeling, W. Va. (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
Wheeling Perfecto.	5".....	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 June 28, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11416; Filed, June 27, 1945; 11:49 a. m.]

[MPR 260, Order 1335]

DAN SVILAR

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) Dan Svilar, Hudson, Wyo. (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
Rocky Mountain.	Perfecto.....	50	Per M \$82.50	Cents 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 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.

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 June 28, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11417; Filed, June 27, 1945;
11:49 a. m.]

[MPR 260, Order 1336]

LUIS PRIETO ALFONZO

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) Luis Prieto Alfonso, 602 East 138th Street, New York 54, 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
Leader.....	Ambassador...	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 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 June 28, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11418; Filed, June 27, 1945;
11:49 a. m.]

[MPR 260, Order 1337]

COLLEGE 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) College Cigar Co., 145 E. College Avenue, York, 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
Penn Athletic Club.	Perfecto..... Medium Perfecto.	50 50	Per M \$82.50 75.00	Cents 11 10

(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 June 28, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11419; Filed, June 27, 1945;
11:47 a. m.]

[MPR 260, Order 1338]

NUNEZ & PEREZ 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) Nunez & Perez Cigar Co., 29 Columbus Avenue, New York 23, 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
Coronita.....	4 3/4"	50	\$72.00	9
Corona.....	5"	50	82.50	11
Petty Corona.....	4 1/2"	50	64.00	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 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 June 28, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11420; Filed, June 27, 1945;
11:50 a. m.]

[MPR 260, Order 1339]

EVA 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) Eva Cigar Co., Route 4, Box 1329, Tampa 7, 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
Anthony.....	Conecha Fina..	50	Per M \$56	7
	Londre Especial.	50	64	8
	Corona Chica.	50	64	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 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.

changers 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 June 28, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11421; Filed, June 27, 1945;
11:47 a. m.]

[MPR 260, Order 1340]

KLEINHEINZ BROS.

AUTHORIZATION OF MAXIMUM PRICES

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

(a) Walter L. Kleinheinz, d/b/a Kleinheinz Bros., 1207 So. Minnesota Avenue, Sioux Falls, S. Dak. (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
Celia Thaxter.....	Celia Thaxter.	50	Per M \$93.75	2 for 25
Little Celia Thaxter.	Little Celia Thaxter.	50	72.00	9

(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 June 28, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11422; Filed, June 27, 1945;
11:46 a. m.]

[MPR 260, Order 1341]

A. PEREZ & BROSS

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. Perez & Bross, 2006 Taliaferro Street, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
La Margaret.....	Sublimes.....	50	Per M \$48	Cents 6
	Corona Special.	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 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 June 28, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11423; Filed, June 27, 1945;
11:47 a. m.]

[RMPR 357, Order 1]

CERTAIN IMPORTED INDIA TANNED SHEEPSKINS

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 6 of Revised Maximum Price Regulation 357; *It is ordered*:

(a) The maximum prices at which any person may purchase, sell or deliver SS mark East India tanned sheepskins shall be the applicable maximum prices for corresponding grades, weights and selections of MO mark East India tanned sheepskins established by sections 4 and 5 of Revised Maximum Price Regulation 357.

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

(c) This Order No. 1 shall become effective the 2d day of July 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11399; Filed, June 27, 1945;
11:43 a. m.]

[MPR 580, Order 79]

THE LANE CO., INC.

ESTABLISHMENT OF MAXIMUM PRICES

Order 79 under Maximum Price Regulation 580. Establishing ceiling prices at retail for branded articles. Docket No. 6063-580-13-205.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 13 of Maximum Price Regulation No. 580; *It is ordered*:

(a) The following ceiling prices are established for sales by any seller at retail of the following branded articles manufactured by The Lane Company, Inc., Altavista, Va., and described in the manufacturer's application dated June 8, 1945:

Article	Brand name	Style No.	Manufacturer's price line	Ceiling price at retail
Cedar Chest.....	Lane.....	2101	\$21.50	\$39.50
do.....	2076	25.50	49.50

(b) The retail ceiling prices contained in paragraph (a) shall apply in place of the ceiling prices which would otherwise be established under the pricing rules of Maximum Price Regulation No. 580.

(c) On and after July 1, 1945, The Lane Company, Inc. must mark each article

listed in paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

(Section 13, MPR 580)
OPA Retail Ceiling Price \$-----

On and after August 1, 1945, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 1, 1945, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of Maximum Price Regulation No. 580.

(d) On or before the first delivery to any purchaser for resale of each article listed in paragraph (a), the seller shall send the purchaser a copy of this order.

(e) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 580 shall apply to sales for which retail ceiling prices are established by this order.

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

This order shall become effective June 28, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11424; Filed June 27, 1945; 11:47 a. m.]

[MPR 580, Order 80]

MANFIELD HANDKERCHIEF CO., INC.

ESTABLISHMENT OF MAXIMUM PRICES

Order 80 under Maximum Price Regulation 580. Establishing ceiling prices at retail for branded articles. Docket No. 6063-580-13-221.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 13 of Maximum Price Regulation No. 580; *It is ordered:*

(a) The following ceiling prices are established for sales by any seller at retail of the following branded articles manufactured by Manfield Handkerchief Co., Inc. 404 Fifth Avenue at 37th Street, New York, N. Y. and described in the manufacturer's application dated June 5, 1945:

Article	Brand name	Style No.	Manufacturer's price line (per dozen)	Ceiling price at retail (per unit)
Handkerchief....	Dutchess....	300	\$1.85	\$0.25

(b) The retail ceiling prices contained in paragraph (a) shall apply in place of the ceiling prices which would otherwise be established under the pricing rules of Maximum Price Regulation No. 580.

(c) On and after July 1, 1945, Manfield Handkerchief Co., Inc., must mark each article listed in paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price.

This mark or statement must be in the following form:

(Section 13, MPR 580)
OPA Retail Ceiling Price \$-----

On and after August 1, 1945, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 1, 1945, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of Maximum Price Regulation No. 580.

(d) On or before the first delivery to any purchaser for resale of each article listed in paragraph (a), the seller shall send the purchaser a copy of this order.

(e) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 580 shall apply to sales for which retail ceiling prices are established by this order.

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

This order shall become effective June 28, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11425; Filed, June 27, 1945; 11:48 a. m.]

[RMPR 136, Amdt. 1 to Order 452]

WHEELCO INSTRUMENTS CO.

DETERMINATION OF MAXIMUM PRICES

Amendment No. 1 to Order No. 452 Under Revised Maximum Price Regulation 136. Machines, parts and industrial equipment. Wheelco Instruments Company. Docket No. 6083-136.21-333.

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; *It is ordered:*

In paragraph (a), the text preceding the table is amended to read as follows:

(a) The maximum prices for sales by Wheelco Instruments Company, Chicago, Illinois, of industrial measuring and control instruments to equipment manufacturers and stocking jobbers shall be determined as follows: The company shall apply the following discounts to the list price it had in effect just prior to the issuance of this order:

This amendment shall become effective June 28, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11408; Filed June 27, 1945; 11:45 a. m.]

[Supp. Order 73, Order 3]

R. E. NOBLE

APPROVAL OF REGISTRATION

For the reasons set forth in an opinion issued simultaneously herewith and

filed with the Division of the Federal Register, and pursuant to Supplementary Order No. 73; *It is ordered:*

(a) That the maximum price regulations of the Office of Price Administration shall have no application to sales or deliveries of damaged commodities by R. E. Noble, 2111 Kittridge Street, Berkeley, California.

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

(c) This order shall become effective on the 28th day of June 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11409; Filed, June 27, 1945; 11:45 a. m.]

[RPS 40, Amdt. 3 to Order 10]

WILSON BOHANNAN CO.

ADJUSTMENT OF MAXIMUM PRICES

An opinion setting forth the reasons for the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Paragraph (a) (1) of Order No. 10 under § 1346.6a (a) of Revised Price Schedule No. 40 is amended to read as follows:

(1) *Maximum list prices for Wilson Bohannan Company.* On and after July 13, 1944, Wilson Bohannan Company may sell, offer to sell and deliver the following padlocks at not more than the list prices specified below:

BRONZE AND MALLEABLE IRON SWITCH LOCKS

Model No.	Maximum net price (per dozen)		
	No keys	1 key	2 keys
680.....	\$16.20	\$19.25	\$22.30
681.....	18.20	21.25	24.30
116.....	19.20	23.25	27.30
118.....	22.25	26.30	30.30

EXTRUDED PIN TUMBLER PADLOCKS WITH 2 KEYS

Model No.:	Maximum list price (per dozen)
618.....	\$6.70
619.....	14.60
620.....	16.20
621.....	21.20
622.....	27.30

(i) *Discounts, services and transportation charges.* The maximum list prices established in subparagraph (1) shall be subject to the following discounts:

On sales to jobbers... Discount of 50 percent.
On sales to industrial users... Discount of 25 percent.
On sales to retailers... Discount of 33 1/3 percent.

Such maximum list prices shall also be subject to the extension of cash discounts, the rendition of services and the absorption of transportation charges most favorable to purchasers of the same class which Wilson Bohannan Company extended, rendered or absorbed or would have extended or absorbed during the period October 1 to 15, 1941.

This amendment shall become effective June 28, 1945.

Issued this 27th day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-11407; Filed, June 27, 1945; 11:45 a. m.]

Regional and District Office Orders.

[Region I 2d Rev. Order G-1 Under 2d RMPR MPR 269, Amdt. 1]

POULTRY IN BOSTON REGION

For reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by section 2.3 of Second Revised Maximum Price Regulation No. 269 and the Emergency Price Control Act of 1942, as amended, *It is hereby ordered:*

(a) Second Revised Order No. G-1 under Second Revised Maximum Price Regulation No. 269 is amended as follows:

(1) Section (d-1) is added as follows:

(d-1) (a) If a State Government located in Region I or any agency thereof requisitions or otherwise takes possession of any of the live poultry items subject to this order from a truck or any other carrier, whether or not such truck or other carrier is in transit or at stoppage, it shall pay for such poultry no more than the the maximum base price established for such live poultry items at the place where the requisitioning or transfer of physical possession occurs, plus 2¢ per pound. The weight of any poultry items so requisitioned or seized shall, where practicable, be determined at the time and place where the requisitioning or transfer of physical possession occurs. Otherwise, the weight of such poultry items shall be determined as soon as such State Government or its agency determines it to be practicable.

(b) A State Government or any agency thereof which has requisitioned or otherwise taken possession of poultry items may sell such poultry items to any purchaser at the "net cost" thereof. "Net cost" is the amount paid for the poultry items plus all incidental expenses connected with processing and/or transporting the poultry. Such incidental expenses include, but are not limited to, fees for processing; feeding, icing, storage and packaging charges; and transportation from a processor's place of business to the premises of the purchaser.

(2) Table B in paragraph (c) is amended so that the column headed "Buyer" reads as follows as to items 1 and 3:

Buyer

1 All wholesalers and individual retail stores and a State Government located in Region I or any agency thereof, requisitioning or otherwise taking possession of poultry.

2 -----
3 Wholesalers or hotel supply houses and a State Government located in Region I or any agency thereof, requisitioning or otherwise taking possession of poultry.

(b) This amendment shall be effective as of March 28, 1945.

Issued this 28th day of March 1945.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 45-11342; Filed, June 26, 1945; 4:41 p. m.]

[Region I 2d Rev. Order G-1 Under 2d RMPR 269, Amdt. 2]

POULTRY IN BOSTON REGION

For reasons set forth in an opinion issued simultaneously herewith and un-

der the authority vested in the Regional Administrator of Region I of the Office of Price Administration by section 2.3 of Second Revised Maximum Price Regulation No. 269 and the Emergency Price Control Act of 1942, as amended; *It is hereby ordered:*

(a) Second Revised Order No. G-1 under Second Revised Maximum Price Regulation No. 269 is amended as follows:

(1) Table A in paragraph (b) (1) is amended to read as follows:

TABLE A

Type	Food products (weight)		Eastern zone basing-point city—Chicago			
	Liveweight	Kosher-killed, kosher-dressed and dressed weight	Live	Dressed	Kosher killed	Kosher dressed and plucked
Broilers and fryers.....	Under 4.....	Under 3½.....	27.5	37	36	37.5
Roasters.....	4 and over.....	3½ and over.....	27.5	37	36	37.5
Capons:						
Light.....	Under 6.....	Under 5½.....	27.5	37	36	37.5
Heavy.....	6 and over.....	5½ and over.....	31	40	39	40.5
Fowl.....	All weights.....	All weights.....	24	33	32	33.5
Stags and old roosters.....	All weights.....	All weights.....	20	28.5	27.5	29

(b) This amendment shall be effective as of May 11, 1945.

Issued this 11th day of May 1945.

E. C. SHOUP,
Regional Administrator.

[F. R. Doc. 45-11346; Filed, June 26, 1945; 4:42 p. m.]

[Richmond Rev. Order 1 Under Gen. Order 50, Amdt. 1]

MALT AND CEREAL BEVERAGES IN RICHMOND, VA., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Richmond District Office of Region IV of the Office of Price Administration by General Order Number 50, issued by the Administrator of the Office of Price Administration, and by Region IV Revised Delegation Order Number 17, issued May 5, 1944: *It is hereby ordered,* subject to Supplementary Order Number 40 (issued April 2, 1943; 8 F.R. 4325):

1. Subsections (a) and (b) of section 10 of Revised Order Number 1, issued as amended September 2d, 1944, under the said General Order Number 50 are amended to read as follows:

(a) Supplying all purchasers with menus or bills of fare showing the establishment's ceiling prices for each brand and container type and size sold by it of malt or cereal beverages, whether bottled or on draught, or by

(b) Posting a sign giving the same information as required on menus or bills of fare by subsection (a) above. Such a sign must be posted in the establishment at a place where it can be easily read by all purchasers while eating or drinking. If you prefer you may use a similar sign furnished by the Office of Price Administration.

2. Appendix A and Appendix B of the said Revised Order Number 1 are amended to read as follows:

3. All other provisions of the said Revised Order Number 1 remain unchanged and in full force and effect.

4. This amendment shall become effective immediately upon issuance.

(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, Rev. Reg. Deleg. Order 17)

Issued at Richmond, Virginia this fifth day of October 1944.

J. FULMER BRIGHT,
District Director.

[F. R. Doc. 45-11344; Filed, June 26, 1945; 4:42 p. m.]

[Region VII Order G-5 Under Order 1444 of MPR 188]

WENTWORTH MFG. CO. ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Order No. 1444 under § 1499.159b of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G-5 is issued.

(a) *What this order does.* This Order No. G-5 establishes maximum prices for a doll chest of drawers manufactured by Wentworth Manufacturing Company of 3380½ West Thirty-eighth Avenue, Denver, Colorado, when sold, finished and unfinished, by the manufacturer to jobbers or wholesalers, by the manufacturer, jobbers or wholesalers to retailers, and by any person to ultimate consumers or users.

(b) *Authorized maximum prices.* Upon and after the effective date of this Order No. G-5, the maximum prices for the doll chest of drawers, which is by the manufacturer designated Model No. 1, manufactured by Wentworth Manufacturing Company of Denver, Colorado, in accordance with the specifications set forth in the application of said manufacturer now on file in this Regional Of-

file as a part of the record in this case, shall be as follows:

	Finished	Unfinished
(1) When sold by the manufacturer, f. o. b. shipping point, to a jobber or a wholesaler.....	Each \$2.15	Each \$1.60
(2) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a retailer.....	2.65	2.00
(3) When sold by any seller to an ultimate consumer or user.....	4.00	3.00

NOTE: The maximum prices authorized by the above paragraphs (1) and (2) are subject to a discount of 2% for payment within 10 days from date of invoice.

(c) *Notice to be given purchasers for resale.* When the manufacturer or any other seller makes a first sale under this Order No. G-5 to a person who purchases for resale, he must show upon the invoice or on a separate slip or rider attached thereto the applicable portions of the following provisions:

By virtue of Order No. G-5 under Maximum Price Regulation No. 188, Order No. 1444, the OPA authorized maximum resale prices for this Doll Chest of Drawers, Model No. 1, are:

(1) When sold by the manufacturer, a jobber, or a wholesaler, f. o. b. shipping point, to a retailer: \$2.65 each, finished; \$2.00 each, unfinished.

(2) When sold by any seller to an ultimate consumer or user: \$4.00 each, finished; \$3.00 each, unfinished.

(d) *Applicability of other regulations.* The pricing provisions of the General Maximum Price Regulation have no application to the prices established by this Order No. G-5 for sales by the manufacturer or any other seller.

(e) *Geographical applicability.* The prices authorized by this Order No. G-5 for resellers are applicable only to sales made within 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.

(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 Price Administrator or the Regional Administrator.

(h) *Effective date.* This Order No. G-5 shall become effective on the 14th day of June, 1945.

Issued this 14th day of June 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-11345; Filed, June 26, 1945; 4:42 p. m.]

[Region VII 2d Rev. Order G-7 Under Supp. Reg. 15]

FLUID MILK IN COLORADO

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Supplementary Regulation 15 to the General Maximum Price Regulation, as amended, and for the reasons set forth in the accompanying opinion, this compilation of 2d Revised Order No. G-7 under Supplementary Regulation 15 to the General Maximum Price Regulation, including Amendments 1 to 8, is issued.

(a) *What this order does.* This second revised order, including Amendments 1 to 8, covers only that part of the State of Colorado not covered by Amendment No. 7 to Supplementary Regulation 14A drawn by the Washington Office of the Office of Price Administration and issued simultaneously with said 2d Revised Order No. G-7; and that part of the State of Colorado so covered by this 2d Revised Order No. G-7, including Amendments 1 to 8, is divided into thirteen areas, designated Area 1, Area 2, Area 3, Area 4, Area 5, Area 6, Area 7, Area 8, Area 9, Area 10, Area 11, Colorado Springs Area, and Pueblo Area, as geographically defined in paragraph (c) hereof.

(b) *Adjusted maximum prices for the several Colorado areas covered.* On and after the effective date of this compilation of 2d Revised Order No. G-7 including Amendments 1 to 8, the maximum prices for fluid milk of approved grade in the several Colorado areas defined in paragraph (c) hereof, when sold in glass or paper containers, at wholesale and at retail, shall be as follows:

TABLE OF MAXIMUM PRICES

	1/2 pint	Pint	Quart	1/2 gallon	Gallon
Area 1:					
Wholesale.....	3 1/2	6	11	21	41
Retail out of store or home delivered.....	5	7	13	25	48
Area 2:					
Wholesale.....	3 1/2	5	10	19	37
Retail out of store or home delivered.....	5	7	12	22	44
Area 3:					
Wholesale.....	3 1/2	5 1/2	10 1/2	20	39
Retail out of store or home delivered.....	6	7	12 1/2	24	46
Area 4:					
Wholesale.....	5	7	13	25	49
Retail out of store or home delivered.....	7	9	15	29	56
Area 5:					
Wholesale.....	4	6	12	23	45
Retail out of store or home delivered.....	6	8	14	27	52
Area 6:					
Wholesale.....					
Retail out of store or home delivered.....			14		
Maximum prices for certain milk products sold at retail in glass or paper containers in area 6:					
Coffee cream (18 percent butterfat).....				50 1/2	
Buttermilk.....				11 1/2	
Chocolate drink.....				13 1/2	
Area 7:					
Wholesale delivered.....				12 1/2	
Retail out of store.....				14 1/2	
Area 8:					
Wholesale delivered.....	3 1/2	5	10 1/2	20	38
Retail out of store or home delivered.....	5 1/2	7	12 1/2	22	44
Area 9:					
Wholesale delivered.....				11 1/2	
Retail out of store.....				13 1/2	
Area 10:					
Wholesale delivered.....	4	6	11 1/2	22	43
Retail out of store.....	6	7	13 1/2	26	50

TABLE OF MAXIMUM PRICES—Continued

	1/2 pint	Pint	Quart	1/2 gallon	Gallon
Area 11:					
Wholesale delivered.....				11	
Retail out of store.....				13	
Colorado Springs area:					
Wholesale.....	3 1/2	6	11	21	41
Retail.....	5	7	13	25	48
Pueblo area:					
Wholesale.....	3 1/2	6	11	21	41
Retail.....	5	7	13	25	48

(c) *Definitions.* (1) "Milk" or "fluid milk" means cow's milk, raw or processed, of approved grade, when sold in glass or paper containers for human consumption in fluid form as whole milk.

(2) "Approved fluid milk" means fluid milk which satisfies the minimum butterfat content, sanitary, and health standards established by the appropriate municipal or other governmental authority in the area where delivered and, in addition, for purchases by the armed forces, the standards established by the Army and Navy.

(3) "Area 1" means all that area in the State of Colorado contained within the Counties of Baca, Bent, Boulder, Clear Creek, Delta, Fremont, Gilpin, Hinsdale, Las Animas, Larimer, Mesa, Mineral, Moffat, Montrose, except that portion contained in Area 4), Otero, Ouray, Pitkin, Prowers, Summit (except that portion contained in Area 6), the municipality of Crested Butte in Gunnison County and a distance of five miles beyond the corporate limits thereof at all points, the coal mining camps of Somerset and Oliver in Gunnison County, the Towns of Oak Creek, Phippsburg, Pinnacle, Haybro, Routt, and Oak Hills in Routt County, and the mining camp of Climax in Lake County.

(4) "Area 2" means all that area in the State of Colorado contained within the County of Alamosa (except the municipality of Alamosa and a distance of five miles beyond the corporate limits thereof at all points), Chaffee, Cheyenne, Conejos, Costilla, Crowley (except the Town of Ordway and a distance of three miles beyond the corporate limits thereof at all points), Custer, Dolores (except that portion contained in Area 1), Eagle (except that portion contained in Area 6), Elbert, El Paso (except the Colorado Springs Area), Garfield, Grand (except the Town of Grand Lake and a distance of five miles beyond the corporate limits thereof at all points), Gunnison (except that portion contained in Area 1), Jackson, Kit Carson, Kiowa, Lincoln, Morgan, Park, Phillips, Pueblo (except the Pueblo Area, and except the hamlet of Rye in Pueblo County and all that area lying within a radius of five miles thereof), Rio Blanca, Rio Grande (except the municipality of Del Norte), Routt (except that portion contained in Area 1), Saguache, San Miguel (except that portion contained in Area 4), Washington, and Yuma.

(5) "Area 3" means all that area in the State of Colorado contained within the Counties of Adams (except that portion covered by Amendment 7 to Sup-

plementary Regulation 14A as issued by the Washington Office), Arapahoe (except that portion covered by Amendment 7 to Supplementary Regulation 14A as issued by the Washington Office), Archuleta, Douglas, Jefferson (except that portion covered by Amendment 7 to Supplementary Regulation 14A as issued by the Washington Office), Huerfano, La Plata, Logan, Montezuma, Teller, Sedgwick and Weld.

(6) "Area 4" means all that area in the State of Colorado contained within the County of San Juan, all that part of San Miguel County contained within the boundaries of the Montezuma National Forest, and the mining camps of Naturita and Uravan in Montrose County.

(7) "Area 5" means all that area in the State of Colorado contained within the County of Lake (except the mining camp of Cimmax and that portion of Lake County contained within Area 6), and the hamlet of Rye and all that area lying within a radius of five miles thereof in Pueblo County.

(8) "Area 6" means all that area in the State of Colorado contained within the Camp Hale Military Reservation.

(9) "Area 7" means all that area contained within the municipality of Rico in Dolores County, and a distance of five miles beyond the corporate limits thereof at all points.

(10) "Area 8" means all that area contained within the municipality of Alamosa, and a distance of five miles beyond the corporate limits thereof at all points.

(11) "Area 9" means all that area contained within the municipality of Del Norte, Colorado.

(12) "Area 10" means all that area contained within the Town of Grand Lake and a distance of five miles beyond the corporate limits thereof at all points.

(13) "Area 11" means all that area contained within the Town of Ordway, and a distance of three miles beyond the corporate limits thereof at all points.

(14) "Colorado Springs Area" means all that area in the State of Colorado lying east of a line drawn north and south through a point one mile west of the most westerly boundary of the municipality of Manitou, Colorado, and south of a line drawn east and west through a point four miles north of the most northerly boundary of the municipality of Colorado Springs, Colorado, and west of a line drawn north and south through a point one mile east of the most easterly boundary of the municipality of Fountain, Colorado, and north of a line drawn east and west through a point one mile south of the most southerly boundary of Fountain, Colorado.

(15) "Pueblo Area" means all of that area in the State of Colorado lying east of a line drawn north and south through a point three miles west of the most westerly boundary of the municipality of Pueblo, Colorado, and south of a line drawn east and west through a point three miles north of the most northerly boundary of the municipality of Pueblo, Colorado, and west of a line drawn north and south through a point three miles east of the most easterly boundary of

the municipality of Pueblo, Colorado, and north of a line drawn east and west through a point three miles south of the most southerly boundary of the municipality of Pueblo, Colorado.

(d) *Higher established maximum prices may be maintained.* Any seller who has established a maximum price under § 1499.2 of the General Maximum Price Regulation, or any other applicable price regulation or pursuant to any market agreement or order made or issued under the provisions of the Agricultural Market Agreement Act, as amended, that is higher than the price fixed by this compiled 2d Revised Order No. G-7 under Supplementary Regulation 15 to the General Maximum Price Regulation, including Amendments 1 to 8, may continue to sell at such higher established maximum price and the same shall not be modified or superseded by this compiled 2d Revised Order No. G-7.

(e) *Fractional prices.* In computing prices for a quantity purchase, either at wholesale or at retail, fractions of less than one-half cent shall be adjusted downward to the next cent, and fractions of one-half cent or more shall be adjusted upward to the next cent, and where a sale involves a single fractional unit or a single unit with a fractional price, the price shall be adjusted upward to the next cent. For example, a maximum price of $12\frac{1}{2}\text{¢}$ for one unit will be adjusted to 13¢ .

(f) *Limitation on applicability.* The specific maximum prices established for the several areas in the State of Colorado as set forth in paragraph (b) hereof have been arrived at and determined upon a statistical basis which assumes that the producer of the milk sold will be paid therefor the maximum price authorized by 2d Revised Order No. G-10 under Maximum Price Regulation No. 329. Therefore, the specific maximum prices established for said several areas of the State of Colorado shall be available to those dealers only who are producers of the milk sold; or who have purchased the milk sold from a producer or producers to whom they have paid the full maximum price authorized by said 2d Revised Order No. G-10 under Maximum Price Regulation No. 329; or who have purchased the milk sold from an intermediate seller or distributor who certifies on the invoice or other written memorandum of the transaction that the producers of the milk sold were paid the full maximum price authorized by said 2d Revised Order No. G-10 under Maximum Price Regulation No. 329. If the producer of the milk sold or offered to be sold has not been paid therefor the full maximum price established by said 2d Revised Order No. G-10 under Maximum Price Regulation No. 329, then the seller's maximum prices at wholesale and at retail shall be $\frac{1}{4}\text{¢}$ less per quart and a proportionate reduction where the unit of quantity sold is less than a quart, below the specific maximum prices set forth in this compiled 2d Revised Order No. G-7 for the area in the State of Colorado in which the sale is made, for each 3¢ that the price paid the producer is below such authorized maximum price. If any part or portion of the milk sold at wholesale or at retail by a seller during any calendar month is milk for which

the producer has not been paid the full maximum price as authorized by said 2d Revised Order No. G-10 under Maximum Price Regulation No. 329, then all of the milk sold in the State of Colorado by such seller during such calendar month shall be subject to this limitation and his maximum prices therefor shall be determined upon the basis of the lowest price paid by him to any producer for any part or portion of the total quantity of milk sold by him during such calendar month.

(g) *Certification as to price paid producer.* Any person other than the producer thereof who sells milk to a distributor or dealer for resale either at wholesale or at retail under this compiled 2d Revised Order No. G-7 shall, at the time of the sale, deliver to the purchaser a written invoice or other memorandum of the transaction upon which the seller shall certify that the producer of the milk was or was not, as the case may be, paid the full maximum price authorized by said 2d Revised Order No. G-10 for Colorado producers, under maximum Price Regulation No. 329, and if such maximum price was not paid the producer, the price actually paid said producer shall be stated.

(h) *Penalty for false certificate.* A false certificate made by any person pursuant to paragraph (g) above shall constitute a violation of this regulation and subject the maker thereof to the penalties provided by the Emergency Price Control Act of 1942, as amended, for such offense.

(i) *Applicability of other regulations.* This compiled 2d Revised Order No. G-7 including Amendments 1 to 8, supersedes 2d Revised Order No. G-7 and Amendments 1 to 8 thereof, subject to the terms and provisions of Supplementary Order No. 40. But except insofar as the same are contradictory of or inconsistent with one or more of the terms and provisions hereof, all of the terms and provisions of the General Maximum Price Regulation shall remain in full force and effect and be applicable to all persons selling milk under this compiled 2d Revised Order No. G-7.

(j) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for 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.

(k) *Right to revoke or amend.* This compiled 2d Revised Order No. G-7 including Amendments 1 to 8 may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

(l) *Effective date.* This compiled 2d Revised Order No. G-7 including Amendments 1 to 8 shall become effective on the 18th day of June 1945.

Issued this 18th day of June 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45-11341; Filed, June 26, 1945;
4:40 p. m.]