The President

PROCLAMATION 2655

REMOVAL OF ALIEN ENEMIES

BY THE PRESIDENT OF THE UNITED STATES

OF AMERICA

A PROCLAMATION

WHEREAS section 4067 of the Revised Statutes of the United States (50 U.S.C. 21) provides:

Whenever there is a declared war between the United States and any foreign nation or government, or any invasion or predatory incursion is perpetrated, attempted, or threatened against the territory of the United States by any foreign nation or government, and the President makes public proclamation of the event, all natives, citizens, denizens, or subjects of the hostile nation or government, being of the age of fourteen years and upward, who shall be within the United States and not actually naturalized, shall be liable to be apprehended, restrained, secured, and removed as alien enemies. The President is authorized, in any such event, by his proclamation thereof, or other public act, to direct the conduct to be observed, on the part of the United States, toward the aliens who are found necessary in the premises and for the restraint to which they shall be subject and in what cases, and upon what security the restraint to which they shall be subject shall be enforced; the manner and degree of the restraint, and to the public peace and safety of the United States who shall be deemed being permitted to reside within the United States, and to establish any other regulations which may be deemed necessary in the premises and for the public safety;

WHEREAS sections 4068, 4069, and 4070 of the Revised Statutes of the United States (50 U.S.C. 22, 23, 24) make further provision relative to alien enemies;

WHEREAS the Congress by joint resolutions approved by the President on December 8 and 11, 1941, and June 5, 1942, declared the existence of a state of war between the United States and the Governments of Japan, Germany, Italy, Bulgaria, Hungary, and Rumania;

WHEREAS by Proclamation No. 2525 of December 7, 1941, Proclamations Nos. 2526 and 2527 of December 8, 1941, Proclamation No. 2533 of December 29, 1941, Proclamation No. 2537 of January 14, 1942, and Proclamation No. 2563 of July 17, 1942, the President prescribed and proclaimed certain regulations governing the conduct of alien enemies; and

WHEREAS I find it necessary in the interest of national defense and public safety to prescribe regulations additional and supplemental to such regulations:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, acting under and by virtue of the authority vested in me by the Constitution of the United States and the aforesaid sections of the Revised Statutes of the United States, do hereby prescribe and proclaim the following regulations, additional and supplemental to those prescribed by the aforesaid proclamations:

All alien enemies now or hereafter interned within the continental limits of the United States pursuant to the aforesaid proclamations of the President of the United States who shall be deemed by the Attorney General to be dangerous to the public peace and safety of the United States because they have adhered to the aforesaid enemy governments or to the principles of government thereof shall be subject upon the order of the Attorney General to removal from the United States and may be required to depart therefrom in accordance with such regulations as he may prescribe.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 14th day of July in the year of our Lord nineteen hundred and forty-five and of the Independence of the United States of America the one hundred and seventieth.

HARRY S. TRUMAN

By the President:

JAMES F. BYRNEs

Secretary of State.

[F. R. Doc. 45-13056; Filed, July 18, 1945; 4:19 P. M.]

CONTENTS

THE PRESIDENT

PROCLAMATION: Alien enemies, removal. 8947

EXECUTIVE ORDER:

Butadiene plant operated by Sinclair Rubber, Inc., Houston, Tex.; Petroleum Administrator authorized to take possession of and operate. 8949

REGULATIONS AND NOTICES

AGRICULTURE DEPARTMENT:

Foods; restrictions on imports (WFO 63, Am. 3) 8950

Pork act aside reduction (WFO 75–3, Am. 17) 8949

Tobacco, flue-cured; 1945 crop (WFO 4–10) 8952

CIVIL AERONAUTICS BOARD:

Lamar, S. C., accident; hearing. 8981

FEDERAL COMMUNICATIONS COMMISSION:

Broadcasting applications, standard; supplement to statement of policy 8981

FEDERAL POWER COMMISSION:

Hearings, etc.: Canadian River Gas Co. 8981

Nebraska Power Co. 8981

FEDERAL RESERVE SYSTEM:

National banks; common trust funds 8953

GENERAL LAND OFFICE:

California, opening of public lands (Cont.) 8981

LABOR DEPARTMENT:

New York State Employers Assn., finding as to war contract 8981

OFFICE OF PRICE ADMINISTRATION:

Adjustments and pricing orders: Balog, John, Coal Co., et al. 8985

Cayol Foods 8983

Chevron Valley Coal Co., et al. 8983

Chester Dairy Supply Co. 8986

Fort Pitt Bedding Co. 8982

Kiefer Coal Mining Co., et al. 8984

Sanderson Coal Co., et al. 8983

Thornhill Coal Co. 8989

(Continued on next page) 8947
EXECUTIVE ORDER 9589A

AUTHORIZING THE PETROLEUM ADMINISTRATOR TO TAKE POSSESSION OF AND OPERATE THE BUTADIENE PLANT OPERATED BY SINCLAIR RUBBER, INC., AT HOUSTON, TEXAS

WHEREAS, after an investigation I find and proclaim that the butadiene plant located at Houston, Texas, and owned by Reconstruction Finance Corporation and operated for the account of Reconstruction Finance Corporation (acting by and through its Office of Rubber Reserve) by Sinclair Rubber, Inc. as the lessee in possession pursuant to lease from Reconstruction Finance Corporation (acting by and through its Office of Rubber Reserve) is equipped for the production of butadiene for use in the manufacture of synthetic rubber required for the war effort; that there is a real, substantial, and immediate emergency in the form of a threatened interruption of the butadiene plant as a result of a labor disturbance; that the immediacy and extent of the emergency will not permit of further delay without irreparable damage to the war effort; that the war effort will thereby be unduly impeded or delayed for an indefinite period by an interruption however brief; that the productive efficiency of the butadiene plant is impaired by reason of the labor dispute; and that the exercise hereinafter specified, of the powers vested in me is necessary to insure, in the interest of the war effort, the operation of the said butadiene plant:

NOW, THEREFORE, by virtue of the power and authority vested in me by the Constitution and laws of the United States, including Section 9 of the Selective Training and Service Act of 1940 (54 Stat. 692), as amended by the War Labor Disputes Act (57 Stat. 160), as President of the United States and Commander in Chief of the Army and Navy of the United States, it is hereby ordered as follows:

1. The Petroleum Administrator is hereby authorized and directed, through and with the aid of any persons or instrumentalities that he may designate, to take possession of the butadiene plant hereinabove described and, to the extent that he may deem necessary, of any real or personal property and other assets, wherever situated, used in connection with the operations thereof, to operate or to arrange for the operation of the butadiene plant in any manner that he deems necessary for the successful prosecution of the war; to exercise any contractual or other rights of the Sinclair Rubber, Inc., and to continue the employment of, or to employ, any persons, and to do any other thing that he deems necessary to carry out the provisions and purposes of this Order.

2. The Petroleum Administrator shall observe the provisions of the War Labor Disputes Act in the operation of the butadiene plant.

3. The Petroleum Administrator is authorized to take such action, if any, as he may deem necessary or desirable to provide protection for the butadiene plant and all persons employed or seeking employment therein, and upon the request of the Petroleum Administrator, or such person as may be designated to act for him, the Secretary of War shall take such action as may be necessary to provide such protection to such persons and property.

4. All Federal agencies, including, but not limited to, the War Manpower Commission, the National Selective Service System, and the Department of Justice, are directed to cooperate with the Petroleum Administrator to the fullest extent possible in carrying out the purposes of this Order.

5. Possession, control, and operation of any plant or facility, or part thereof, taken under this Order shall be terminated by the Petroleum Administrator within 60 days after he determines that the productive efficiency of the plant, facility, or part thereof prevailing prior to the threatened interruption of production, referred to in the recitals of this Order, has been restored.

6. The Petroleum Administrator may delegate any and all powers, authority, and discretion conferred upon him by this Order to the Deputy Petroleum Administrator. The Petroleum Administrator and Deputy Petroleum Administrator may exercise the powers, authority, and discretion conferred upon them by or under the provisions of this Order through such personnel of the Petroleum Administrator for War as they may determine.

Harry S. Truman

THE WHITE HOUSE,
July 19, 1945.

[F. R. Doc. 45-1308; Filed, July 19, 1945; 10:04 a.m.]

Regulations

TITLE 10—ARMY: WAR DEPARTMENT

Chapter III—Claims and Accounts

PART 304—MILITARY COURT FEES

MILITARY COMMISSION

Amend § 304.1 by adding the following sentence at the end of the section:

§ 304.1 Use of term "court." * * *

"Military commission" shall be deemed to include any tribunal, by whatever name described, convened in the exercise of military government having jurisdiction over offenses and consisting solely of officers of the United States Army. (R.S. 161; 5 U.S.C. 22) [AR 35-4120, as amended by C2, 7 July 1945]

Chapter VII—Personnel

PART 701—RECRUITING AND INDUCTION FOR THE ARMY OF THE UNITED STATES

PART 706—PRESCRIBED SERVICE UNIFORM

MISCELLANEOUS AMENDMENTS

Paragraph (d) of § 701.6 pertaining to reenlistment in grade within 20 days from date of discharge, is revoked.

§ 701.6 Grade—(a) Original enlistments.

(d) [Repealed] (41 Stat. 765; 10 U.S.C. 42) [AR 600-750 30 Sep 1942 as amended by C2, 12 July 1945]

Paragraph (d) (6) of § 709.70 pertaining to Cap, WAC, is revoked.

§ 709.70 Service Uniform; General.

(a) Definition of term "Women personnel of the Army" * * *

(d) Distinctive items of uniform. * * *

(6) [Repealed] (31 Stat. 1296; 10 U.S.C. 1391) [AR 600-37, 16 April 1945, as amended by C2, 12 July 1945]


[F. R. Doc. 45-1308; Filed, July 15, 1945; 9:43 a.m.]

TITLE 7—AGRICULTURE

Chapter XI—War Food Distribution Orders

[WFO 78-3, Amdt. 17]

PART 1410—LIVESTOCK AND MEATS

POK SET ASIDE REDUCTION

War Food Order No. 75-3, as amended (10 F.R. 6499, 7789), is further amended as follows:

1. By deleting the table at the end of paragraph (b) and substituting in lieu thereof the following:

<table>
<thead>
<tr>
<th>Type of dressed pork cut or pork product:</th>
<th>Percentage of live weight of hogs purchased for slaughter</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hams</td>
<td>5.5</td>
</tr>
<tr>
<td>Loin</td>
<td>5</td>
</tr>
<tr>
<td>Shoulders and manufacturing pork</td>
<td>3.5</td>
</tr>
<tr>
<td>Bellies</td>
<td>5.5</td>
</tr>
<tr>
<td>Lard</td>
<td>5.5</td>
</tr>
</tbody>
</table>

2. By deleting the table which appears in Appendix A and substituting in lieu thereof the following:

Percentages of live weight of hogs slaughtered by type of cut or pork product:

<table>
<thead>
<tr>
<th>Type of dressed pork cut or pork product:</th>
<th>Percentage of live weight of hogs purchased for slaughter</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hams</td>
<td>5.5</td>
</tr>
<tr>
<td>Loin</td>
<td>5</td>
</tr>
<tr>
<td>Shoulders and manufacturing pork</td>
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</tr>
<tr>
<td>Bellies</td>
<td>5.5</td>
</tr>
<tr>
<td>Lard</td>
<td>5.5</td>
</tr>
</tbody>
</table>

3. By deleting the paragraph entitled "Specifications" at the end of Appendix A and substituting in lieu thereof the following:

Not less than 20 percent of all hams set aside shall be processed into semi-boneless (partially boneless) loins. Not less than 20 percent of all hams set aside shall be processed into bacon requiring 96 hours' smoke, and not less than 20 percent of each square-cut and seedless bellies shall be proc-
This amendment shall become effective at 12:01 a.m., e. w. t., July 22, 1945.

With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 75—8, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

E.O. 9260, 7 F.R. 10179; E.O. 9577, 10 F.R. 8987; WFO 75, 10 F.R. 4649

Issued this 18th day of July 1945.

C. W. KITCHEN,

Director of Marketing Services.

[F. R. Doc. 45-13050; Filed, July 18, 1945; 12:36 p. m.]

[ [WFO 68, 1403] ]

PART 1596—FOOD IMPORTS

RESTRICTIONS ON IMPORTS OF CERTAIN FOODS

War Food Order No. 63 (9 F.R. 12389, 14877, 10 F.R. 103) is amended to read as follows:

§1596.1 Food Imports—(a) Definitions.

For the purposes of this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) "Consignee" means the person to whom a food is consigned at the time of importation.

(2) "Director" means the Director of Supply, United States Department of Agriculture.

(3) "Food" means any item or commodity listed from time to time in attached Appendix A as being subject to this order.

(4) "Governing date" with respect to any food means the date when such food first became subject to War Food Order 63 as shown in the attached Appendix A.

(5) "Import" means to transport in any way—(a) within the continental United States, Puerto Rico, or the Virgin Islands of the United States from any foreign country or from any territory or possession of the United States (including the Philippine Islands). It includes shipments into a free port, free zone, or bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States, Puerto Rico, or the Virgin Islands of the United States and shipments in bond into the continental United States, Puerto Rico, or the Virgin Islands of the United States for transshipment into Canada, Mexico, or any other foreign country.

(6) "In transit" means that food (i) is afloat, (ii) has had an on-board ocean passage either in whole or in part, except as otherwise expressly permitted, such food shall not be assignable or transferable either in whole or in part, except as authorized in writing by the Director.

(7) "Owner" of any food means any person who has any property interest in such food except a person whose interest is held solely as security for the payment of money.

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

(b) Restrictions on imports—(1) General restriction.

No person, except as authorized in writing by the Director, shall import, purchase for import, receive or offer to receive on consignment for import, or make any contract or other arrangement for the importation of any food listed in Appendix A, regardless of the existence of the governing date or thereafter of any contract or other arrangement for the importation of such food.

In the issuance of authorizations, the Director shall act in accordance with the standards and guidelines set forth in paragraph (c) hereof.

(2) Application for authorization.

Any person seeking such authorization, whether owner, purchaser, seller, or consignee of the food to be imported, or agent of any of them, shall make application therefor on Form WPB-1041 or such other form as is authorized for this purpose by the Director, addressed to the Director of Supply, United States Department of Agriculture, Washington 25, D. C. Unless otherwise expressly permitted, such authorization shall apply only to the particular food and shipment mentioned therein and to the persons and their agents concerned with such authorization, unless the Director authorizations shall not be assignable or transferable either in whole or in part, except as authorized in writing by the Director.

(3) Use of authorization.

No person holding an import authorization shall use such authorization to import food acquired, purchased, contracted, or arranged for by him prior to the issuance of such authorization, unless the Director specifically in writing permits such use. This restriction shall not apply to food acquired, purchased, contracted, or arranged for prior to the governing date.

(4) Restrictions on financing.

No bank or other person shall participate, by financing or otherwise, in any arrangement which such bank or person knows or has reason to know involves the importation after the governing date of any food subject to this order, unless such bank or person either has received a copy of the authorization by the Director under the provisions of paragraph (b) or is satisfied from known facts that the proposed transaction comes within the exceptions set forth in paragraph (b) and (b) (1) (ii) (A) (ii) (II).

(5) Exceptions.

Unless otherwise directed by the Director the restrictions set forth in this paragraph (b) shall not apply:

(i) To the Foreign Economic Administration, U. S. Commercial Company, Commodity Credit Corporation, United States Army, or any other United States governmental department, agency, or corporation, or any agent acting for any such department, agency, or corporation;

(ii) To food of which any United States Governmental department, agency, or corporation is the owner at the time of importation, or to any food which any United States Governmental department, agency, or corporation, or any organized group of persons, whether or not incorporated.

(iii) To food which on the governing date was in transit.

(iv) To food consigned, imported or shipped as a sample where the value of each consignment or shipment is less than $25.00.

(v) To food consigned as a gift or imported for personal use where the value of each consignment or shipment is not more than $100.00.

(vi) To food consigned as gifts for provisions by or to members of the Armed Services of the United States; or

(vii) To food grown, produced, or manufactured in the continental United States, or food imported into the United States, which, after being shipped outside the continental United States for storage only, is returned to the United States; or

(viii) To food shipped into the United States in transit from one point in Mexico to another point in Mexico, or from one point in Canada to another point in Canada; or

(ix) To food which is located in, and which has been grown, produced, or manufactured in Canada, Mexico, Guatemala, or El Salvador and transported therefrom into the continental United States overland, by air, or by inland waterway. This exception shall not, however, extend to food which is marked with the designation (1) in Appendix A, at (a) (1) (ii).

(6) Imports into Puerto Rico and the Virgin Islands.

(i) The restrictions of this order shall not apply to inter-island shipments of food between Puerto Rico and the Virgin Islands of the United States.

(ii) Shall not apply to imports of food into Puerto Rico or the Virgin Islands of the United States from the continental United States.

(iii) Shall apply to any shipment of food listed in Appendix A which originates as a foreign entry and simply passes through the continental United States en route to Puerto Rico or the Virgin Islands of the United States; and

(iv) Except as provided in (c) immediately above, shall apply to imports into Puerto Rico or the Virgin Islands of the United States only with respect to food which is marked with the designation (2) in Appendix A.

(ii) This order shall not affect any regulations now or hereafter issued by any governmental authority covering shipments of food from the continental United States to Puerto Rico and the Virgin Islands of the United States.

(c) Restrictions after importation.

Unless otherwise provided by the terms of the authorization for amendments thereof issued pursuant to paragraph (b), (2), any food which is imported in accordance with the provisions of this order and which is delivered, processed, consumed, purchased, or received without restriction under this order; but all such transactions shall be subject to all applicable provisions of the regulations, orders and directions of the United States Department of Agriculture which now or here-
after may be in effect with respect to such food.

(d) Change of commodities listed in Appendix A. The Director may, from time to time and by order or rule, remove commodities from Appendix A; Provided, That in so doing he shall follow the standards and guides set forth in paragraph (e) below.

(e) Standards and guides. In the issuance of orders, regulations, and in the addition or removal of commodities from Appendix A hereof, the Director shall follow these standards and guides: (1) he shall follow guides that in the absence of such action the fulfillment of requirements for the defense of the United States will result in a shortage in the supply of materials or facilities for defense or for private account or for export; (2) he shall take into consideration the following factors; the allocation, if any, of such food by the Combined Food Board; the effect of the importation of such food on the procurement of strategic materials; the availability of shipping facilities for the importation of such food; and (3) in the issuance of authorization issues the Director shall allocate the authorizations granted by him on a fair and equitable basis among different groups of applicants and among applicants within the same group.

(1) Records and reports—(1) Reports on customs entry. No food which is imported after the governing date, including food imported by or for the account of the Foreign Economic Administration, U. S. Commercial Company, Commodity Credit Corporation, United States Army, or any other United States Governmental department, agency, or corporation, shall be entered through the United States Bureau of Customs for any purpose, whether for consumption, for warehousing, in transit, in bond, for re-export, for appraisal, or otherwise, unless the person making the entry shall file in duplicate with the entry Form WFO 63-1. The filing of such form a second time shall not be required upon any subsequent entry of such food through the United States Bureau of Customs for any purpose; nor shall the filing of such form be required upon the withdrawal of any food from bonded custody of the United States Bureau of Customs, regardless of the date when such food was first transported into the continental United States. Both copies of such form shall be transmitted by the Combined Food Board to the Director of Supply, United States Department of Agriculture, Washington 25, D. C., Ref.: WFO 63.

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

(g) Audits and inspections. The Director shall be entitled to make such audits or inspection of the books, records, and other writings, premises, or stocks of imported foods of any person, and to perform appraisals as may be necessary or appropriate, in his discretion, in the enforcement or administration of the provisions of this order.

(h) Communications. All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the Director, be addressed to the Director of Supply, United States Department of Agriculture, Washington 25, D. C., Ref.: WFO 63.

(i) Revocation. Any import authorization issued hereunder may be revoked at any time by the Director. Such revocation shall not affect food in transit at the time of revocation.

(j) Violations. Any person who violates any provision of this order may, in accordance with the applicable procedures, be prohibited from receiving, making deliveries of, or using any food covered by this order which is subject to allocations or priority control by the Secretary of Agriculture. In addition, any person who willfully violates any provision of this order which is guilty of a crime, and may be prosecuted under any applicable Federal or State laws. Civil and criminal action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

APPENDIX A—ITEMS SUBJECT TO WFO 63

The numbers listed after the following foods are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (issue of January 1, 1943). Foods are included in the list to the extent that they are covered by the commodity numbers listed below. If no commodity number is listed, the description given shall control.

APPENDIX A—ITEMS SUBJECT TO WFO 63

<table>
<thead>
<tr>
<th>Food</th>
<th>Commerce Import class No.</th>
<th>Governing date</th>
</tr>
</thead>
<tbody>
<tr>
<td>...</td>
<td>...</td>
<td>...</td>
</tr>
</tbody>
</table>

The Director may direct the disposition and use of any food which is imported without authorization as required by paragraph (b).

(k) Unexpired authorizations under M-63. Authorizations issued by the War Production Board under General Imports Order M-63 for food subject to this order, shall be deemed valid under this order until either their respective expiration date or until July 31, 1945, whichever occurs earlier.

(l) Delegation of authority. The administration of this order and the powers vested in the Secretary of Agriculture in so far as such powers relate to the administration of this order are hereby delegated to the Director. The Director is authorized to delegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(m) Effect on liability of removal of food from order. The removal of any food from this order shall not be construed to effect in any way any liability for violations of the order which accrued or were incurred prior to the date of removal.

(n) Effective date. This amendment shall become effective at 12:01 a.m., e. w. t., July 20, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken prior to said date, under War Food Order No. 63, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action or other proceeding with respect to any such violation, right, liability or appeal.

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

(E.O. 9280, 7 F.R. 10179; E.O. 9522, 8 F.R. 3807; E.O. 9534, 8 F.R. 8423; E.O. 9392, 8 F.R. 14783; E.O. 9577, 10 F.R. 8087)

Issued this 17th day of July 1945.

[SEAL] CLINTON P. ANDERSON, Secretary of Agriculture.
### Food

<table>
<thead>
<tr>
<th>Food</th>
<th>Commerce import class No.</th>
<th>Governing date</th>
<th>Food</th>
<th>Commerce import class No.</th>
<th>Governing date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Coffee</td>
<td>N. S. C.</td>
<td>Nov. 13, 1944</td>
<td>Coffee</td>
<td>N. S. C.</td>
<td>Do.</td>
</tr>
<tr>
<td>Cocoa</td>
<td>2086.300</td>
<td>Do.</td>
<td>Cocoa</td>
<td>2232.600</td>
<td>Do.</td>
</tr>
<tr>
<td>Combined or mixtures of coffee, vegetable or mineral oils, or any of them, with or without other substances, not specially provided for</td>
<td>2086.300</td>
<td>Do.</td>
<td>Combined or mixtures of coffee, vegetable or mineral oils, or any of them, with or without other substances, not specially provided for</td>
<td>2232.600</td>
<td>Do.</td>
</tr>
<tr>
<td>Cocoa butter</td>
<td>1056.100</td>
<td>Do.</td>
<td>Cocoa butter</td>
<td>1066.100</td>
<td>Do.</td>
</tr>
<tr>
<td>Cocoa meal, flour, grits and similar products</td>
<td>1066.100</td>
<td>Do.</td>
<td>Cocoa meal, flour, grits and similar products</td>
<td>1066.100</td>
<td>Do.</td>
</tr>
<tr>
<td>Cocoa meal, flour, grits and similar products, including crude safflower and crip paste, canned</td>
<td>1423.100, 1425.200</td>
<td>Do.</td>
<td>Cocoa meal, flour, grits and similar products, including crude safflower and crip paste, canned</td>
<td>1423.100, 1425.200</td>
<td>Do.</td>
</tr>
<tr>
<td>Cocoa butter and other, not elsewhere specified</td>
<td>1066.100</td>
<td>Do.</td>
<td>Cocoa butter and other, not elsewhere specified</td>
<td>1066.100</td>
<td>Do.</td>
</tr>
<tr>
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tobacco salvaged as a byproduct in harvesting, stripping, classing, or tying on the farm and of redried, furnish and strip-house floor savings and very inferior quality leaves not sold at auction by growers, or any loose, untied, and unstemmed flue-cured tobacco consisting entirely of floor savings, loose, and tangled leaves, or portions of leaves which accumulate from unavoidable dropping or breakage in the handling of flue-cured tobacco and which consists exclusively of such tobacco salvaged as a byproduct of marketing.

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

6. "Auction" means the method of selling loose leaf tobacco on the basis of open competitive bidding at a properly designated and publicly announced time and place.

7. "Loose leaf tobacco" means tobacco in the loose or cored shape as promptly delivered from the farm where grown.

8. "Director" means the Director of Marketing Services, United States Department of Agriculture.

9. (1) No person shall purchase or otherwise acquire any 1945 crop flue-cured tobacco except pursuant to the provisions hereof.

(2) No manufacturer shall purchase any 1945 crop flue-cured tobacco at any private sale or in any manner other than at auction, except as authorized hereunder.

10. No dealer shall purchase any 1945 crop flue-cured tobacco at any private sale or in any manner other than at auction, except as authorized hereunder.

11. Any person, other than a manufacturer or dealer, may, without regard to the provisions hereof, purchase any redried flue-cured tobacco of the 1945 crop if such tobacco, prior to its being redried, was purchased pursuant hereto.

12. A manufacturer or dealer may resell at auction any flue-cured tobacco of the 1945 crop purchased at auction: Provided, That the aggregate amount of such resale may not exceed 2 percent of such purchases. The flue-cured tobacco shall be sold under such limitations and within the aforesaid limitation, shall not be charged to the allocation of the seller.

13. Purchases of the 1945 crop flue-cured scrap tobacco by a manufacturer shall be charged to such manufacturer's allocation, pursuant to (b) (6) hereof, but purchases of 1945 crop flue-cured scrap tobacco by a manufacturer shall be charged to such manufacturer's allocation, pursuant to (b) (5) hereof.

14. Any 1945 crop flue-cured tobacco purchased in conformity with an agreement to buy for a principal, either in the principal's name or in his agent's name, shall be charged to the quota of the principal for whom such flue-cured tobacco was purchased.

15. The poundage figures used in computing allocations pursuant hereto shall be reduced to an undried (green weight) basis. Flue-cured tobacco in the steam-dried condition and in unstemmed form shall be converted to the undried basis by multiplying the number of pounds by the factor 1.12. Flue-cured tobacco in the steam-dried condition and in stemmed form shall be converted to the undried basis by multiplying the number of pounds by the factor 1.44.

16. The restrictions of this order shall be observed without regard to the rights of creditors, prior contracts, existing contracts, existing contracts, payments made, or deliveries of 1945 crop flue-cured tobacco made prior to the effective time hereof; and purchases or sales of 1945 crop flue-cured tobacco prior to the effective time hereof, shall be charged to the respective quotas in accordance with the provisions hereof, as if such sales were made after the effective time of this order.

17. Flue-cured tobacco of the 1945 crop may, from time to time, be allocated by the Director for purchase by the Commodity Credit Corporation.

18. (c) Modification and amendment. Any allocation made pursuant hereto may be modified, amended, or supplemented, from time to time, by notice or letter, issued by the Director, to any person to whom such allocation has been made.

19. No person who wilfully violates any provision of this order is guilty of a crime, and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(e) Effective date. This order shall become effective at 12:01 a.m., e. w. t., July 19, 1945.

Issued this 18th day of July, 1945.

C. W. Kitchen, Director of Marketing Services.
advice to each such person annually that the report is available and that a copy will be furnished without charge upon request. Except as may be required by the applicable, laws of any State, the bank shall not publish or authorize the publication of any such report or the information contained therein and each copy furnished to any person as herein provided must bear a statement to the effect that publication of any such copy or the information contained therein is unauthorized.

Paragraph (c) (4) is amended to read as follows:

(4) Value of assets to be determined periodically. Not less frequently than once during each period of three months the trust investment committee of a bank administering a common trust fund shall determine the value of the assets in the common trust fund as of the dates which the Plan provides for the valuation of assets. No participation shall be admitted to or withdrawn from the common trust fund except (1) on the basis of such valuation and (2) as of such a valuation date. A reasonable period, not to exceed 7 days, following each valuation date may be used to make the computations necessary to determine the value of the assets of the participations therein. No participation shall be admitted to or withdrawn from the common trust fund unless a written request for or notice of intention of taking such action shall have been entered in the records of the bank and approved by the trust investment committee, or on before the valuation date. No such request or notice may be canceled or countermanded after the valuation date.

The first paragraph of paragraph (d) (5) is amended to read as follows:

(5) Miscellaneous limitations. No funds of any trust shall be invested in a participation in a Common Trust Fund if such investment would result in the trust having invested in the aggregate in the common trust fund an amount in excess of 10 per cent of the value of the assets of the common trust fund at the end of the period of valuation, as determined by the trust investment committee, or the sum of $50,000, whichever is less. If the bank administers more than one common trust fund under this subsection, no investment shall be made which would cause any one trust to have invested in the aggregate in all such funds an amount in excess of the sum of $50,000; and, if the bank administers funds under both paragraphs (c) and (d) of this section, no investment shall be made which would cause any one trust to have invested in the aggregate in all such funds an amount in excess of the sum of $50,000. In applying the limitations contained in this paragraph, if two or more trusts are created by the same settlor or settlors and as much as one-half of the income or principal or both of each trust is payable or applicable to the use of the same person or persons, such trusts shall be considered as one.

The first paragraph of paragraph (d) (4) is amended to read as follows:

(4) Value of assets to be determined periodically. Not less frequently than once during each period of three months the trust investment committee of a bank administering a mortgage investment fund shall determine the value of the assets in the mortgage investment fund as of the dates which the Plan provides for the valuation of assets. No participation shall be admitted to or withdrawn from the mortgage investment fund except as of such a valuation date. A reasonable period, not to exceed 7 days, following each valuation date may be used to make the computations necessary to determine the value of the fund and of the participations therein. No participation shall be admitted to or withdrawn from the mortgage investment fund unless a written request for or notice of intention of taking such action shall have been entered in the records of the bank and approved by the trust investment committee, or before the valuation date. No such request or notice may be canceled or countermanded after the valuation date.

The first paragraph of paragraph (d) (4) is amended to read as follows:

(4) Value of assets to be determined periodically. Not less frequently than once during each period of three months the trust investment committee of a bank administering a mortgage investment fund shall determine the value of the assets in the mortgage investment fund as of the dates which the Plan provides for the valuation of assets. No participation shall be admitted to or withdrawn from the mortgage investment fund except as of such a valuation date. A reasonable period, not to exceed 7 days, following each valuation date may be used to make the computations necessary to determine the value of the fund and of the participations therein. No participation shall be admitted to or withdrawn from the mortgage investment fund unless a written request for or notice of intention of taking such action shall have been entered in the records of the bank and approved by the trust investment committee, or before the valuation date. No such request or notice may be canceled or countermanded after the valuation date.

The first paragraph of paragraph (d) (5) is amended to read as follows:

(5) Miscellaneous limitations. No funds of any trust shall be invested in a participation in a Mortgage Investment Fund if such investment would result in the trust having invested in the aggregate in the mortgage investment fund an amount in excess of the sum of $1,200 or 2 per cent of the amount of the outstanding participations in such mortgage investment fund, whichever is greater at the time of investment, or in any event in excess of the sum of $10,000. If the bank administers more than one mortgage investment fund, no investment shall be made which would cause any one trust to have invested in the aggregate in all such funds an amount in excess of the sum of $10,000; and, if the bank administers funds under both paragraphs (c) and (d) of this section, no investment shall be made which would cause any one trust to have invested in the aggregate in all such funds an amount in excess of the sum of $50,000. In applying the limitations contained in this paragraph, if two or more trusts are created by the same settlor or settlors and as much as one-half of the income or principal or both of each trust is payable or applicable to the use of the same person or persons, such trusts shall be considered as one.


[SKILL]

S. R. CARPENTER, Secretary.

[From R. D. Doc. 45-1938; Filed, July 10, 1945; 9:48 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

[§202]—GENERAL ORDERS AND DIRECTIVES

STATEMENT CONCERNING OVERSEAS EXPORT OF SOLID FUEL IN CARGO

It appears the clarification is necessary with respect to the proper interpretation of provisions of SFAW Regulation No. 31, controlling the export overseas of solid fuel in cargo.

As is indicated in §202 (c) of the regulation, the regulation controls all movement off shore of solid fuel from any port in the continental United States to any port outside of the continental United States. Accordingly, coal moving by tidewater from ports in the United States to ports in the Dominion of Canada is subject to the regulation while coal moving to Canadian destinations via tidewater of the Great Lakes, the St. Lawrence Seaway, or by rail is not subject to the regulation.

Coal moving by tidewater from ports in the United States to ports in Cuba, Mexico, Alaska, the Canal Zone, the Virgin Islands or Puerto Rico, is subject to the regulation. Coal moving by car ferry to Cuba is considered an export movement and is subject to the regulation.

The regulation requires SFAW approval before any solid fuel is exported overseas or made available for export overseas in cargo. The regulation does not require SFAW approval when coal is loaded into a vessel at a port in the United States for bunker use by the vessel into which it is loaded. SFAW Order No. 3, as amended, controls the dumping of coal for bunker or vessel fuel use.

Issued this 18th day of July 1945.

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

[From P. D. Doc. 45-13192; Filed, July 19, 1945; issued 11:50 a. m.]

PART 602—GENERAL ORDERS AND DIRECTIVES

DIRECTION TO ALL SHIPPERS AND INDUSTRIAL CONSUMERS OF COAL PRODUCED IN DISTRICTS 9, 10 AND 11.

To effectuate a fair distribution of the available production of coal produced during the month of August 1945 in Districts 9, 10 and 11, it is necessary, pursuant to SFAW Regulation No. 1, as amended, to issue the following direction:

(1) All shippers of coal produced in Districts 9, 10 or 11 are prohibited from shipping during the month of August 1945 to any industrial consumer subject to the provisions of SFAW Regulation No. 27 more coal than such consumer is permitted to receive under the provisions of paragraph (2) below.

(2) Notwithstanding the provisions of §602.715 (d) of SFAW Regulation No. 27, as amended, an industrial consumer of coal whose days' supply exceeds 60 days is prohibited from receiving from sources produced of August 1945, coal produced in Districts 9 or 11, or both, in an amount greater than 100 per cent of his consumption requirements for
such month, without first obtaining permission from the SPAW Area Distribution Manager for the district in which the coal is produced; an industrial consumer whose days' supply exceeds 30 days is prohibited from receiving during the month of August 1945, coal produced in District 10 in an amount greater than 100 per cent of his consumption requirements for such month, without first obtaining permission from the SPAW Area Distribution Manager for the district in which the coal is produced. An industrial consumer receiving coal from District 10 and from District 9 or 11, or both, is prohibited from receiving more coal in the aggregate during the month of August 1945, than he is permitted to receive from District 9 or 11, or both, and he is further prohibited from receiving from District 10 more coal than he would be permitted to receive if he purchased coal only from that district.

(3) No person shall be held liable for damages or penalties under any contract for any default which shall result directly or indirectly from compliance with the provisions of this direction.

This direction shall become effective immediately.

(E.O. 9272, 8 F.R. 5358; E.O. 9125, 7 F.R. 2719; Sec. 2 (a), 54 Stat. 678, as amended by 55 Stat. 236, 56 Stat. 176 and 56 Stat. 627.)

Issued this 18th day of July 1945.

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

[F. R. Doc. 45-13128; Filed, July 10, 1945; 11:50 a.m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[No. 298]

EMPLOYER’S REPORT

ORDER PRESCRIBING FORMS

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

Addition of a new form designated as DSS Form 412, entitled “Withdrawal of Certification.”

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

LEWIS B. HERSHEY,
Director.

JULY 3, 1945.

[F. R. Doc. 45-13063; Filed, July 18, 1945; 12:56 p. m.]

Chapter IX—War Production Board


PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-317, Revocation of Direction 16]

RATINGS FOR WORK GLOVES AND MEN’S AND BOYS’ WORK CLOTHING

Direction 16 to Order M-317 is revoked. This revocation does not affect any liabilities incurred for violation of the direction or of actions taken by the War Production Board under the direction. This direction is superseded by Schedules F and G to Order M-328.

Issued this 17th day of July 1945.

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

[F. R. Doc. 45-12998; Filed, July 17, 1945; 4:47 p. m.]

PART 927—NICKEL

[Conservation Order M-6-b, and Direction 1, Revocation]

NICKEL

Section 927.3 Conservation Order M-6-b and Direction 1 are revoked. This revocation does not affect any liabilities incurred for violation of the order and direction or actions taken by the War Production Board under the order and direction.

No. 144—2

Issued this 19th day of July 1945.

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

[F. R. Doc. 45-13004; Filed, July 19, 1945; 11:45 a.m.]

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

[Priorities Reg. 1, Direction 7 as Amended July 19, 1943]

ADDITIONAL EXCEPTION FROM INVENTORY RESTRICTIONS FOR CONTINUING RECEIPTS OF SPECIAL ITEMS AFTER CONTRACT CUTFACKS

Direction 7 to Priorities Regulation 1 is amended to read as follows:

(a) Purpose. Where a contract or subcontract has been modified (not terminated) so as to reduce the rate of delivery under it, and the contractor or subcontractor as a result has an excess inventory of any special item (as defined in paragraph (d) (2) of §944.14 of Priorities Regulation 1), his inability to receive further deliveries of it until the excess is consumed might have a serious effect on war procurement. The customer can accept special items which the supplier has in stock or in production as permitted in that paragraph (d) (2). This direction tells how additional deliveries of special items can be accepted by the customer in excess of inventory limitations.

(b) Scope. This direction applies only where the customer is a prime or subcontractor under a contract which has been modified (not terminated) by the Army, Navy, Maritime Commission, War Shipping Administration, Army Air Forces or Bureau of Aeronautics, and permits the customer to accept continued deliveries only as permitted under paragraphs (e) and (d).

(c) Inventory exceptions.—(1) Six-months permission. The customer may continue to accept delivery at a reduced rate of any special item required for use in the contract or subcontract where (i) the supplier notifies the customer in writing that to the best of his knowledge and belief he will be unable to resume shipments at a later date as required by the customer, or (ii) the supplier is not permitted to make the continued deliveries, and (ii) such deliveries are rescheduled so as to bring the customer's inventory down to the limits required by § 944.14 of Priorities Regulation 1 within six months.

(2) Permission from procuring agency. If the six-month requirement of paragraph (e) (1) cannot be met, the customer may nevertheless continue to accept delivery of special items, provided the deliveries are rescheduled at the lowest practicable rate and have been approved in writing to the customer by the procuring agency.

(d) General limitation on receipts and use. No amounts of special items may be received under this direction unless the customer's total requirements under the particular contract or subcontract after taking into consideration the amounts of the item presently on hand. In addition, any quantities of an item so received may be used only in filling the particular contract or subcontract, and if it is subsequently cancelled, further deliveries may be received only as permitted by paragraph (d) of §944.14 of Priorities Regulation 1.

(e) Exceptions relate to receipts only. Nothing in this direction or any other exceptions to War Production Board inventory restrictions on receipts permits a supplier to
material first became subject to General Imports Order M-63.

(b) Restrictions on imports of materials—(1) General restrictions. No person, except as authorized in writing by the War Production Board, shall purchase for import, import, offer to purchase for import, receive, or offer to receive on consignment, or make any contract or other arrangement for the importing of, any material subject to this order after the governing date. The foregoing restrictions shall apply to the importation of any material subject to the order regardless of the existence on the governing date or thereafter of any contract or other arrangement for the importation of such material. The materials subject to this order are those listed from time to time upon Lists A and B attached hereto.

(2) Authorization by War Production Board. Any person desiring such authorization, whether owner, purchaser, seller, or consignee of the material to be imported, or agent of any of them, shall make application therefor in duplicate on Form WPB-1041 addressed to the War Production Board, Ref.: M-63, Washington 25, D. C. Unless otherwise expressly permitted, such authorization shall apply only to the particular material and shipment mentioned therein and to the persons and their agents concerned with such shipment; it shall not be assignable or transferable either in whole or in part.

(3) Restrictions on financing of imports. No bank or other person shall participate, by financing or otherwise, in any arrangement which such bank or person knows or has reason to know involves the importation after the governing date of any material subject to this order, unless such bank or person either has received a copy of the authorization issued by the War Production Board under the provisions of paragraph (b) or is satisfied from known facts that the proposed transaction comes within the exceptions set forth in paragraph (b) (4).

(4) Exceptions. Unless otherwise directed by the War Production Board, the restrictions specified in this paragraph (b) shall not apply:

(i) To the Foreign Economic Administration, U. S. Commercial Company, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, or any other United States governmental department, agency, or corporation, or any agent, acting for any such department, agency or corporation;

(ii) To any material of which any United States governmental department, agency, or corporation is the owner at the time of importation, or to any material which the owner at the time of importation had purchased or otherwise acquired from any United States governmental department, agency or corporation;

(iii) To any material of which any United States governmental department, agency, or corporation is the owner at the time of importation, or to any material which the owner at the time of importation had purchased or otherwise acquired from any United States governmental department, agency or corporation;

(iv) To any material consigned as a gift or imported for personal use where the value of each consignment or shipment is less than $100.00; or to any material consigned or imported as a sample where the value of each consignment or shipment is less than $25.00; or to any material which was grown, produced, manufactured in the continental United States, and which were shipped outside the continental United States on consignment or pursuant to a contract of purchase, return, or replacement, as fixed by the prospective purchaser; or

(v) To materials shipped into the continental United States in transit from one point in this nation to another, from one point in Canada to another point in Canada.

(vi) To materials consigned as gifts for personal use by or to members of the Armed Services of the United States; or

(vii) [Deleted Nov. 13, 1944.]

(viii) To manufactured materials which are imported in bond solely for the purpose of having them repaired and then returned to the owner outside the continental United States; or

(ix) To materials which were grown, produced, or manufactured in the continental United States, and which were shipped outside the continental United States on consignment or pursuant to a contract of purchase, return, or replacement, as fixed by the prospective purchaser; or

(x) To materials shipped into the United States in transit from one point in this nation to another, from one point in Canada to another point in Canada.

(xi) To materials on List B which are located in, and are the growth, production, or manufacture of, and are transported into the Continental United States overland, by air, or by inland waterway from Canada, Mexico, Guatemala, or El Salvador.

(x) [Deleted June 4, 1945.]

(d) [Deleted June 4, 1945.]

(e) Restrictions on distribution of Lists A and B materials. Unless otherwise provided by the terms of the authorization issued pursuant to paragraph (b), any material on List A or List B which is imported in accordance with the provisions of paragraph (b) or is satisfied from known facts that the proposed transaction comes within the exceptions set forth in paragraph (b) (4).

(4) Exceptions. Unless otherwise directed by the War Production Board, the restrictions of this paragraph (b) shall not apply:

(i) To any material consigned as a gift or imported for personal use where the value of each consignment or shipment is less than $100.00; or to any material consigned or imported as a sample where the value of each consignment or shipment is less than $25.00; or to any material which was grown, produced, manufactured in the continental United States, and which were shipped outside the continental United States on consignment or pursuant to a contract of purchase, return, or replacement, as fixed by the prospective purchaser; or

(x) To materials shipped into the continental United States in transit from one point in this nation to another, from one point in Canada to another point in Canada.

(x) To materials consigned as gifts for personal use by or to members of the Armed Services of the United States; or

(vii) [Deleted Nov. 13, 1944.]

(viii) To manufactured materials which are imported in bond solely for the purpose of having them repaired and then returned to the owner outside the continental United States; or

(ix) To materials which were grown, produced, or manufactured in the continental United States, and which were shipped outside the continental United States on consignment or pursuant to a contract of purchase, return, or replacement, as fixed by the prospective purchaser; or

(x) To materials shipped into the United States in transit from one point in this nation to another, from one point in Canada to another point in Canada.
such form a second time shall not be required upon any subsequent entry of such material through the United States Bureau of Customs for any purpose; nor shall the filing of such form be required upon any withdrawal of any material from bonded custody of the United States Bureau of Customs, regardless of the date when such material was first transported into the continental United States. Both copies of such form shall be transmitted by the Collector of Customs to the War Production Board, Division of Stockpiling and Transportation, Room 618, 25 D.C. Ref.: M-63.

(2) Other reports. All persons having any interest in, or taking any action with respect to, any material imported after the governing date, whether as owner, agent, consignee, or otherwise, shall file such other reports as may be required from time to time by the War Production Board.

(3) Exceptions. The provisions of this section shall not apply to materials imported and consigned as gifts or for personal use by or to members of the Armed Services of the United States.

(c) Routing of communications. All communications concerning this order shall, unless otherwise herein directed, be addressed to: War Production Board, Washington 25, D. C. Ref.: M-63.

(h) Violations. Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or who furnishes false or inaccurate information to any department or agency of the United States is guilty of a crime, and upon conviction shall, unless otherwise herein directed, 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 authorization for violation of the order which affects thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(i) Effect on liability of removal of material from order. The removal of any material from the order shall not be construed to affect in any way any liability for violation of the order which accrued or was incurred prior to the date of removal.

Issued this 19th day of July, 1945.

WAR PRODUCTION BOARD

BY J. JOSEPH WHELAN

Recording Secretary

LIST A

Note: List Amended July 19, 1945.

The numbers listed after the following material commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (February 1, 1943), Materials are included in the list to the extent that they are covered by the commodity numbers listed below. If no commodity number is listed, the description given shall control.
## LIST A—Continued

<table>
<thead>
<tr>
<th>Material</th>
<th>Commerce Import Class No.</th>
<th>Governing date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Leather, unmanufactured—Contin.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sheep and lamb leather (including shearing and embossed)</td>
<td>0351.000</td>
<td>7/2/42</td>
</tr>
<tr>
<td>Lined for leather</td>
<td>0352.000</td>
<td>7/2/42</td>
</tr>
<tr>
<td>Glove and garment leather</td>
<td>0362.100</td>
<td>7/2/42</td>
</tr>
<tr>
<td>Leather n. p. f., cut into shoe upper, caps, etc., by foreign</td>
<td>N. S. C.</td>
<td>7/2/42</td>
</tr>
<tr>
<td>Patent leather for the manufacture of articles described</td>
<td>N. S. C.</td>
<td>7/2/42</td>
</tr>
<tr>
<td>Grainhide, embossed, etc., or tanned</td>
<td>0354.400</td>
<td>7/2/42</td>
</tr>
<tr>
<td>Silver, n. p. f.</td>
<td>N. S. C.</td>
<td>7/2/42</td>
</tr>
<tr>
<td>In the rough, in the white, crude or raw, partly finished or finished</td>
<td>0352.200</td>
<td>7/2/42</td>
</tr>
</tbody>
</table>

## LIST B—Continued

### List B—Continued

<table>
<thead>
<tr>
<th>Material</th>
<th>Commerce Import Class No.</th>
<th>Governing date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quinine salts, etc.—Continued</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other salts and derivatives of quinine</td>
<td>0363.200</td>
<td>3/4/43</td>
</tr>
<tr>
<td>Cinchonine and its salts</td>
<td>0363.400</td>
<td>3/4/43</td>
</tr>
<tr>
<td>Cinchonidine and its salts</td>
<td>0363.500</td>
<td>3/4/43</td>
</tr>
<tr>
<td>Quinquidine and its salts</td>
<td>0363.600</td>
<td>3/4/43</td>
</tr>
<tr>
<td>Tannic and tannate compounds</td>
<td>N. S. C.</td>
<td>3/4/43</td>
</tr>
<tr>
<td>Retorhan bearing roots (cuba root, cinchona bark, cinchona bark tuba), crude and advanced</td>
<td>0371.280</td>
<td>5/4/42</td>
</tr>
<tr>
<td>0371.380</td>
<td>5/4/42</td>
<td></td>
</tr>
<tr>
<td>0371.390</td>
<td>5/4/42</td>
<td></td>
</tr>
<tr>
<td>0371.370</td>
<td>5/4/42</td>
<td></td>
</tr>
<tr>
<td>0371.360</td>
<td>5/4/42</td>
<td></td>
</tr>
</tbody>
</table>

## LIST B—Continued

<table>
<thead>
<tr>
<th>Material</th>
<th>Commerce Import Class No.</th>
<th>Governing date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wolf, apparel, 40&quot; or narrower, except on the skin</td>
<td>0349.000</td>
<td>7/2/42</td>
</tr>
<tr>
<td>0350.000</td>
<td>7/2/42</td>
<td></td>
</tr>
<tr>
<td>0351.000</td>
<td>7/2/42</td>
<td></td>
</tr>
<tr>
<td>0352.000</td>
<td>7/2/42</td>
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</tr>
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<td>0353.000</td>
<td>7/2/42</td>
<td></td>
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<tr>
<td>0354.000</td>
<td>7/2/42</td>
<td></td>
</tr>
<tr>
<td>0355.000</td>
<td>7/2/42</td>
<td></td>
</tr>
</tbody>
</table>

## LIST B—Continued

<table>
<thead>
<tr>
<th>Material</th>
<th>Commerce Import Class No.</th>
<th>Governing date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wolf, apparel, finer than 40&quot;</td>
<td>0348.000</td>
<td>7/2/42</td>
</tr>
<tr>
<td>0349.000</td>
<td>7/2/42</td>
<td></td>
</tr>
<tr>
<td>0350.000</td>
<td>7/2/42</td>
<td></td>
</tr>
<tr>
<td>0351.000</td>
<td>7/2/42</td>
<td></td>
</tr>
<tr>
<td>0352.000</td>
<td>7/2/42</td>
<td></td>
</tr>
<tr>
<td>0353.000</td>
<td>7/2/42</td>
<td></td>
</tr>
</tbody>
</table>

## Interpretation 1
Revoked June 4, 1945.

### Interpretation 2
The following official interpretation is hereby issued by the War Production Board with respect to the meaning of the term "in transit" as defined in paragraph (a) (6) of General Imports Order M-33 (1042.1) as amended.

By amendment dated December 17, 1942, the definition of material "in transit" was changed by adding the following clause, "or if it has actually been delivered to and accepted by a rail, truck, or air carrier for transportation to a point within the continental United States." The question has been raised as to the meaning of the term as applied to a case where the material on the governing date had been delivered to and accepted by a railroad, truck, or air carrier on a through bill of lading for transportation to a specific port and from thence by boat to a point within the continental United States.

The material in the stated case is not deemed to be in transit within the meaning of the term as used in the order if the material has been in transit on such date.

## Interpretation 3
Revoked June 4, 1945.

[F. R. Doc. 45-19006. Filed, July 10, 1945; 11:45 a.m.]
PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

(CMP Reg. 2, Inventory Direction 23, as Amended July 19, 1945)

ADDITIONAL EXCEPTION FROM INVENTORY REQUIREMENTS FOR CONTINUING RECEIPTS OF SPECIAL ITEMS AFTER CONTRACT CANCELLATION

Inventory Direction 23 to CMP Regulation 2 is amended to read as follows:

(a) Purpose. Where a contract or subcontract has been modified (not terminated) so as to replace the modified item with another item, or where a producer of steel in controlled materials is advised by his customer that the customer's order is cancelled, and the contractor or subcontractor as a result has an excess inventory of any special item of controlled material required for the contract, he may accept continued deliveries only as permitted by CMP Regulation 2 within six months. The customer can accept special items which the supplier has in stock or in production as permitted in that paragraph (c) (2) (i). This direction tells how additional deliveries of special items can be accepted by the customer in excess of inventory limitations.

(b) Scope. This direction applies only where the customer is a prime or subcontractor under a contract which has been modified (not terminated) by the Army, Navy, Maritime Commission, War Shipping Administration, Army Air Forces, or Bureau of Aeronautics, and permits the customer to accept continued deliveries only as permitted under paragraphs (c) and (d).

Inventory exceptions—(i) Six-months permission. The customer may continue to accept delivery at a reduced rate of any special item of controlled materials required for use in the contract or subcontract where (1) the supplier notifies the customer in writing that to the best of his knowledge and belief he is unable to resume shipments at a later date as required by the contract or subcontract if he is not permitted to make the continued deliveries, or (2) the supplier notifies the customer that all shipments have been completed, and the customer's inventory is rescheduled so as to bring the customer's inventory down to the limits required by CMP Regulation 2 within six months.

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

(CMP Reg. 1, Revocation of Direction 62)

Direction 62 to CMP Regulation No. 1, is hereby revoked. This revocation does not affect any liabilities incurred under the direction.

Issued this 19th day of July, 1945.

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

(F. R. Doc. 45-13106; Filed, July 19, 1945; 11:48 a.m.)

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

(CMP Reg. 1, Direction as Amended July 19, 1945)

SEQUENCE IN SCHEDULING ORDERS FOR STEEL

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

(a) Orders for steel should be given the following preference in being placed on schedule:

(b) Where a producer of steel in controlled materials reports an excess inventory of any special item of controlled material required for use in the contract or subcontract which he has accepted in the month for which he accepted them, he should select the orders to be placed on the schedule according to the following preference:

(c) (1) Carried over and current orders required to be filled by specific direction of the War Production Board (2) Unfilled orders which he has accepted in the month for which he accepted them, should be placed on the schedule.

The following amendment is issued pursuant to Priorities Regulation 1:

(a) What this direction does. This direction gives the rules which must be followed by persons who have received priorities as issuing officers, or who are authorized, for machine tools or other facilities required to fulfill a particular military procurement program, military production contract, or a facilities contract when the program or contract has been cancelled or cut back to the point where the machine tools or other facilities are no longer necessary to perform the balance of the program or contract.

(b) Effect of cancellation of military procurement program, contract or subcontract on ordnance or other form rating or authorization to an order for equipment other than building service equipment which have not yet been placed. If you receive a rating or authorization to get machine tools or other equipment (excluding building service equipment), and the application for rating or authorizing the equipment specifically identifies a particular military procurement program or a military production contract (including a facilities contract) in which the program or contract has been cancelled or cut back to the point where the equipment is no longer needed to perform the remainder of the program or contract, you may not use the rating or authorization to get machine tools or other equipment (excluding building service equipment), and the application for rating or authorizing the equipment specifically identifies a particular military procurement program or a military production contract (including a facilities contract) in which the program or contract has been cancelled or cut back to the point where the equipment is no longer needed to perform the remainder of the program or contract, you may either get a new rating or authorization, if that is permitted, or get a new rating or authorization in accordance with applicable War Production Board orders and regulations.

(c) Effect of cancellation of military procurement program, contract or subcontract on ordnance or other form rating or authorization for equipment after the program or contract has been modified (not terminated) so as to replace the modified item with another item. If you receive a rating or authorization to get machine tools or other equipment (excluding building service equipment), and the program or contract has been modified (not terminated) so as to replace the modified item with another item, you may either get a new rating or authorization, if that is permitted, or get a new rating or authorization in accordance with applicable War Production Board orders and regulations.

(d) Effect of cancellation of military procurement program, contract or subcontract on ordnance or other form rating or authorization to construct the building or to get building service equipment such as elevators or plumbing, heating, lighting or air-conditioning equipment, in which the rating or authorization to construct the building or to get the equipment after the program or contract has been cancelled or cut back, whether or not the application or other form rating or authorizing the construction or equipment specifically identified a particular military procurement program, military production contract, facilities contract (including a facilities contract) for which the construction or equipment is needed, unless the War Production Board specifically cancels or revokes the rating or authorization.

(e) Effect of cancellation of military procurement program or contract where equipment has already been received. If you have already received a machine tool or other equipment, you may either sell the equipment subject to the limitations of Priorities Regulation 13, or use it for any purpose not prohibited by applicable War Production Board orders and regulations, even though the equipment was obtained for use in connection with a particular military procurement program, military production contract and the program or contract is cancelled or cut back after the equipment has been received. This exception to the rules stated in paragraph (b) (3) of § 933.11 of Priorities Regulation 1 which would otherwise restrict the use of the equipment to purposes for which you would be allowed to buy it under Priorities Regulation 13.

(f) Effect on equipment supplier. As stated in § 944.46 of Priorities Regulation 1, anyone who receives notice from his customer that the customer's order is no longer rated or that the customer's order is cancelled, must immediately withdraw any extensions of the rating which he has made to the equipment ordered or purchased by him for more than $25 worth of material. A manufacturer who is advised by his customer that the customer's order is cancelled or no longer rated must adjust his schedules in accordance with paragraph (c) of § 944.7 of Priorities Regulation 1 and applicable War Production Board orders and regulations.

Certain exceptions to these rules are stated in Direction 8 to Priorities Regulation 1 and Direction 9 to Priorities Regulation 1.

Published this 19th day of July, 1945.

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

(F. R. Doc. 45-13106; Filed, July 19, 1945; 11:48 a.m.)

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

(Priorities Reg. 1, Amended July 19, 1945)

USE OF RATINGS OR AUTHORIZATIONS FOR MACHINE TOOLS OR OTHER FACILITIES WHEN RELATED MILITARY PROCUREMENT PROGRAMS OR CONTRACTS ARE CANCELLED OR CUT BACK

The following direction is issued pursuant to Priorities Regulation 1:

(a) What this direction does. This direction gives the rules which must be followed by persons who have received priorities as issuing officers, or who are authorized, for machine tools or other facilities required to fulfill a particular military procurement program, military production contract, or a facilities contract when the program or contract has been cancelled or cut back to the point where the machine tools or other facilities are no longer necessary to perform the balance of the program or contract. The direction applies to ratings or authorizations given on Form WPB-942, WPB-1819, GA-1469 or any other rating or authorisation form.

(b) Effect of cancellation of military procurement program, contract or subcontract on ordnance or other form rating or authorization to an order for equipment other than building service equipment which have not yet been placed. If you receive a rating or authorization to get machine tools or other equipment (excluding building service equipment), and the application for rating or authorizing the equipment specifically identifies a particular military procurement program or a military production contract (including a facilities contract) in which the program or contract has been cancelled or cut back to the point where the equipment is no longer needed to perform the remainder of the program or contract, you may not use the rating or authorization, if that is permitted, or get a new rating or authorization in accordance with applicable War Production Board orders and regulations.

(c) Effect of cancellation of military procurement program, contract or subcontract on ordnance or other form rating or authorization for equipment after the program or contract has been modified (not terminated) so as to replace the modified item with another item. If you receive a rating or authorization to get machine tools or other equipment (excluding building service equipment), and the program or contract has been modified (not terminated) so as to replace the modified item with another item, you may either get a new rating or authorization, if that is permitted, or get a new rating or authorization in accordance with applicable War Production Board orders and regulations.

(d) Effect of cancellation of military procurement program, contract or subcontract on ordnance or other form rating or authorization to construct the building or to get building service equipment such as elevators or plumbing, heating, lighting or air-conditioning equipment, in which the rating or authorization to construct the building or to get the equipment after the program or contract has been cancelled or cut back, whether or not the application or other form rating or authorizing the construction or equipment specifically identified a particular military procurement program, military production contract, facilities contract (including a facilities contract) for which the construction or equipment is needed, unless the War Production Board specifically cancels or revokes the rating or authorization.

(e) Effect of cancellation of military procurement program or contract where equipment has already been received. If you have already received a machine tool or other equipment, you may either sell the equipment subject to the limitations of Priorities Regulation 13, or use it for any purpose not prohibited by applicable War Production Board orders and regulations, even though the equipment was obtained for use in connection with a particular military procurement program, military production contract and the program or contract is cancelled or cut back after the equipment has been received. This exception to the rules stated in paragraph (b) (3) of § 933.11 of Priorities Regulation 1 which would otherwise restrict the use of the equipment to purposes for which you would be allowed to buy it under Priorities Regulation 13.

(f) Effect on equipment supplier. As stated in § 944.46 of Priorities Regulation 1, anyone who receives notice from his customer that the customer's order is no longer rated or that the customer's order is cancelled, must immediately withdraw any extensions of the rating which he has made to the equipment ordered or purchased by him for more than $25 worth of material. A manufacturer who is advised by his customer that the customer's order is cancelled or no longer rated must adjust his schedules in accordance with paragraph (c) of § 944.7 of Priorities Regulation 1 and applicable War Production Board orders and regulations.

Certain exceptions to these rules are stated in Direction 8 to Priorities Regulation 1 and Direction 9 to Priorities Regulation 1.

Published this 19th day of July, 1945.

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

(F. R. Doc. 45-13106; Filed, July 19, 1945; 11:48 a.m.)
SALES OF CONTROLLED MATERIALS BY WAREHOUSES AND DISTRIBUTORS

§3175.4 CMP Regulation 4—(a) Purpose and scope. This regulation describes the procedure to be followed by warehouses and distributors in delivering controlled materials from stock (including consigned stock) except that in the case of steel, deliveries from one distributor to another are governed by section 7 of Priorities Regulation 1.

(b) Definitions with respect to steel. The following definitions shall apply for the purpose of this regulation and for the purpose of any other CMP regulation unless otherwise indicated:

1. "Steel" means carbon steel, alloy steel, and wrought iron, in the forms and operations as cutting to length, shearing to size, torch cutting or burning to shape, sorting and grading, pipe threading, and may deliver it on any order calling for immediate delivery that he is permitted to fill under paragraphs (d) (1), (2) or (3).

2. "Distributor" means any person who, in connection with any sale, lends, rents, or otherwise forms sheets for roofing and siding, but a person who, in connection with any sale, lends, rents, or otherwise forms sheets for roofing and siding, but a person who

3. "Warehouse stock" means brass or copper wire mill products which a purchaser may get from a warehouse. A warehouse is entitled to rely on a certificate furnished by any of its customers under paragraph (f) (1) (iv) of this regulation, unless it knows or has reason to believe the certificate to be false.

4. "No person shall place an order for brass mill or copper mill products unless the purchaser has the right to accept delivery and is not subject to any further deliveries which the War Production Board specifically authorizes him to reject. If a delivery depletes his stock to a point where his function in the distribution of steel would be seriously impaired, he may apply to the War Production Board for authority to reject the order and may delay filling the order until his application is acted upon.

5. "Orders which can be filled. A distributor must fulfill orders of the kinds described in paragraphs (d) (1), (2) and (3) unless he has his order permitted to reject them under paragraph (c), (Rejection of Orders) and he may fill orders of the kind described in paragraph (d) (4).

6. "Warehouse stock" means brass mill or copper mill products which a purchaser may get from a warehouse. A warehouse is entitled to rely on a certificate furnished by any of its customers under paragraph (f) (1) (iv) of this regulation, unless it knows or has reason to believe the certificate to be false.

7. "No person shall place an order for delivery from warehouse stock. A warehouse must fill authorized controlled material orders for brass mill or copper wire mill products in accordance with this regulation, if it has not fill the order unless it is enclosed by the buyer on request. In no case, however, may a warehouse fill an order for brass mill or copper wire mill products unless the purchaser has the right to accept delivery and is not subject to any further deliveries which the War Production Board specifically authorizes him to reject. If a delivery depletes his stock to a point where his function in the distribution of steel would be seriously impaired, he may apply to the War Production Board for authority to reject the order and may delay filling the order until his application is acted upon.

8. "Orders which can be filled. A distributor must fulfill orders of the kinds described in paragraphs (d) (1), (2) and (3) unless he has his order permitted to reject them under paragraph (c), (Rejection of Orders) and he may fill orders of the kind described in paragraph (d) (4).

9. "Warehouse stock" means brass mill or copper mill products which a purchaser may get from a warehouse. A warehouse is entitled to rely on a certificate furnished by any of its customers under paragraph (f) (1) (iv) of this regulation, unless it knows or has reason to believe the certificate to be false.

10. "No person shall place an order for delivery from warehouse stock. A warehouse must fill authorized controlled material orders for brass mill or copper wire mill products in accordance with this regulation, if it has not fill the order unless it is enclosed by the buyer on request. In no case, however, may a warehouse fill an order for brass mill or copper wire mill products unless the purchaser has the right to accept delivery and is not subject to any further deliveries which the War Production Board specifically authorizes him to reject. If a delivery depletes his stock to a point where his function in the distribution of steel would be seriously impaired, he may apply to the War Production Board for authority to reject the order and may delay filling the order until his application is acted upon.

11. "Orders which can be filled. A distributor must fulfill orders of the kinds described in paragraphs (d) (1), (2) and (3) unless he has his order permitted to reject them under paragraph (c), (Rejection of Orders) and he may fill orders of the kind described in paragraph (d) (4).

12. "Warehouse stock" means brass mill or copper mill products which a purchaser may get from a warehouse. A warehouse is entitled to rely on a certificate furnished by any of its customers under paragraph (f) (1) (iv) of this regulation, unless it knows or has reason to believe the certificate to be false.
May resell on unrated orders any brass mill products; copper, brass mill products, and copper wire mill products ofwar stock or copper wire mill products which have been in stock 60 days or more and for which it cannot deliver on unrated orders or which it otherwise requires as authorized controlled material orders. The warehouse may not treat the delivery to the customer as made from stock and may not request a replacement. However, if the material is not the material in inventory and needs it for immediate delivery to a customer on an authorized controlled material order, it must state these facts on its order.

(b) A warehouse may deliver any brass mill product or copper wire mill product which it has received or proposes to receive physical delivery of aluminum into his warehouse only if it does not have the material in inventory or hold any material to fill it.

(ii) Effective immediately, a brass mill warehouse, and effective July 1, 1945, a copper wire mill warehouse may but need not fill any order other than those which it is required or permitted to fill under paragraph (f) (1) or (f) (3) as follows:

(1) A warehouse may sell a quantity of each product group of controlled materials (except condenser tubes) as described below equal to the amount of such product group purchased by him on “ZW” orders “Deferred Warehouse Stock Orders” and unrated orders from producers or warehouses.

(2) Additional, a warehouse may sell a quantity of such product group of controlled materials (except condenser tubes) equal to 10% of the amount of each brass mill product that is in his inventory at the close of business on May 26, 1945, and each copper wire mill product group that is in his inventory at the close of business on June 30, 1945.

(3) If a warehouse may sell any quantity of controlled materials “ZW” orders, “Deferred Warehouse Stock Orders,” and unrated orders from producers or warehouses.

(iv) If a warehouse has in its stock a particular lot of controlled materials which it cannot deliver on unrated orders because of the restrictions contained in this paragraph (f) (2) (vi), the warehouse may apply by letter to the Copper Division, War Production Board, Washington 25, D. C., attention Wire Mill Copper Division, War Production Board, for authority to reject the order and may delay filling the order until its application is acted upon.

(v) Effective immediately, a warehouse may resell on unrated orders any brass mill products or wire mill products obtained by warehouses under the provisions of Priorities Regulation 13 or WPB Directive 16.

(vi) Purchasers of brass mill and wire mill products, on orders other than authorized controlled material orders, are subject to the quantity limitations of paragraph (f) (1) (ii).

(vii) Effective July 1, 1945, a warehouse may resell on unrated orders any brass mill products on authorized controlled material orders identified with a CMP allotment symbol whose initial letter is “Z” only under the conditions provided for delivery of orders other than authorized controlled material orders by this paragraph (f) (2). “Z” orders must, however, continue to be accepted if they can be filled within these limits.

(viii) The following product groups are to be used as a basis for permitted deliveries on unrated orders under this paragraph (f) (2):

A. Brass mill alloy Plate, Sheet and Strip.
B. Brass mill alloy Rod, Bars, and Wire.
C. Brass mill alloy tube and pipe.
D. Brass mill unalloyed copper products.
E. Copper wire mill products.

(3) Shipments direct to customerto fill specific orders. If a warehouse wants to order a specific authorized controlled material order of a customer instead of filling it from stock, it may order the material either for direct shipment to the customer or for shipment via the warehouse, by placing on its order the customer’s name and allotment number or symbol. Such an order is to be treated as an authorized controlled material order. The warehouse may not treat the delivery to the customer as made from stock and may not request a replacement. However, in the case of brass mill products, a warehouse may order from another warehouse only if it does not have the material in inventory and needs it for immediate delivery to a customer on an authorized controlled material order. It must state these facts on its order.

(4) Rejection of orders.

(a) An order may be rejected by the warehouse which has received or proposes to receive physical delivery of aluminum into his warehouse only if it does not have the material in inventory or hold any material to fill it.

(b) A warehouse may reject any order calling for immediate delivery of brass mill or copper wire mill products which it has received or proposes to receive physical delivery of aluminum into his warehouse only if it does not have the material in inventory or hold any material to fill it.

(c) If delivery of an order would deplete a warehouse stock to a point where its function in the distribution of brass mill products or copper wire mill products would be seriously impaired, the warehouse may apply to the War Production Board for authority to reject the order and may delay filling the order until its application is acted upon.

(d) A warehouse may reject any order other than those it is required to fill by paragraph (f) (1).

Aluminum

(g) Definitions with respect to aluminum. The following definitions shall apply for the purpose of this regulation and for the purpose of any other CMP Order or Regulation to which they may be applied:

(1) “Aluminum” means aluminum in any of the forms and shapes constituting controlled material as defined in CMP Regulation No. 1.

(2) “Z” orders must, however, continue to be accepted if they can be filled within these limits.

Directions to distributors and warehouses. Each distributor shall comply with such directions as may be issued from time to time by the War Production Board with respect to making or withholding deliveries of steel, brass mill products, copper mill products, or aluminum, and with respect to the earmarking of stocks of such material.

Placement of authorized controlled material orders. Each distributor must, to the extent of his available stock, fill authorized controlled material orders, orders bearing the symbol AM (except orders bearing symbols from AM 9500 through AM 9599) and orders specifically directed in writing by the War Production Board to fill. Orders bearing symbols from AM 9600 through AM 9699 need not be filled, but, if accepted, must be treated as authorized controlled material orders. Orders bearing symbols from AM 9600 through AM 9699 must be treated as deferred (Z) orders before July 1, 1945, and as unrated orders on and after that date.

Effective immediately, an aluminum warehouse may, but need not deliver extrusions on orders other than those he is required to fill under paragraphs (g) (1) and (g) (2). The restrictions of this regulation do not apply to aluminum powder, flake, pigment, or paste delivered for the purpose of making paint, ink, or other coating or liquid welding composition. Such aluminum powder, flake, pigment or paste may be delivered by a distributor on rated or unrated purchase orders subject to the provisions of Priorities Regulation No. 1.

No person shall place “deferred” (Z) orders on unrated orders for delivery from warehouses which aggregate more than 10,000 pounds of sheet, strip or plate; 4,500 pounds of wire, rod and bar or more than 3,000 pounds of tubing, extrusions, or structural shapes for delivery in one month.

A warehouse may reject any order which it is otherwise required or permitted to accept if the order is for delivery at one time to one destination of more than 2,000 pounds of any gauge, alloy and sizes of aluminum sheet, strip or plate, or more than 900 pounds of any alloy shape and size of aluminum wire, rod and bar, or more than 600 pounds of any alloy, size and shape of aluminum tubing, extrusions or structural shapes.

General Provisions Applicable to Steel, Brass Mill Products, Copper Wire Mill Products and Aluminum

(1) Directions to distributors and warehouses. Each distributor shall comply with such directions as may be issued from time to time by the War Production Board with respect to making or withholding deliveries of steel, brass mill products, copper mill products, or aluminum, and with respect to the earmarking of stocks of such material.

(2) Placement of authorized controlled material orders. Each distributor must, to the extent of his available stock, fill authorized controlled material orders, orders bearing the symbol AM (except orders bearing symbols from AM 9500 through AM 9599) and orders specifically directed in writing by the War Production Board to fill. Orders bearing symbols from AM 9600 through AM 9699 need not be filled, but, if accepted, must be treated as authorized controlled material orders. Orders bearing symbols from AM 9600 through AM 9699 must be treated as deferred (Z) orders before July 1, 1945, and as unrated orders on and after that date.

(3) The restrictions of this regulation do not apply to aluminum powder, flake, pigment, or paste delivered for the purpose of making paint, ink, or other coating or liquid welding composition. Such aluminum powder, flake, pigment or paste may be delivered by a distributor on rated or unrated purchase orders subject to the provisions of Priorities Regulation No. 1.

(4) No person shall place “deferred” (Z) orders on unrated orders for delivery from warehouses which aggregate more than 10,000 pounds of sheet, strip or plate; 4,500 pounds of wire, rod and bar or more than 3,000 pounds of tubing, extrusions, or structural shapes for delivery in one month.

A warehouse may reject any order which it is otherwise required or permitted to accept if the order is for delivery at one time to one destination of more than 2,000 pounds of any gauge, alloy and sizes of aluminum sheet, strip or plate, or more than 900 pounds of any alloy shape and size of aluminum wire, rod and bar, or more than 600 pounds of any alloy, size and shape of aluminum tubing, extrusions or structural shapes. 
(2) It is endorsed with the appropriate certification and allotment number or symbol in the way prescribed by paragraph (g) (3) of CMP Regulation No. 1.

(3) A delivery order for steel, brass mill products or copper, wire mill products or graph (s) (3) of CMP Regulation No. 1. 

required to fill requiring shipment within delivery order which a distributor is re­specifically provides otherwise.

for immediate delivery unless the order is placed with a distributor or warehouse who has received in the prior month a delivery order by telephone, which he is required to fill shall notify the appropriate Regional Compliance Office of the War Production Board, of any case in which a purchaser has failed to furnish or order furnishes to the distributor or warehouse the substance of the in­formation required by this regulation, Provided, That the person placing the order furnishes to the distributor or warehouse, within fifteen days after placing the same, written confirmation of the order complying with the require­ments of this regulation. In case of fail­ure, within fifteen days, the distributor or warehouse shall not accept any other order from, or deliver any additional material to, any person to the public in­terest and to the prejudice of lumber which a distributor or warehouse has in its possession for resale.

(3) A delivery order for steel, brass mill products or copper, wire mill products or graph (s) (3) of CMP Regulation No. 1. 

(3) Orders bearing a CMP allotment symbol including the letter Z.

(4) Unrated orders.

Issued this 19th day of July 1945.

WAR PRODUCTION BOARD,
By J. Joseph Whelan,
Recording Secretary.

INTERPRETATION 1

DISTRIBUTORS OF AUTOMOTIVE REPLACEMENT

The definitions of "distributor" and "ware­house" appearing in paragraphs (b) (2) and (e) (3) of CMP Regulation No. 4 are not to include production parts, as used in the following series:

(1) "Lumber" means any sawed lumber

or patterns; (v) hardwood flooring; (vi) items produced from lumber but not classified in the trade as lumber, such as box stock, dimension, casing, and millwork; (vii) used lumber; and (viii) any segment of a log which has been produced so that it can be con­verted into veneer and which is sold and used for that purpose.

(2) "Distributor" means any person who buys lumber for resale as lumber either at wholesale or retail. It does not include any part of a person's operations which regularly maintains a separate lumber inventory record who receives lumber (except for resale) and uses it in the United States. Consumer is defined as a person who gets as a production material is subject to the limitations and qualifications set forth in this order.

(3) "Distributor stock" means any lumber which a person gets as a production material is subject to the limitations and qualifications set forth in this order.

(3) "Distributor stock" means any lumber which a person gets as a production material is subject to the limitations and qualifications set forth in this order.

(4) "Sawmill" means:

(a) any mill or plans, stationary or portable, which pro­duces more than 100,000 board feet of lumber in 1944 or expects to produce more than 100,000 board feet in 1945; and
(2) any concentration yard or plant which processes (by drying, planing, sawing or other comparable method) 25 percent or more of the total volume of logs and lumber which it receives, from the area in which it is lo­cated, into an item which is defined as lumber. However, the term "sawmill" does not include any establishment known in the trade as a distribution yard, engaged in either retail or wholesale business even though it may process, for the servicing of special orders from cus­tomers, more than 25 percent of the lumber it receives.

(l) Sawmill stock" means any lumber in the possession of a sawmill.

(6) "Consumer" means any person, or any part of a person's operations, such as a plant, branch, or department which regularly maintains a separate lumber inventory record who receives lumber (except for resale) and uses it in the United States. Consumer does not include contractors or any other person who uses lumber for use on construction work (including repair of existing structures) done for other persons. The person for whom the construction work or the repair work is done is the consumer.

(7) A "certified order" is any order for delivery of lumber bearing one of the certificates prescribed by this order or by any direction issued pursuant to this order.

(1) "Lumber Consumers and How They Get Their Lumber

(c) General. For the purposes of this order lumber consumers are grouped ac­cording to the quantity of lumber they use and the purpose for which they use it. Because a person may use lumber in more than one group, he must read the provisions relating to each in order to determine the procedure or procedures he must follow in getting his lumber. Lumber which a person gets for use which is subject to the limitations which may be imposed by directions to this order.
Form WPB-3640. This does not apply to lumber restricted to amounts authorized.

(2) Class II consumers may place certified orders in addition to orders on Form WPB-3640. In order to assure the fulfillment of long-term programs and schedules, Class II consumers who are authorized to place certified orders may place uncertified orders for lumber in future quarters in an amount not to exceed 75 percent of the amount they are authorized to receive in any current quarter. These orders may be rated to the extent that the person placing them has received ratings which are valid for delivery in future quarters. These orders will be subject to such adjustments as may be made by the time the War Production Board's quarterly determination of essential requirements is made.

(3) Additional authorizations and return of authorizations. A Class I consumer who has previously been granted an authorization to receive lumber may file a supplementary application on Form WPB-3640 for an additional amount. As soon as he finds that he will not need as much lumber as authorized, he must notify the War Production Board on Form WPB-3673 of the amount of lumber he does not need and has not received and must cancel or return outstanding delivery orders accordingly.

(4) Certification of delivery orders and use of ratings. Every Class I consumer must certify all his purchase orders (except sales tickets), or other orders requesting the delivery or transfer of lumber as explained in paragraph (q) below. When using preference ratings to get lumber at a Class I consumer must comply with the provisions of paragraph (r) below. If a Class I consumer has no rating (or only an AA-5 MRO rating) for a part of his operations which requires him to give certified orders or use a rating. In using ratings to get lumber a Class II consumer must comply with the provisions of paragraph (r) below.

Farmers

(1) Farmers and how they get their lumber. Farmers include only persons engaged in farming as a business by raising crops, livestock, bees, or poultry. A person who has been given the title of "farmer" does not include a person who raises food or other agricultural products primarily for his own use. If a farmer wants to get lumber from another person he must follow the rules and regulations which have been established by the War Production Administration. The County Agricultural Conservation Committees will provide farmers with the necessary information on what they must do before they will be authorized to receive lumber. Any farmer who cuts trees on his own farm may have them delivered to him by a sawmill and may receive up to 5,000 board feet of lumber sawed from such trees in a calendar year without following the regulations of the War Production Administration or the provisions of this order. Class II consumers must place certified orders for the lumber which he needs for that purpose.

"Class II Consumers" and How They Get Their Lumber

(1) Who a "Class II consumer" is. A "Class II consumer" is:

(1) Any consumer who has a preference rating (except AA-5 MRO) and who would have to file an application on Form WPB-3640 in order to be a Class I consumer except for the fact that he will need less than 50,000 board feet of lumber in a calendar quarter.

(2) Any consumer who needs lumber (regardless of amount) for (i) mining and smelting operations for which he has been assigned a serial number under Order P-56; or (ii) operations directly incident to the discovery, development, or depletion of a petroleum pool as authorized by Petroleum Administrative Order 11.

(3) Any consumer who needs lumber (regardless of amount) for construction jobs for which priority assistance has been given by the War Production Board or the National Housing Agency or any other Federal agency.

Farmers

(1) Farmers and how they get their lumber. Farmers include only persons engaged in farming as a business by raising crops, livestock, bees, or poultry.

"All other consumers" are industrial plants and business enterprises and other persons (including farmers) who need lumber for a purpose for which no rating has been assigned. The term also includes industrial plants and business enterprises that have an AA-5 MRO preference rating (except Class I consumers).

(All other consumers) may place uncertified and unrated orders. "All other consumers" includes certified and unrated orders with lumber distributors and may accept deliveries of lumber to the extent that distributors are permitted by directions to this order to
supply lumber for their needs. An un­
certified and unrated order is one which
bears neither a certificate nor a rating.

-Distributors

(1) How distributors get their lumber.
The following provisions will govern the
manner in which lumber distributors will
get their lumber:

(1) Existence of customers' certified
order. Every distributor may extend
certified orders which he has accepted
and receive an amount of lumber from
a sawmill or from another distributor
which is not more than the total accumu-
lated certified orders accepted (either on
past or future orders for delivery).
There is no time limit within which or-
ders must be extended. A distributor
may not extend the same certified order
more than once. Certified orders accept-
ed by a distributor must be kept in the
distributor's files, and the accumulated
certificates may be extended by using
the distributor's certification provided for in
paragraph (q) (3) of this order. These
provisions apply to all the certificates
shown in paragraph (q) below and to
any certificate the War Food Admini-
stration says a farmer must use to get
lumber under this order.

(2) Distributors receipts and deliveries
of Red Cross Lumber. Any lumber dis-
tributor who receives ratings from the
American Red Cross on a preference rat-
ing certificate for use in obtaining lum-
ber required for emergency relief in dis-
aster-stricken areas may extend those
ratings to get the amount of lumber for
which the preference rating certificate
was issued. In placing the order with
his lumber supplier, the distributor is
authorized and required to use the cer-
tificate prescribed by paragraph (q) (3)
of this order. Notwithstanding any pro-
visions of this order or a direction issued
under this order, lumber that a distrib-
utor receives from his supplier under this
paragraph may be delivered to victims of
disaster-stricken areas on un-
certified orders if it bears one of the cer-
tificates provided for in paragraph (q) (3)
of this order. A distributor delivers lumber
to such victims out of inventory the lumber
obtained from the supplier may be used to replace
that inventory.

(3) War Production Board may autho-
rize distributors to place certified but
unrated orders. Any lumber distributor
who was engaged in the business of sell-
ing lumber at wholesale or retail prior to
May 1, 1944 and who had a lumber in-
ventory at that date, may apply to the
War Production Board on Form WPB-
3813 for authority to place certified but
unrated orders with sawmills or other
 distributors. Lumber distributors au-
thorized on Form WPB-3813 to receive
lumber under this paragraph may use the
certificate provided for in paragraph
(q) (4) of this order.

(4) Directions may also permit dis-
ributors to receive lumber. Lumber dis-
tributors may be authorized by directed
orders issued by the War Production
Board to receive additional quanti-
ties of lumber. Lumber which a distribu-
tor receives under a di-
rection to this order will be subject to the
provisions of all other orders and subordi-
 nations as may be imposed by the direc-
tions.

(p) Deliveries that distributors may
make. Unless a direction or directive is-
issued under this order says a distributor
may deliver lumber to a customer or to
another distributor, no deliveries may be
made only on the following types of orders:

(1) Deliveries on certified and rated
orders. A distributor delivers lumber
on the basis of a customer's or another
distributor's rated order which bears
one of the certificates provided for in
paragraphs (q) (1) and (q) (3) of this
order as a "certified order" under Order L-
335, and to use any preference rating shown
in paragraph (q) (4) of this order.

(2) Deliveries on certified but unrated
orders. Distributors may deliver lumber
to the basis of either a customer's or dis-


Distributor

Date ___________ By ---------------------------------
Duly authorized official

(3) Certificates that must be used by
distributors in extending customers' cer-
tified orders. When extending custom-
ers' certified orders including certified
orders that a distributor may receive
from another distributor the following
certificate must be used:

- The undersigned certifies that this lumber,
together with all other lumber which he has
ordered on the extension of his customers'
certified orders, does not exceed the amount he has
been authorized __
by the War Production Board on Form WPB-3813 as
explained in paragraph (q) (3) above to
to get lumber which he is authorized to
receive under a direction he must use the following
certificate:

- The undersigned certifies to the supplier
to the War Production Board that he is a
Class I consumer and that this lumber, which has
his request delivery within the quarter
in which delivery of this lumber is re-
gested, does not exceed the amount he has
been authorized by the War Production
Board to receive under Order L-335, with the
provisions of which he is familiar and that
this order is unrated.

- The undersigned certifies to the supplier
and to the War Production Board that he is a
Class I consumer and that this lumber, which has
his request delivery within the quarter
in which delivery of this lumber is re-
gested, does not exceed the amount he has
been authorized __
by the War Production Board on Form WPB-3813 as
explained in paragraph (q) (3) above to
to get lumber which he is authorized to
receive under a direction he must use the following
certificate:

- The undersigned certifies that this lumber,
together with all other lumber which he has
ordered on the extension of his customers'
certified orders, does not exceed the amount he has
been authorized __
by the War Production Board on Form WPB-3813 as
explained in paragraph (q) (3) above to
to get lumber which he is authorized to
receive under a direction he must use the following
certificate:

- The undersigned certifies that this lumber,
together with all other lumber which he has
ordered on the extension of his customers'
certified orders, does not exceed the amount he has
been authorized __
by the War Production Board on Form WPB-3813 as
explained in paragraph (q) (3) above to
to get lumber which he is authorized to
receive under a direction he must use the following
certificate:
(2) Sawmills deliveries on certified but unrated orders. Sawmills may deliver lumber on the basis of an unrated order from either a Class I consumer or a distributor if the order bears one of the certificates provided for in paragraphs (q) (1) and (q) (3) of this order. Sawmills may deliver lumber on unrated orders as required by Order L-335, Direction 2a, or Direction 8 to Order L-335. Sawmills that make a positive showing that the sawmill can make a positive showing of its ability to deliver any part of a certified order will only be given in cases (1) where a distributor will take the lumber on an unrated order and hold it for delivery on certified orders; or (2) where the sawmill can make a positive showing that, even with the help of the War Production Board, it cannot get certified orders as required by Order L-335, Direction 2a, or Direction 8 to Order L-335. Sawmills that make a positive showing that they cannot get certified orders as required by an applicable direction but fail to show that they are unable to get orders bearing one of the certificates described in paragraph (q) of Order L-335 may be relieved from the restrictions of the applicable direction.

(3) Sawmills that are distributors. If a person operates both a sawmill and a distribution yard, he may transfer lumber from his sawmill to his consumer operation provided that, as a consumer, he is authorized to place an order bearing one of the certificates required of consumers. The transfer from his sawmill stock may be treated as a delivery on a certified order, and he must keep a record of the transfer. If receipt of an order which is having rated orders for more than 110 percent of its anticipated shipments for the month, then the lowest rated orders or order must be displaced and the customers must be notified.

(4) Sawmills' acceptance and filling of orders. The following provisions will govern sawmills' acceptance of orders and the sequence in which they must be filled.

(1) Sawmills' acceptance of certified and rated orders. Sawmills' acceptance and filling of orders calling for delivery in any calendar month would result in the sawmill up to the first day of the preceding calendar month in accordance with the provisions of § 944.2 of Priorities Regulation No. 1, that, as between certified and unrated orders, a higher rated order must be given precedence over a lower rated order. If receipt of an order which is rated higher than a previously accepted order would result in the sawmill up to the first day of the preceding calendar month in accordance with the provisions of § 944.2 of Priorities Regulation No. 1, that, as between certified and unrated orders, a higher rated order must be given precedence over a lower rated order.

(2) Sawmills' acceptance of unrated orders. Sawmills' acceptance of unrated orders after the beginning of the month in which delivery is requested except:

(i) where acceptance of the order will not bring the sawmill's total accepted orders for delivery in the same month to more than 110 percent of its anticipated shipments for the month; or

(ii) the sawmill can make a positive showing that, even with the help of the War Production Board, it cannot get certified orders as required by Order L-335, Direction 2a, or Direction 8 to Order L-335. Sawmills that make a positive showing that they cannot get certified orders as required by an applicable direction but fail to show that they are unable to get orders bearing one of the certificates described in paragraph (q) of Order L-335 may be relieved from the restrictions of the applicable direction.

(4) Sawmills that are distributors. If a person operates both a sawmill and a distribution yard, he may transfer lumber from his "sawmill stock" to his "distributor stock" as a delivery on a certified order, and he must keep a record of the transfer in his sawmill files and endorse the appropriate certificate on that record. If a person operates both a sawmill and a distribution yard, he may transfer lumber from his "sawmill stock" to his "distributor stock" as a delivery on a certified order, and he must keep a record of the transfer in his sawmill files and endorse the appropriate certificate on that record. If a person operates both a sawmill and a distribution yard, he may transfer lumber from his "sawmill stock" to his "distributor stock" as a delivery on a certified order, and he must keep a record of the transfer in his sawmill files and endorse the appropriate certificate on that record.
(3) Sequence of filling accepted rated orders where all cannot be filled. If a sawmill is unable to make delivery at the time required on any certified and rated order which it has accepted for delivery, it must give precedence to higher rated orders over lower rated orders as provided in § 944.7 of Priorities Regulation No. 1, except that unfilled certified and rated orders carried over from a previous month must be filled before making delivery on orders accepted for delivery in the current month even if the orders are carried over bear lower ratings. The only exceptions are that current orders rated AAA and orders which the sawmill has been directed by the War Production Board to fill take precedence over unfilled orders carried over from a preceding month.

(4) Shipments prior to calendar quarter. A sawmill may ship lumber on a certified order any time within 15 days before the quarter in which delivery is requested.

(5) Certified but unrated orders. There is no fixed limit on the amount of certified but unrated orders that a sawmill may accept from Class I consumers and distributors, but a sawmill should exercise care of the order since it is reasonably expected that sawmills will be able to ship. These orders must give way to all certified rated orders previously or subsequently received.

Miscellaneous

(1) Definitions. Any consumer or distributor who has placed an uncertified order with a lumber supplier and is later authorized to place a certified order may validate the order by giving his supplier the certificate that he is entitled to use. Any order that is validated subsequent to July 19, 1944, shall be treated as though it had been placed on the date that the certificate was received by the supplier.

(2) Directives and directions. The term “directive” as used in this order means instructions to a person regarding the manufacture, delivery, or use of lumber. The term “direction” means published instructions to consumers, distributors, and sawmills and should be carefully attended to.

(3) Exports. The Army, and Navy, the Foreign Economic Administration, and other Federal agencies exporting or authorizing the export of lumber under the jurisdiction of the Directors of Priorities for the territories or possessions of Hawaii, Alaska, Puerto Rico, the Virgin Islands shall import any variety of bristles of the categories known as “Chinese”, “Indias”, “Russians” or “Siberians”. The importation of bristles of other categories shall be prohibited from the United States for export. The importation of bristles of other categories shall be prohibited from the United States for export. The importation of bristles of other categories shall be prohibited from the United States for export.

(4) Applicability of regulations. Except as otherwise required by this order, Priorities Regulations 1 and 3 continue to govern the use of ratings and the acceptance, scheduling and filling of orders placed with distributors and sawmills. All other applications and orders of the War Production Board also remain in effect where not inconsistent with this order.

(5) Not applicable to territories and possessions. This order applies only to deliveries made within the 48 states and the District of Columbia. Deliveries made within the United States for export to territories and possessions of the United States must be approved and certified by the Director of Priorities for the territories or possessions of Hawaii, Alaska, Puerto Rico, and the Virgin Islands.

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

(7) Delivery to violators prohibited. No person shall sell, ship, or deliver or cause to be sold, shipped or delivered, any lumber which he knows or has reasonable cause to believe was placed in violation of the provisions of this order or any direction or directive issued under it, or any other order or regulation of the War Production Board.

(8) Reports. Every person shall file with the War Production Board or any other Federal agency through which the War Production Board may distribute lumber, such reports and questionnaires as the War Production Board or such other agency may from time to time require to the subject of the application of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(9) Appeals. Any appeal from the provisions of this order shall be made by filing a letter to the War Production Board referring to the particular provision appealed from and stating fully the grounds of the appeal.

(10) Emergencies requiring immediate action. The War Production Board may authorize the receipt and delivery of lumber to meet emergencies which will not permit compliance with the procedures required by this order.

(11) Application and communications. Except as otherwise required by this order, Forms WP-3640 for use in filing applications under this order and Forms WPB-3773 and WPB-3813 may be obtained at any War Production Board District Office. All communications, unless otherwise directed, must be addressed as follows: Lumber and Lumber Products Division, War Production Board, Washington 25, D. C., Ref.: L-335.

Issued this 19th day of July 1945.

WAR PRODUCTION BOARD,
By Joseph Whelan,
Recording Secretary.

[FR Doc. 45-13102; Filed: July 19, 1945; 11:46 a.m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-81, as Amended July 18, 1945]

PIGS' AND HOGS' BRISTLES AND BRISTLE PRODUCTS

The fulfillment of requirements for the defense of the United States, especially a shortage in the supply of pigs' and hogs' bristles and brushes made therefrom for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3290.161 Conservation Order M-51—

(a) Definitions. In this order:

(1) "Bristles" means pigs' or hogs' bristles, including ridings, 3 inches or longer, whether new, reclaimed, raw, dressed, imported or domestic.

(2) "Painters' brush" means any brush having a ferrule and used in the painting, varnishing or decorating trade (including all types of brushes specified in the Brush List attached to this order and all brushes of similar construction or use).

(3) "Ferrule" means the band by which the bristles of a painter's brush are attached to the handle.

(b) Importation. Notwithstanding any other order, rule, regulation or direction, or any certificate or authorization, no person other than Defense Supplies Corporation or U. S. Commercial Company shall import any variety of bristles of the categories known as "Chinese", "Indias", "Russians" or "Siberians". The importation of bristles of other categories shall be according to General Imports Order M-65, as amended, or to time to time.

(c) Inventories of bristles. No person manufacturing brushes shall buy or accept delivery of any bristles 2½ inches or longer if he has more bristles on hand than are required to continue his then current rate of operations for a period of 120 days. In computing such inventory only items A1, 2 and 3 and B1 as listed on Form WP-431 shall be included.

(d) Allocation of stock piled bristles. Reconstruction Finance Corporation shall not dispose of any variety of bristles of the categories known as "Chinese."
"Indias," "Russians," or "Siberians," except as authorized by the War Production Board. The War Production Board may from time to time allocate the supply of stock-piled bristles of the categories known as "Chinese," "Indias," "Russians" or "Siberians" and specifically direct the quantities, time and manner of deliveries which the Reconstruction Finance Corporation shall be made or withheld. It may also direct or prohibit particular uses of such categories of bristles. Any direction, prohibition or allocation issued pursuant to this paragraph, to be valid, must be in writing in the name of the War Production Board.

Restrictions on use of bristles—

(1) Use of bristles over 3 1/2 inches. No person shall use any bristles longer than 3 1/2:" for manufacturing purposes except as follows:

(i) To manufacture brushes for delivery to or for the account of the Army and Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Veterans Administration, the United States Treasury Department or the Department of the Interior;

(ii) To manufacture painters' brushes, billboard and paper hangers' paste brushes, except those identified in the Brush List attached to this order by the following numbers: 12 (mucilage and paste), 13, 14 (painters' duster), 16 (radiator), 23 (paper hangers' smoothing), and 24 (stencil);

(iii) To manufacture the following types of brushes provided the bristles so used are not longer than 3 1/2": Brushes required in production operations of any industry; car and window washing brushes (railroad and industrial only); tooth brushes, including dental plate brushes; surgeon's hand brushes and hair brushes.

(iv) (Deleted July 18, 1945.)

(2) Required mixture of other materials. No person shall manufacture painters' brushes, billboard or paper hangers' paste brushes using bristles longer than 3 1/2 inches or car and window washing brushes (railroad and industrial only); tooth brushes, including dental plate brushes; surgeon's hand brushes and hair brushes.

(3) Exceptions to paragraphs (e) (1) and (e) (2). On letter application the War Production Board may grant exceptions from paragraphs (e) (1) and (e) (2) in the case of brushes required for:

(i) Applying adhesives in aircraft manufacture;

(ii) During operations in shell-loading plants;

(iii) Use in manufacturing self-sealing gasoline tanks, and

(iv) Other uses where special types of brushes are needed.

(4) Restrictions on the sale of bristle painters' brushes. No brush manufacturer shall sell or deliver any painters' brushes containing bristles except on the following classes of orders:

(1) Orders placed by the Army and Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Veterans Administration, the United States Treasury Department or the Department of the Interior;

(2) Orders placed by persons entitled to use ratings of AA-3 or higher;

(3) Orders placed by distributors (except marine distributors) rated on Form WPB-547 and orders placed by marine distributors rated on Form WPB-646;

(4) Orders for export rated on Form FEA-419.

No person shall buy or accept delivery of any of these brushes from a brush manufacturer except on these classes of orders.

(g) Sale of brushes for export. No person shall sell or deliver any product containing bristles which he knows or has reason to believe will be exported unless the purchase order contains the number of the export license or release certificate issued by the Foreign Economic Administration or unless the product is ordered by an agency of the United States for delivery pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act) or for delivery for the account of the United Nations' Relief and Rehabilitation Administration (U. N. R. R. A.).

(h) Limitation on manufacture of brushes. No person shall manufacture any painters' brush:

(1) Of a type other than those specified in the Brush List attached to this order;

(2) With a ferrule of dimensions other than those specified in the Brush List with respect to each brush, which has an assembly containing an inner band, a bridge or a spout, or which is seamless (except for a shipbottom, stencil, oval varnish or oval sashstool brush), or which is embossed or stamped (except that the size and other markings may be applied if to do so would not require any special or additional operation during the process of manufacturing the ferrule); or

(3) With a handle finished in more than one color.

(i) Reports. Every owner of bristles shall file with the Bureau of the Census, Department of Commerce, acting as compiling agent for the War Production Board, not later than the 10th day of each month, a report on Form WPB-431 showing his holdings and consumption of bristles during the preceding month. This requirement has been approved by the Bureau of the Budget under the Federal Reports Act of 1942. All communications concerning this order shall unless otherwise directed be addressed to the War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C. Ref. M-51.

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

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

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

Issued this 18th day of July 1945.

War Production Board,
By J. Joseph Whelan,
Recording Secretary.

Brush List

These are the only kinds of painters' brushes which may be manufactured. (All dimensions are in inches. A maximum variation of 1/8 of an inch is allowed in width and thickness both of which are referred to by inside dimensions. The Federal Specifications are to be used only as a means of identifying the type of brush. In case of any inconsistency, the dimensions in Column 4, 5 and 6 shall prevail over those in the Federal Specifications.)

Note: List amended July 18, 1945.
<table>
<thead>
<tr>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
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<tbody>
<tr>
<td></td>
<td>Type of brush</td>
<td>Identification Number</td>
<td>Federal Specification No.</td>
<td>Width of ferrule</td>
<td>Thickness of ferrule</td>
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<tr>
<td>1</td>
<td>Color single thickness</td>
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<td>HB-391</td>
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<tr>
<td>2</td>
<td>Fitch</td>
<td>HB-241</td>
<td>24</td>
<td>114</td>
<td></td>
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<tr>
<td>3</td>
<td>Flatting wall master</td>
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<td>24</td>
<td>114</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Flatting wall utility</td>
<td>HB-261</td>
<td>24</td>
<td>114</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Flowing fitch single thickness</td>
<td>HB-291a</td>
<td>24</td>
<td>114</td>
<td></td>
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<tr>
<td>6</td>
<td>Ox hair and civet hair flowing</td>
<td>HB-321</td>
<td>24</td>
<td>114</td>
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<tr>
<td>7</td>
<td>Glue flat</td>
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<td>24</td>
<td>114</td>
<td></td>
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<tr>
<td>8</td>
<td>Glue round</td>
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<td>114</td>
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<td>9</td>
<td>Kalomite Dutch</td>
<td>HB-291b</td>
<td>24</td>
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<td>Motting</td>
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<td>12</td>
<td>Moccasine paste</td>
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<td>13</td>
<td>Painters dusters flat</td>
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<td>14</td>
<td>Painters dusters round</td>
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<td>24</td>
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<td>15</td>
<td>Plastic</td>
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<td>24</td>
<td>114</td>
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<td>16</td>
<td>Sanding flat</td>
<td>HB-311</td>
<td>24</td>
<td>114</td>
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<td>17</td>
<td>Sanding oval (seamless)</td>
<td>HB-401</td>
<td>24</td>
<td>114</td>
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<td>18</td>
<td>Sanding oval (locked seam)</td>
<td>HB-401</td>
<td>24</td>
<td>114</td>
<td></td>
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<tr>
<td>19</td>
<td>Shipbottom (seamless or soldered wire ferrule)</td>
<td>HB-401</td>
<td>24</td>
<td>114</td>
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</tr>
<tr>
<td>20</td>
<td>Signwriters</td>
<td>HB-401</td>
<td>24</td>
<td>114</td>
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<th>3</th>
<th>4</th>
<th>5</th>
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<tbody>
<tr>
<td></td>
<td>Type of brush</td>
<td>Identification Number</td>
<td>Federal Specification No.</td>
<td>Width of ferrule</td>
<td>Thickness of ferrule</td>
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<td>21</td>
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<td>114</td>
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<td>22</td>
<td>Smoothing paper hanger (2 rows)</td>
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<td>24</td>
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<td>Smoothing paper hanger (3 rows)</td>
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<td>24</td>
<td>114</td>
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</tr>
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<td>Round (seamless ferrule)</td>
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<td>24</td>
<td>114</td>
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<td>25</td>
<td>Rolled edge</td>
<td>HB-301</td>
<td>24</td>
<td>114</td>
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<td>26</td>
<td>Type II</td>
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<td>24</td>
<td>114</td>
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<td>27</td>
<td>Varnish flat double</td>
<td>HB-301</td>
<td>24</td>
<td>114</td>
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<td>28</td>
<td>Varnish oval (seamless ferrules): Rounded dimensions may be ovalized to any size</td>
<td>HB-301</td>
<td>24</td>
<td>114</td>
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<td>29</td>
<td>Varnish flat single</td>
<td>HB-301</td>
<td>24</td>
<td>114</td>
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<td>30</td>
<td>Varnish flat single X</td>
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<td>Varnish flat triple</td>
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<td>24</td>
<td>114</td>
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<td>32</td>
<td>Wall master A</td>
<td>HB-301</td>
<td>24</td>
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<td>Wall master B</td>
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<td>24</td>
<td>114</td>
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<td>34</td>
<td>Wall medium</td>
<td>HB-301</td>
<td>24</td>
<td>114</td>
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<td>Wall syndicate</td>
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<td>24</td>
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<td>Wall utility</td>
<td>HB-301</td>
<td>24</td>
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<tr>
<td>37</td>
<td>Whitewash</td>
<td>HB-301</td>
<td>24</td>
<td>114</td>
<td></td>
</tr>
</tbody>
</table>
footwear or (ii) foot covering designed to be worn over shoes and utilizing no leather.

(6) "Work shoes" means any shoes or boots with unlined quarters which are designed to be worn at any form of work requiring specially heavy or substantially made footwear

(7) "Cattle hide leather" means any leather (including splits) made from cattle hides, including hides of bulls, cows, and steers, and calf and kid skins (but excluding slunks) and shall also include buffalo hides.

(8) "House slippers" means any foot- wear designed exclusively for indoor or house wear.

(9) "Line" means footwear of any one of the following types:

- Men's dress
- Men's work
- Youths' and boys'
- Women's and growing girls'
- M isses' and children's
- Infants'
- House slippers
- Athletic
- Men's safety shoes, and
- Women's safety shoes
to the extent that such type of footwear is manufactured for sale by the manufacturer in a price range where the highest list price does not exceed the lowest by more than 10% or 25¢ a pair (whichever is greater) - Provided, That:

(1) The seller of identical kind and quality sold at different prices to different types of purchasers may be included in one line if the highest price in the range is an actual price at which this footwear was sold during the base period, and the concession price for the same footwear is not more than 15% below the highest price in the range.

(2) The resale by the manufacturer is at retail or to a purchaser which controls, is controlled by, or is subject to common control with, the manufacturer, then the applicable price range shall be the same as the one listed range.

(3) Up to the net wholesale price shown on the following schedule, each type of footwear listed may be deemed one line.

<table>
<thead>
<tr>
<th>Type</th>
<th>Price per pair</th>
</tr>
</thead>
<tbody>
<tr>
<td>Men's and children's</td>
<td>$1.75</td>
</tr>
<tr>
<td>Youths' and boys' (without leather)</td>
<td>1.00</td>
</tr>
<tr>
<td>Youths' and boys' (utilizing leather)</td>
<td>2.00</td>
</tr>
<tr>
<td>Women's and growing girls' (including safety) (utilizing leather)</td>
<td>1.90</td>
</tr>
<tr>
<td>Men's work, dress and safety (without leather)</td>
<td>2.00</td>
</tr>
<tr>
<td>Men's safety shoes, and</td>
<td></td>
</tr>
<tr>
<td>Women's safety shoes, and</td>
<td></td>
</tr>
<tr>
<td>Leather</td>
<td></td>
</tr>
<tr>
<td>Children's</td>
<td></td>
</tr>
<tr>
<td>Infants'</td>
<td></td>
</tr>
<tr>
<td>Infant's, sizes 0-4 (utilizing leather)</td>
<td>90</td>
</tr>
<tr>
<td>Infant's, sizes 4 1/2 to 8 (with or without leather)</td>
<td>1.95</td>
</tr>
</tbody>
</table>

Note: For the purposes of this schedule, footwear utilizing no leather except for heel top lifts shall be considered as having been made without leather.

(iv) Nothing in this order shall be deemed to permit overlapping price lines.

(11) "Military footwear" means military type footwear purchased by the Army or Navy of the United States (excluding post exchanges and ship's service stores, wherever situated), the United States Naval Academy at Annapolis, Maryland, the United States Military Academy at West Point, New York, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, the War Shipping Administration, the Government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, the Netherlands, Norway, Poland, Russia, Turkey, the United Kingdom (including its Dominions, Crown Colonies (excl. Hong Kong) and Yugoslavia; military type footwear purchased by any agency of the United States for delivery to or for the account of the Government of any country listed above, or any other country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act); and customs made footwear delivered for personnel of the Army or Navy of the United States.

(12) "Civilian footwear" as used in paragraph (i) includes all footwear except military footwear and rubber footwear.

(13) "Six months' base period" means any consecutive six calendar months within the period from July 1, 1942 through April 30, 1943 selected by a manufacturer as his base period for the purposes of this order.

(14) "Civilian line quota" means the number of pairs of civilian footwear manufactured by a person during his six months' base period, as set forth on his base period report.

(15) "Safety shoes" means protective occupational footwear incorporating or purporting to incorporate one or more of the following safety features: steel box toe; electrical conductivity; electrical resistance; non-sparking and moulders (Congress type) protection (shoes which can be quickly removed, worn to protect against splashing metals).

(16) "Long shield tip" means a shield tip having a horizontal measurement from the bottom of the curve to the upper end of the tip of more than 1 inch (using size 7B as a standard).

(17) "Full overlay tips" or "full overlay taps" shall be considered as overlap tips, except on work shoes.

(18) "Outside leather taps" shall be considered as overlap tips, except on work shoes.

(19) "Military footwear" means military type footwear purchased by the Army or Navy of the United States.

(20) "Wing or shield tips" on men's shoes or boys' shoes over size 6, or wing tips or long shield tips on women's, girl's, miss', youths', little gent's and children's shoes and boys' shoes of sizes 6 and under.

(21) "Full overlay taps" or "full overlay tips", except on work shoes and footwear with fabric uppers.

(22) "Bows or other ornamental tips", if made in whole or in part of leather (excluding scrap).

(23) "Outside leather taps", on footwear other than men's high shoes, unless the middle sole is of synthetic composition material.

(24) "Leather slip soles other than those cut from bellies or offal.

(25) "More than one full leather sole, in Good year welt footwear other than work shoes and safety shoes.

(26) "Full breasteds heels, except on hand-turned footwear.

(27) "Outside leather taps", on footwear other than work shoes and safety shoes.

(28) "Female type footwear purchased within the United States for delivery to or for the account of the Government of any country listed above, or any other country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act); and customs made footwear delivered for personnel of the Army or Navy of the United States.

(29) "Military footwear" as used in paragraph (i) includes all footwear except military footwear and rubber footwear.

(30) "Six months' base period" means any consecutive six calendar months within the period from July 1, 1942 through April 30, 1943 selected by a manufacturer as his base period for the purposes of this order.

(31) "Civilian line quota" means the number of pairs of civilian footwear manufactured by a person during his six months' base period, as set forth on his base period report.

(32) "Safety shoes" means protective occupational footwear incorporating or purporting to incorporate one or more of the following safety features: steel box toe; electrical conductivity; electrical resistance; non-sparking and moulders (Congress type) protection (shoes which can be quickly removed, worn to protect against splashing metals).

(33) "Long shield tip" means a shield tip having a horizontal measurement from the bottom of the curve to the upper end of the tip of more than 1 inch (using size 7B as a standard).

(34) "Full overlay tips" or "full overlay taps" shall be considered as overlap tips, except on work shoes.

(35) "Outside leather taps" shall be considered as overlap tips, except on work shoes.

(36) "Military footwear" means military type footwear purchased by the Army or Navy of the United States.

(37) "Wing or shield tips" on men's shoes or boys' shoes over size 6, or wing tips or long shield tips on women's, girl's, miss', youths', little gent's and children's shoes and boys' shoes of sizes 6 and under.

(38) "Full overlay taps" or "full overlay tips", except on work shoes and footwear with fabric uppers.

(39) "Bows or other ornamental tips", if made in whole or in part of leather (excluding scrap).

(40) "Outside leather taps", on footwear other than men's high shoes, unless the middle sole is of synthetic composition material.

(41) "Leather slip soles other than those cut from bellies or offal.

(42) "More than one full leather sole, in Good year welt footwear other than work shoes and safety shoes.

(43) "Full breasteds heels, except on hand-turned footwear.

(44) "Outside leather taps", on footwear other than work shoes and safety shoes.
leather (including India-tanned goatskin or kidskin) or put into process for outsoles any cattle hide grain leather other than heads, bellies, shins, and shanks of 3 inches or over, shall utilize any leather in the manufacture of infants' house slippers in sizes 0 to 4, inclusive.

(8) [Deleted July 19, 1945.]

(9) [Deleted Aug. 26, 1944.]

(10) [Deleted Aug. 26, 1944.]

(11) No person shall manufacture any leather or part leather bows for use on footwear, except out of scrap.

(12) No person shall attach any soles he may wear (except infants', misses' and children's shoes (excluding all sizes over size 6), youths' and boys' shoes (excluding all sizes over size 6), men's work shoes, and men's and women's safety shoes manufactured in accordance with paragraph (e) below. This provision does not apply to repair.

(13) With respect to:

Footwear especially designed for the physically maimed and deformed; (i) Misses' and children's shoes (up to and including size 3); (ii) Infants' shoes; and (iv) Youths' and boys' shoes (up to and including size 6): no person shall utilize any upper leather or lining leather for the sole purpose of transportation or public warehousing.

Any bank, banker, or trust company affecting or participating in a sale or delivery of footwear or leather solely for purposes of transportation or public warehousing.

Footwear made wholly without leather except for leather top lifts if used.

Each manufacturer may exceed 125% of his aggregate civilian line quotas for all lines of infants' footwear, and no manufacturer may exceed 125% of his aggregate civilian line quotas for all lines of misses' and children's footwear, but the production of military footwear may be distributed among his established lines in any manner desired, except that the production in any line consisting of less than 50 pairs or 12% of the total production of that type of footwear (whichever is greater) during the base period may not be increased by more than 25%.

Provided, however, That to the extent that a manufacturer's production of military footwear shows a decrease below that during his six months' base period, his production within any line of civilian footwear may exceed the civilian line quota for such line by its proportionate part of such decrease; and to the extent that such manufacturer's production of military footwear shows a decrease that during the six months' base period, each civilian line quota of such manufacturer shall be diminished by its proportionate part of such decrease, and provided further, That to the extent that a manufacturer's production of military footwear during the six months' period ending September 1, 1946 increases over his military production during the six months' period ending March 1, 1945, he may deduct the increased procurement of military footwear from any civilian line or lines of men's dress or work shoes, or, in the event that he does not have sufficient quota in men's dress or work shoes, he may deduct the remaining procurement from his quota on any civilian line or lines of youths' and boys' shoes.

(2) No person shall manufacture any line of footwear (except military footwear) not manufactured by him in his six months' base period.

The increased quota of any higher priced line may be added to the quota of
a lower priced line of the same type of civilian footwear.

Provided he does not add a greater percentage of his unused quota than that set forth in paragraph (v) of this section, any person may add the unused portion of his civilian line quota, or quotas, of men's dress or women's and growing girls' shoes to his quotas of the types shown in the following schedule up to a maximum of six times the amount actually transferred pursuant to this paragraph (i) (3) (ii) during the month of March, 1945:

<table>
<thead>
<tr>
<th>Type:</th>
<th>Percentage of unused quota</th>
</tr>
</thead>
<tbody>
<tr>
<td>Men's work shoes</td>
<td>115</td>
</tr>
<tr>
<td>Youths' and boys' shoes</td>
<td>125</td>
</tr>
<tr>
<td>Misses' and children's shoes</td>
<td>125</td>
</tr>
<tr>
<td>Infants' shoes</td>
<td>125</td>
</tr>
</tbody>
</table>

In no event shall any unused quota be added to a higher priced line.

(iii) A person may exceed his civilian line quota for any line of women's safety shoes if a price equal to such excess is deducted from some other line or lines of the same type and new or additional production of that type of footwear (whichever is greater) during the base period.

(iv) During any six months' period, beginning March 1 or September 1 in any year, a manufacturer whose total production for the period will be less than $250,000 based on wholesale value (i) (1), provided that no new higher priced lines are added and provided the manufacturer does not exceed his aggregate production of new lines during his six months' base period by more than 50%. The exemption in this paragraph shall not apply to a manufacturer affiliated, as a subsidiary or otherwise with another or others. This paragraph shall not authorize any manufacturer to increase his production by more than 50% in any line consisting of less than 50 pairs or 2% of his total production of the type of footwear (whichever is greater) during the base period.

(v) Paragraphs (i) (1) and (i) (2) shall not apply to footwear for the physically handicapped deformed on a custom-made basis and not for stock, to wood sole clogs utilizing no leather, to shearling house slippers utilizing no other leather, to infants' non-leather shoes in sizes 0 to 4 inclusive, infants' shoes in sizes 4½ to 8, inclusive, misses' and children's shoes and youths' and boys' shoes, who has filed a letter of intention to take advantage of the exception applying to those types of shoes before May 1, 1945 is permitted to take advantage of this exception only if his letter of intention was acknowledged by the War Production Board prior to May 16, 1945.

(vi) The War Production Board may authorize transfers of quotas of footwear from one line or type to any other line or type and new or additional production in each line or type. It will in general be the policy of the War Production Board to authorize new or additional production in lines of which there is a critical civilian shortage or lines of reasonably durable footwear where such production will not require materials, components, facilities or labor needed for war purposes, and will not otherwise adversely affect or interfere with production for war or essential civilian purposes. Authorization will be dependent upon the applicant's having been engaged in the production of shoes during the base period.

Application for such authorization shall be made by letter, describing fully the footwear manufactured or proposed to be manufactured, listing in detail all the materials to be used, and stating the prices desired to be made in each price range, the source of the manpower that will be required, whether production will be reduced in any other line or lines, and all other facts pertaining to the application. All applications shall be accompanied by an original and three copies of Form WBP-3820. Authorization of production of new lines under this paragraph will be made only if the condition that production may not begin until evidence is furnished of conformity with applicable Office of Price Administration regulations.

The War Production Board will issue footwear manufacturers' quota numbers for quotas authorized by the War Production Board or established because of base period production.

Production in new price lines, or increased production in established lines, may be granted by the War Production Board to cover production of civilian footwear purchased by the United Nations Relief and Rehabilitation Administration or any other agency for foreign relief purposes.

(vii) Manufacturers qualifying for an increase in price on footwear with non-marking synthetic rubber soles, or soles and heels, under Order No. 13 under § 1499.3 (e) (3) of General Maximum Price Regulations, issued by the Office of Price Administration, may disregard such increase for the purposes of this paragraph (1). However, where the increase results in production of shoes in a higher priced line, the number of pairs so produced shall be reported separately on the manufacturer's production report at the actual price, as indicated in the revised directions to said form.

(viii) Where a manufacturer produced in his base period a line of misses' and children's footwear of less than 50 pair or 2% of his total production of that type, he may increase his production of this line in any six months' period to not more than six times his lawful production of the line in January, 1945. Provided that the production in excess of 125% of his base period production in this line from his other lines of misses' and children's shoes.

(ix) Any person with an established quota of quotas for the production of women's and growing girls' shoes may produce up to 10% of his aggregate quota or quotas in women's all-over genuine reptile (including frog) shoes in any line or lines at a net wholesale price of $4.50 per pair or less, provided that the number of pairs of shoes produced under this paragraph (1) (3) (ix) is counted as production against the quota for that line or those lines, if any. In the event that there is no quota in a line in which such shoes are being produced, or that the number of pairs in the quota for that line does not equal the number of all-over genuine reptile (including frog) shoes produced, the number of such shoes produced must be counted as production against the quota for that line, if any, and for the next lower line in descending order as to price as far as is necessary, and exhausting the quota of each line before proceeding to the next lower line. Records must be kept of the number of all-over genuine reptile shoes produced in each line.

(x) The period selected by any person as his six months' base period shall apply to all lines and may not be subsequently changed. After July 11, 1944, lines manufactured by any person in his six months' base period as previously filed with the War Production Board may not be revised, except to bring them into conformity with this order.

(A) 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.

(k) Records. All persons affected by this order shall keep and preserve records concerning their operations in accordance with § 844.15 of Priorities Regulation 1.

(l) Reports. All persons affected by this order shall file such reports and questionnaires as may be requested by the War Production Board subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(m) Communications. All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise addressed, be mailed to: War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., Reft. M-217.

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

Issued this 19th day of July 1945.

War Production Board,
By J. Joseph Wheelan,
Recording Secretary.

APPENDIX A: Superseded Nov. 9, 1944.

Schedule I—Specifications for Soles
tions to abrade 50% of the thickness of the material, when tested on the type of machine used by and following the procedure of the National Bureau of Standards. The material may be tested on any other abrasive testing machine, using an appropriate number of abrasive surfaces of revolutions to give abrasive action equivalent to the above.

Crackiness. The material shall not crack, after conditioning for 4 hours, at 75°F ± 2°F, and testing at 75°F ± 2°F, when bent 180° over a 3-inch mandrel.

Tackiness. The material shall not become tacky or flow when subjected to a temperature of 120°F ± 2°F for 4 hours.

Stitch tear. Material which is used for stitched soles shall have a stitch tear strength of not less than 30 pounds when tested dry, and not less than 25 pounds when tested immediately after soaking in water for 4 hours. When the outside is cemented securely to a backer or midsole, the test shall be made of the midsole portion only.

Effect of water. After submerging in water at 75°F ± 2°F for 4 hours, the material shall not show visual evidence of delamination or separation and shall not show an increase in thickness of more than 30 percent.

INTERPRETATION 1

The word "manufacture" in line two of paragraph (c) (1) of § 3290.191 (Conservation Order M-328B) refers to the operation whereby the features mentioned in subdivisions (i) to (xvii) inclusive, of said paragraph became a part of the footwear. Interpretation: Subdivision (iv) refers to full overlaid tips or full overlaid foxings except on work shoes. The order prohibits the placing of full overlay tips or full overlay foxings on dress shoes after October 31, 1942. But it does not prohibit the completion of the shoe if an overlaid tip or an overlaid foxing has been affixed prior to said date (Issued October 8, 1942.)

INTERPRETATION 2

FOOTWEAR

The reference to "leather outsoles or outside leather taps." in paragraph (c) (6) of § 3290.191 (Conservation Order M-328B) refers to the operation whereby the features mentioned in subdivisions (i) to (xvii) inclusive, of said paragraph became a part of the footwear. Interpretation: Subdivision (iv) refers to full overlaid tips or full overlaid foxings except on work shoes. The order prohibits the placing of full overlay tips or full overlay foxings on dress shoes after October 31, 1942. But it does not prohibit the completion of the shoe if an overlaid tip or an overlaid foxing has been affixed prior to said date (Issued October 8, 1943.)

INTERPRETATION 3: Revoked August 26, 1944.

INTERPRETATION 4: Revoked May 1, 1945.

INTERPRETATION 5: Revoked June 14, 1945.

INTERPRETATION 6: Superseded Nov. 9, 1944.

INTERPRETATION 7: Superseded Nov. 9, 1944.

[F. R. Doc. 45-13091; Filed, July 19, 1945; 11:45 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

(Conservation Order M-328B, Schedule F)

SPECIAL PROGRAM FOR WORK GLOVES

§ 3290.120f Schedule F to Order M-328B.

(a) Exception. This schedule states the special rules in addition to those set forth in Order M-328B for manufacturers of work gloves to get an AA-xx preference rating for fabric to make the items listed in this schedule the fabric shall not show visual evidence of delamination, cracking, or tackiness. The material shall not become tacky or flow when subjected to a temperature of 120°F ± 2°F, when bent 180° over a 3-inch mandrel.

(b) Definitions. For the purpose of this schedule:

(1) "Work gloves" means any gloves or mittens of the types and meeting the specifications listed in Schedules A and B of Order M-375 and designed for wear by men, women or children while engaged in their occupations, and customarily sold as work gloves.

(2) "Base period" means the third calendar quarter of 1943.

(3) "Special requirements for priorities assistance." (1) Three copies of Form WPB-3732 (Revised) shall be filed in accordance with the rules stated in paragraph (c) of Order M-328B, except that for the third quarter of 1946 the applications must be postmarked by July 31, 1945.

(2) A base period manufacturer who files Form WPB-3732 (Revised) for the third calendar quarter of 1945 by July 31, 1945, may, and as soon as he files his application, apply an AA-xx rating for the purchase of fabric for delivery in that quarter for incorporation into the items for which application is made. He may do so however only if he is made in the base period, and the yardage for which he applies this rating, plus any yardage for which he has applied ratings for delivery in the third quarter of 1945 under Order M-317A as amended May 10, 1945, and Direction 16 to Order M-328, may not exceed 70 percent of the yardage of material used in the manufacture of work gloves during the first quarter of 1945. In addition, all fabric purchased under this paragraph and under the provisions of M-317A and Direction 16 to M-328 shall be deducted by the manufacturer from the total quantity for which priorities assistance is ultimately granted on Form WPB-3732 (Revised). If the applicant does not ultimately receive a grant of the entire quantity thus rated, he shall upon notification of his grant by the War Production Board, immediately cancel orders for any undelivered quantities which are in excess of his grant.

(3) Manufacturers who did not make in the base period an item applied for on Form WPB-3732 (Revised) may not use any preference ratings assigned under this schedule for that item until the War Production Board has assigned them a rated quantity. All such applications will be approved to the extent of available materials and to the extent that allocations are made for the production of items.

(e) Priorities assistance for component parts. Persons applying for priorities assistance under this schedule may apply for sewing thread, over- edging yarn No. 10, (2-ply), and twine, (18-ply), cotton, weaving yarn for incorporation into the number of units for which priorities assistance is requested. Applications shall be made on Form WPB-3642 filed with the Textile, Clothing and Leather Bureau of the War Production Board, Washington 25, D. C. Such applications will be approved to the extent of available materials and to the extent that allocations are made for the production of items.

(f) Style provisions for basic period manufacturers. Basic period manufacturers who are granted ratings under this schedule must make (subject to Order M-375) every style of work glove that they made in the first quarter of 1945 under the following rule: The proportion of each style of each item made in any quarter must be at least 50 percent or less than 10 percent from the proportion of that style of work glove to the total quantity of all styles of work gloves made in that quarter. The style does not apply to hot mill and 2-thumb husking gloves and mittens, which may be made to the full extent of a manufacturer's capacity. These styles should also be excluded in making the computations stated above for other styles.

(g) Special inventory rule. Manufacturers who use ratings assigned under this schedule shall submit all the inventory provisions of paragraph (f) (4) of Order M-328B except that a 60-day inventory limit applies instead of a 45-day one.

(h) Notification of unused allocations. A person who finds that for any reason (such as increases in Army or Navy contracts), he will not place rated orders to the extent authorized on Form WPB-3732 (Revised) for a particular calendar quarter, or will cancel rated orders he has placed, must promptly write a letter giving notice to the Textile, Clothing and Leather Bureau of the War Production Board showing the reference number and his authorization. Letters must specify the quantity and kind of fabric in the same terms in which the authorization was made.

(i) Provisions in case of governmental cut-backs. At any time during any calendar quarter a manufacturer who has received cancellations or cut-backs on military contracts or orders placed by an agency of the United States Government, or who during the quarter has production facilities made available, may apply to the War Production Board on Form WPB-3732 (Revised) for priorities assistance to manufacture items listed in this schedule, provided that these items are to be made in connection with Section F of Order M-375. Such applications will be approved to the extent of available materials and the need for additional production of the items applied for.

Issued this 17th day of July 1945.

WAR PRODUCTION BOARD,

By J. Joseph Whelan,
Recording Secretary.
PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M-356, as Amended July 19, 1945]

SYNTHETIC FIBERS, YARNS AND FABRICS

The fulfillment of requirements for the defense of the United States has created shortages in the supplies of synthetic fibers, yarns and fabrics 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:

**Nylon**

§ 3290.326 General Conservation Order M-356—(a) Definitions. (1) “Nylon” means synthetic fiber-forming polymeric amides having a protein-like chemical structure, derivable from coal, air and water, or other substances, and characterized by extreme toughness and strength and the peculiar ability to be formed into fibers (yarns and fabrics) and into various shapes, such as bristles, sheets, etc. “Nylon” also means fibers, yarn, thread and fabric made of nylon.

(2) “Nylon waste” means waste, nylons and gartered or reclaimed fibers (including scraps and clippings, generated in the manufacture of thread, fabrics, rope, hosiery or other material containing nylon) the total nylon content of which is 95% or more by weight.

(b) Restrictions on nylon. (1) No person shall sell or deliver nylon except as specifically authorized in writing by the War Production Board.

(2) No person shall knowingly purchase, accept delivery of, deliver or commercially use nylon contrary to any restriction of the War Production Board.

(c) Restrictions on nylon waste. No person shall sell, purchase, deliver, accept delivery, process or commercially use nylon waste except to recover nylon from or for incorporation into products to fill orders of the United States Army, Navy, Maritime Commission, War Shipping Administration or Veteran's Administration. No person shall mix nylon waste with any other waste material having less than 95% nylon content by weight.

**Export of Fine Rayon Yarn and Rayon Fabrics**

(d) Definitions. (1) “Rayon fabrics” mean broad woven synthetic fabrics (over 24 inches in width) made from continuous filament viscose yarn, cuprammonium yarn or cellulose acetate yarn, from viscose or acetate staple fiber, or from combed or carded blends containing more than 50 per cent by weight of any such synthetic yarns. The term shall not include velvets, plushes, and other pile fabrics, upholstery, drapery and tapestry fabrics, and acid and caustic worn fabrics.

(2) “Fabric producer” means a person who wove, or caused to be woven for him on commission, an average of more than 25,600 yards of rayon fabrics per week during the three months’ period ending September 30, 1943. Wherever the words “his total yardage production” or “produced by him” are used in paragraph (c) (3), they refer to the yardage of rayon fabrics manufactured for, as well as by, the fabric producer.

(3) “Procurement orders” mean orders for rayon fabrics placed by the Army or Navy of the United States (including military exchanges and service departments when the order bears the appropriate endorsement referred to in paragraph (c) (3), the preference order as defined in paragraph (d) (1)), the Maritime Commission or War Shipping Administration.

(4) “Export orders” means, with respect to fine rayon yarns as defined in General Conservation Order M-37—d, orders bearing a preference rating of AA-3 or higher, and with respect to rayon fabrics, orders bearing a preference rating of AA-5 or higher, for material which is covered by or the subject of one of the following:

(i) An export quota license issued by Foreign Economic Administration.

(ii) A release certificate issued by or pursuant to the authority of Foreign Economic Administration in connection with a program license of the Foreign Economic Administration.

(iii) A United States Treasury Procurement Division contract or requisition placed for Foreign Economic Administration.

(iv) A purchase by The Canadian Commodity Prices Stabilization Corporation.

Deliveries to or for United States Army, Navy, Maritime Commission or War Shipping Administration, and deliveries to Canada, other than on orders referred to in subdivision (iv), are not exports for the purpose of this order.

(e) (1) No preference rating applied or approved for connection with any export order as defined in paragraph (d) (4) shall be valid, used, or given any effect unless the preference rating is applied and extended as provided in Priorities Regulation M-37—d and, in addition, substantially one of the following notations (whichever is appropriate) is placed on the order:

(1) The goods hereby ordered will be exported (or will be incorporated in materials to be exported) under export license No.______ (fill in) issued by Foreign Economic Administration.

(ii) The goods hereby ordered will be exported (or will be incorporated in materials to be exported) under release certificate No.______ issued by or pursuant to the authority (fill in) of Foreign Economic Administration.

(iii) The goods hereby ordered will be exported (or will be incorporated in material that is the subject of United States Treasury Procurement Division Contract No.______ (fill in)).

(iv) The goods hereby ordered will be delivered for or for the account of The Canadian Commodity Prices Stabilization Corporation.

When this is done the requirements of M-328 are met, and it is unnecessary to use any other notation.

(2) No person shall purchase, accept delivery of, deliver or knowingly sell for delivery for export any rayon yarn or rayon fabric, without a preference rated export order as defined in paragraph (d) (4), except rags or pieces of fabric shorter than ten yards.

(1) Establishment of export quotas for fine rayon yarn. (1) An export quota system is hereby established for the producers of fine rayon yarn as defined in General Conservation Order M-37—d. Such export quotas will be established from time to time by the War Production Board within which quotas for export of fine rayon yarn shall be the subject of United States Treasury Procurement Division Contract No.______ (fill in).

(iv) The goods hereby ordered will be delivered for or for the account of The Canadian Commodity Prices Stabilization Corporation.

(1) An order from a manufacturer, who has accepted orders for garments or materials covered by export orders defined in subdivisions (i), (ii), (iii) above, for goods to be incorporated in such garments or materials.

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Item column</th>
<th>Fabric column</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Canton flannel gloves and mittens (including hot mill gloves and brushing gloves or mittens)</td>
<td>(23) Flannel mitten, white, brown and colored stripe. (24) Flannel, lining. (25) Ticking, 63 to 8 oz. Knit tubing. (12) Omseburg. (16) Sheeting, medium, Class C. (16b) Twill (other than 6-knits). (14) Fleece, self-finished. (17) Print cloth, less than 100. (16d) Drill. Same as Item No. 1. (23) Flannel mitten knit tubing.</td>
</tr>
<tr>
<td>2</td>
<td>Canton flannel, hot mill gloves.</td>
<td>Same as Item No. 1.</td>
</tr>
<tr>
<td>3</td>
<td>Canton flannel, two-chambray husking</td>
<td>Same as Item No. 1.</td>
</tr>
<tr>
<td>4</td>
<td>Leather combination gloves and mittens</td>
<td>Same as Item No. 1.</td>
</tr>
<tr>
<td>5</td>
<td>Jersey gloves and mittens</td>
<td>Knit Jersey, 8-8-163 and 13.5 oz. weights. Linen, 10½ and 6 oz. Knit tubing.</td>
</tr>
</tbody>
</table>

[F. H. Doc. 46-1290; Pled, July 17, 1945; 4:47 p. m.]
(2) Disposition of export yarn not booked or delivered. All export yarn set aside from the production of any one month, pursuant to the provisions of paragraph (1) (d) and which has not been delivered or booked during said month, shall be immediately available for sale to any person otherwise eligible to purchase such yarn.

(6) Establishment of export quota for rayon fabrics. (1) An export quota system is hereby established for rayon fabrics. Pursuant to such system export orders will be fixed from time to time by the War Production Board, until further notice from the War Production Board, each fabric producer must accept and fill export orders for rayon fabrics until they aggregate for the current calendar quarter five per cent of his total yardage production of rayon fabrics (excluding yardage produced by him in previous quarters) during the preceding calendar quarter. No fabric producer is required to accept or fill export orders for more than the established export quota, nor for more than fifteen per cent of any particular construction of rayon fabrics produced by him during the current calendar quarter. However, he is not prohibited from doing so, unless compliance with other orders or regulations of the War Production Board would forbid it.

(2) Unfilled export quota to be carried over to next quarter. If a fabric producer does not fill his entire export quota of rayon fabrics in any calendar quarter, the unfilled portion shall be added to his quota for the next succeeding quarter. The portion so carried over which is not filled in such succeeding quarter may be dropped. To illustrate: if the export quota of a fabric producer for the second quarter of 1944 is 100,000 yards and he books or delivers only 75,000 yards during that quarter, the remaining 25,000 yards shall be added to his quota for the third quarter of 1944. If his quota for that quarter is also 100,000 yards, he is required to accept and fill export orders aggregating 125,000 yards during the third quarter. Any part of the 25,000 yards not delivered during the third quarter is thereafter free from the restrictions of this order.

 Miscellaneous Provisions

(h) Miscellaneous provisions—(1) Applicability of regulations. This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, and General Order M-328, as amended from time to time.

(2) 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.

(3) Reports. Each producer of rayon fabrics shall file with the War Production Board quarterly production reports on Form WBP-658-G within the time specified on said form. This reporting requirement has been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

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

(5) Communications. All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington 25, D.C., Reference: M-556.

Issued this 19th day of July 1945.

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

INTERPRETATION

1

ALL PRODUCERS OF RAYON FABRICS REQUIRED TO REPORT

Although "fabric producer" is defined in paragraph (d) (2) to mean a person who wove or caused to be woven for him on commission an average of more than 25,000 yards of rayon fabric per week during the three months ending September 20, 1943, paragraph (h) (3), the reports paragraph, refers to each producer of rayon fabrics regardless of the quantity he produces. Accordingly, all producers of rayon fabrics are required to report. (Issued May 28, 1944.)

[F. R. Doc. 45-13100; Filed, July 19, 1945; 11:46 a. m.]

PART 3292—TEXTILE, CLOTHING AND LEATHER

[General Preference Order M-388, Direction 3, as Amended July 19, 1945]

FIXING PERCENTAGE OF MANUFACTURER'S RATED QUOTA FOR DELIVERY IN THE THIRD QUARTER OF 1945

Percentage of Manufacturer's Quota for Delivery in the Third Quarter of 1945 and Subsequent Calendar Quarters

Direction 3 to General Preference Order M-388 is amended to read as follows:

As explained in paragraph (d) (2) of General Preference Order M-388, suppliers may not deliver, and manufacturers may not accept delivery, on M-388 ratings in any quota period in excess of the percentage of the manufacturers' rated quota then in effect for that period.

The percentage for deliveries in the third quarter of 1945 and subsequent calendar quarters is fixed until further notice as follows:

<table>
<thead>
<tr>
<th>Percent</th>
<th>Cotton Items</th>
<th>Synthetic fibre Items</th>
<th>Wool Items</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>100</td>
<td>100</td>
<td>100</td>
</tr>
</tbody>
</table>

Issued this 19th day of July 1945.

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

[F. R. Doc. 45-13083; Filed, July 19, 1945; 11:45 a. m.]

PART 3292—AUTOMOTIVE VEHICLES, PARTS AND EQUIPMENT

[Limitation Order L-331 as Amended July 19, 1946]

MOTORCYCLES

The fulfillment of requirements for the defense of the United States having created a shortage in the supply of rubber, steel and other materials used in the manufacture of motorcycles, for private account and for export, the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3292.136 Limitation Order L-331—(a) Definitions. For the purposes of this order:

(1) "Motorcycle" means a complete or three wheeled automotive vehicle, powered by an air-cooled internal combustion engine, having a piston displacement of not less than fifty (50) cubic inches.

(2) "Producer" means any individual, partnership, association, corporation, or other form of business enterprise engaged in the manufacture or assembly of new motorcycles.

(3) "Agency" means the Foreign Economic Administration (formerly, Office of Economic Warfare and Office of Lend-Lease Administration), the Office of Civilian Requirements or the Canadian Division of the War Production Board.

(4) "Distributor" means any person not a producer whose business consists in whole or in part in the sale of motorcycles.

(5) [Deleted May 29, 1945.]

(c) Restrictions on delivery of motorcycles. Motorcycles may be delivered only on orders for distribution through an agency and in one of the following methods:

(1) Motorcycles for export except to Canada. Motorcycles (1) to be exported to individuals, firms or corporations may be delivered by the producer only when he has been supplied with an export license issued by the Foreign Economic Administration covering the order; (ii) to be exported for Lend-Lease, or UNRRA account originating in Canada.

(2) Motorcycles for police and other civilian uses. Motorcycles for police or other civilian usages may be delivered to a consumer by a producer or distributor only upon receipt by him of authorization from the War Production Board. Such authorization shall be applied for by the producer or distributor on Form WPB-1319 and shall be filed with the Office of Civilian Requirements of the War Production Board in Washington, in accordance with instructions for the use of the form available at all War Production Board offices.

(3) Motorcycles for Canada. Motorcycles for individual or corporations located in Canada, or for the Canadian Government, may be delivered to a consumer by a producer or a distributor only upon receipt by him
of authorization from the War Production Board. Such authorization shall be applied for by the producer or distributor on form WPB-1319 and shall be filed with the Canadian Division of the War Production Board at Washington, in accordance with instructions for the use of the form available at all War Production Board offices. No authorization under this paragraph will be approved by the Canadian Division or issued by the War Production Board unless the application on Form WPB-1319 is accompanied by the written approval of the Motor Vehicle Controller of Canada.

(d) Army and Navy exempt. The terms and restrictions of this order shall not apply to any motorcycle sold to or produced under contracts or orders for delivery to or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration.

(e) 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, materials under priority control and may be deprived of priorities assistance by the War Production Board.

(f) Appeals. An appeal from the provisions of this order shall be made by filing a letter in triplicate with the Automotive Division of the War Production Board, Washington, D. C., referring to the particular provision appealed from and stating fully the grounds for appeal.

(g) Applicability of War Production Board regulations. This order and all regulations thereunder are applicable to all applicable provisions of the regulations of the War Production Board as amended from time to time except as specifically stated.

(h) Communications. All communications concerning this order shall, unless otherwise directed, be addressed to: Automotive Division, War Production Board, Washington 25, D. C.; Ref.: Order L-331.

Issued this 19th day of July 1945.

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

[F. R. Doc. 45-13097; Filed, July 19, 1945; 11:45 a. m.]
a person seeks for use or resale more than 16,000 pounds anhydrous basis (27,500 pounds pentahydrate basis) of sodium metasilicate, he shall file one certified copy of a one-time use report on Form WPB-3442 with War Production Board, Washington 25, D. C., Ref: M-300–106. Another copy should be retained.

(2) In space (1) of the heading specify “Sodium metasilicate”, in space (2) specify “pounds” and in space (3) specify “M-300–106”. Fill in the other spaces of the heading as indicated. Fill in section I as follows: Fill in Column (a) as indicated. In Column (b) specify the grade of sodium metasilicate reported in terms of degree of hydration, such as “anhydrous” or “pentahydrate”. In the heading of Columns (c), (d), (e) and (f), specify 2nd, 3rd and 4th quarters, 1944, and 1st quarter, 1945 respectively, and fill in these columns accordingly. Do not fill in section II.

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

(h) Communications to War Production Board. Communications concerning this schedule shall be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300–106.

Issued this 19th day of July 1945.

War Production Board, By J. Joseph Whelan, Recording Secretary.

(F. R. Doc. 45–13068; Filed, July 19, 1945; 11:48 a.m.)

PART 3293—CHEMICALS

[General Allocation Order M–300, Revocation of Schedule 109]

PYRINE

Section 3293.1109 Schedule 109 to General Allocation Order M–300, and all authorizations and directions issued under that section, are hereby revoked, the revocation to become effective August 1, 1945. This revocation does not affect any liabilities incurred for violation of the section or of actions taken by the War Production Board under the section.

Issued this 19th day of July 1945.

War Production Board, By J. Joseph Whelan, Recording Secretary.

(F. R. Doc. 45–13069; Filed, July 19, 1945; 11:46 a.m.)

PART 3294—IRON AND STEEL PRODUCTION

[General Preference Order M–21, Revocation of Direction 2]

Direction 2 to General Preference Order M–21 is hereby revoked. This revocation does not affect any liabilities incurred under the direction. The delivery and use of stainless steel remain subject to all applicable orders and regulations of the War Production Board.

Issued this 19th day of July 1945.

War Production Board, By J. Joseph Whelan, Recording Secretary.

(F. R. Doc. 45–13065; Filed, July 19, 1945; 11:48 a.m.)

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Supp. Order 123]

SUSPENSION FROM PRICE CONTROL OF AIRCRAFT AND CERTAIN AIRCRAFT PARTS

A statement to accompany this supplementary order 123 has been issued simultaneously herewith and filed with the Division of the Federal Register. For the reasons set forth in that statement, and under the authority vested in the Office of Price Administration by the Emergency Price Control Act of 1942, as amended, and Executive Orders 9230 and 9328, it is ordered:

§ 1305.151 Suspension from price control of aircraft and certain aircraft parts. Notwithstanding the provisions of any regulation or order issued by the Office of Price Administration, price control is suspended with respect to all sales and deliveries by any person of aircraft and parts specifically designed and sold for the production or repair of aircraft. The term “aircraft” includes heavier and lighter than air craft. This suspension does not apply to parts whose end use cannot be determined by the seller.

As used in this supplementary order, the term “part” means any product upon which further fabrication need not be performed before its incorporation into the aircraft or into a subassembly of the aircraft. Accordingly, the suspension granted by this order does not apply to lumber requiring further fabrication. This suspension also does not apply to the following:

(a) Airplane tires and tubes.

(b) Die castings covered by Maximum Price Regulation 277 (Die Castings).

(c) Iron and steel castings covered by Revised Price Schedule 48 (Steel Castings and Railroad Specialties), Maximum Price Regulation 214 (High Alloy Castings), Maximum Price Regulation 235 (Manganese Steel Castings and Manganese Steel Castings Products), Maximum Price Regulation 241 (Malleable Iron Castings), or Maximum Price Regulation 244 (Gray Iron Castings).

(d) Non-ferrous castings covered by Revised Maximum Price Regulation 125 (Non-Ferrous Foundry Products).

(e) Plywood (except that molded specifically for airplanes).

This order shall become effective July 18, 1945.

Issued this 18th day of July 1945.

James G. Rogers, Jr., Acting Administrator.

(F. R. Doc. 45–13113; Filed, July 19, 1945; 4:45 p.m.)

PART 1305—PROCEDURE

[Procedural Reg. 12, Amdt. 9]

REPLACEMENT OF LOST, STOLEN, DESTROYED, MUTILATED OR WRONGFULLY WITHHELD RATION BOOKS OR COUPON SHEETS

A new § 1305.956 (d) is added to read as follows:

(d) If an applicant is eligible to receive a War Ration Book No. 3 under this regulation and the Board does not have any War Ration Books No. 3, the Board shall issue, instead, special shoe stamps, one more in number than the number of valid shoe stamps that the applicant would have been eligible to receive in that book. (The additional stamp is in place of the shoe stamp in War Ration Book No. 3 being validated effective August 1, 1945.) The Board will mark the special shoe stamp or stamps “no book.”

This amendment shall become effective July 23, 1945.

Issued this 19th day of July 1945.

James G. Rogers, Jr., Acting Administrator.

(F. R. Doc. 45–13111; Filed, July 19, 1945; 11:39 a.m.)

PART 1305—ADMINISTRATION

[Gen. RO 12, Amdt. 9]

WAR RATION BOOK 3

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

General Ration Order No. 12 is amended in the following respects:

1. Section 1 is amended to read as follows:

SECTION 1. War Ration Book No. 3. (a) War Ration Book No. 3 (OPA Form No. R–130) may be used to get rationed commodities designated by the Office of Price Administration. A War Ration Book No.
This amendment shall become effective July 23, 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 19th day of July, 1945.

JAMES G. ROGERS, JR.,
Acting Administrator.

[F. R. Doc. 43-13115; Filed, July 19, 1945; 11:40 a.m.]

PART 1305—ADMINISTRATION
[Gen. RO 14; Amdt. 4]
WAR RATION BOOK FOUR

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

Section 8 (a) (3) is amended to read as follows:

(3) Notwithstanding any other provisions of this order, War Ration Book No. 3 need not be submitted when an application for War Ration Book Four is filed by any person.

This amendment shall become effective July 23, 1945.

Issued this 19th day of July, 1945.

JAMES G. ROGERS, JR.,
Acting Administrator.

[F. R. Doc. 43-13115; Filed, July 19, 1945; 11:40 a.m.]

PART 1319—COTTON TEXTILES

[FPR 11; Amdt. 25]
PINE COTTON GOODS

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

Exception (i) to § 1316.3 (b) (1) is amended to read as follows:

(i) Grey goods delivered pursuant to contracts entered into during the period beginning April 16, 1946 and ending December 31, 1945 for use by prime contractors in fulfilling contracts entered into with the War Department calling for delivery of any of the finished fabrics, or of moisture vapor-proof wrapping material made in part of the marquisettes designated in Schedule A of Direction Order M-317.

This amendment shall become effective July 18, 1945.

Issued this 18th day of July, 1945.

JAMES G. ROGERS, JR.,
Acting Administrator.

[F. R. Doc. 45-13057; Filed, July 18, 1945; 4:14 p.m.]
which case the latter provisions shall apply.

3. A new Appendix D is added which reads as follows:

APPENDIX D—MAXIMUM PRICES FOR BLOTTING PAPERS

The following maximum base prices are for standard weights, finishes and sizes of white and light colors, packed in cartons or bundles, in quantities of one carton to 10,000 pounds, f.o.b. mill, except that in those cases where it was the customary practice for the particular manufacturer during the period October 1, 1941 to March 31, 1942 to omit the freight allowance for shipments under 200 pounds or minimum bill of packing charge he may continue to do so.

(a) Base prices per cwt.

<table>
<thead>
<tr>
<th>Grade</th>
<th>White or light colors</th>
<th>Deep colors</th>
<th>Standard weights 19 x 24-50</th>
</tr>
</thead>
<tbody>
<tr>
<td>100% rag blotting</td>
<td>$15.50</td>
<td>$17.50</td>
<td>65-80-100-125-150</td>
</tr>
<tr>
<td>No. 1 blotting</td>
<td>12.00</td>
<td>13.75</td>
<td>65-80-100-125-150</td>
</tr>
<tr>
<td>No. 2 blotting</td>
<td>10.00</td>
<td>11.50</td>
<td>65-80-100-125-150</td>
</tr>
<tr>
<td>No. 3 blotting</td>
<td>12.00</td>
<td>13.75</td>
<td>65-80-100-125-150</td>
</tr>
<tr>
<td>Seed blotting</td>
<td>12.00</td>
<td>13.75</td>
<td>65-80-100-125-150</td>
</tr>
<tr>
<td>Interleaf blotting</td>
<td>17.00</td>
<td>20.00</td>
<td></td>
</tr>
<tr>
<td>Offset pasted blotting</td>
<td>11.00</td>
<td>120-125-140</td>
<td></td>
</tr>
<tr>
<td>Enamelled blotting</td>
<td>11.00</td>
<td>120-125-140</td>
<td></td>
</tr>
<tr>
<td>Photographing blotting</td>
<td>11.00</td>
<td>120-125-140</td>
<td></td>
</tr>
<tr>
<td>Halfsize blotting</td>
<td>14.50</td>
<td>20.00</td>
<td>65-80-100-125-150</td>
</tr>
</tbody>
</table>

Robust grades include but are not limited to offset coated and tablet blotting papers.

(b) Differentials—(1) Quantity 10,000 to 35,000 pounds, one item one grade only—deduct 60¢ per cwt. for 1000 pounds or more and 24 to 36¢ per cwt. for 600 to 1000 pounds or less; or 24 to 36¢ per cwt. for 600 to 1000 pounds or less.

(2) Finish Embossing add $1.00 per cwt.

(3) Cutting and banding. (1) Cutting

On the following sizes containing less than 280 square inches: apply in addition the charge shown against each item:

Per room
19 x 24 into quarters or larger | .01 4.50
19 x 24 to 4 3/4 x 6 3/4 | .50
19 x 24 to 4 3/4 x 6 3/4 | 1.00

(11) Banding For banded stock the following charges apply in addition to any cutting charges:

Per room
In packages of 100 or more pieces | .01 75
In packages of 50 to 99 pieces | .01 65
In packages of 25 to 49 pieces | 1.00
In packages of 12, 10 or 6 pieces | .25
In packages of 5 to 11 pieces | .00
In packages of less than 8 pieces | 2.50

(c) Zone differentials

Zone A Base price
Zone B Base price plus 50¢ per cwt.
Zone C Base price plus $1.00 per cwt.
Zone D Base price plus $2.00 per cwt.
Zone E Base price plus F. O. B. Atlantic Ports.


Zone B North Dakota, South Dakota (except Sioux Falls and Rapid City), Iowa, Kansas, Oklahoma, Arkansas, Louisiana, Mississippi, Alabama, Georgia, South Carolina, Florida.

Zone C Wyoming, Colorado, and Texas.

Zone D Montana, Idaho, Utah, Nevada, Arizona and New Mexico.

Zone E Oregon, Washington, and California.

4. The former Appendix D is redesignated as Appendix E and is amended to read as follows:

APPENDIX E—MAXIMUM PRICES FOR CERTAIN TYPES OF DIRECT SALES

(a) Notwithstanding anything contained in Appendices A, B, C, D or E, if a manufacturer who is making direct sales of any of the papers covered by this regulation and who performs services performed by manufacturers and who has consequently customarily charged higher prices upon such sales than upon sales to merchants, may determine higher prices for such sales under paragraph (b) below, Providing, He has filed with the Office of Price Administration in this manner thirty days from the date that this amendment becomes effective, a statement explaining to what extent he performs such services and explaining his system of mark-ups with respect to such direct sales. If a manufacturer has rendered such services and charged such higher prices only in particular areas or upon certain types of direct sales or to certain types of direct purchasers, he shall set forth therein the pertinent facts in detail. Any information already on file with the Office of Price Administration may be incorporated into the statement.

After filing this statement a manufacturer may determine his maximum price under paragraph (b) of this Appendix E for all direct sales covered by the statement and until he is advised by the Office of Price Administration in writing that all or part of the sales must be priced under Appendices A, B, C or D. This paragraph is not applicable to sales which have been determined by the Office of Price Administration to be merchant sales, after the filing of an application for a ruling upon this question in the manner specified in section 16 (b) of Maximum Price Regulation 450.

(b) The maximum price for direct sales by a manufacturer who has complied with the requirements of paragraph (a) of this Appendix E shall be determined as follows: The manufacturer shall determine the highest base price charged by him during the period October 1, 1941, through March 31, 1942, upon a sale of the same or a similar grade and the same quantity of the product to whom manufacturer would customarily sell at the same price. The term "similar grade" has the meaning stated in Appendix C. The "base price" is arrived at by taking the highest price charged and adjusting that price upward or downward, as the case may be, in accordance with the differentials, charges, discounts, allowances and other pricing elements that entered into the manufacturer's calculation of his selling price upon such direct sales during the period October 1, 1941, through March 31, 1942. To the maximum base price thus determined there shall be added or subtracted, as the case may be, any applicable differentials, discounts, charges, allowances, or other pricing elements as set forth in Section 15 of this regulation. The price arrived at after the addition or subtraction of these pricing elements is the permissible maximum price for such direct sales; Provided, however, That upon sales of printing or writing paper, coated and tablet blotting paper, opague circular, and any grades related to the foregoing as specified in Appendix F, and upon sales of rag content bond paper, coated and tablet blotting paper, etc.

9 F.R. 2789.
PART 1378—COMMODITIES OF MILITARY SPECIFICATIONS FOR WAR PROCUREMENT AGENCIES

SALES AND FABRICATION OF TEXTILES, APPAREL AND RELATED ARTICLES FOR MILITARY PURPOSES

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

Section 1378.4(a) is redesignated as Appendix P.

Issued this 19th day of July 1945.

James G. Rogers, Jr.,
Acting Administrator.

[F. R. Doc. 45-13111; Filed, July 19, 1945; 11:59 a.m.]

PART 1383—APPAREL

MAXIMUM PRICES FOR CERTAIN GARMENTS PRODUCED WITH WAR PRODUCTION BOARD PRIORITIES ASSISTANCE

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 578 is amended in the following respects:

1. Section 1 (a) (1) is amended by inserting immediately following the word "shrouds," which is the last word in subdivision (vii), two new subdivisions as follows:

(viii) Order M-328B (Schedule C), issued July 3, 1945.

(ix) Order M-328B (Schedule D), issued July 6, 1945.

2. Section 1 (a) (2) (ii) is amended by deleting the phrase "or (vii)" in the two places when it appears and inserting in each place the phrase "(vii), (viii) or (ix)."

This amendment shall become effective July 23, 1945.

Issued this 18th day of July 1945.

James G. Rogers, Jr.,
Acting Administrator.

[F. R. Doc. 45-13006; Filed, July 18, 1945; 4:45 p.m.]
This amendment shall become effective as of July 1, 1945.

Issued this 19th day of July 1945.

JAMES G. ROGERS, Jr., Acting Administrator.

[F. R. Doc. 45-13118; Filed, July 19, 1945; 11:39 a.m.]

PART 1499—COMMODITIES AND SERVICES


ARMY ARCTIC EQUIPMENT

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 Supplementary Regulation No. 1 is amended in the following respect:

1. Section 4.3(k) is amended to read as follows: "(k) The following commodities:

2. Section 4.3(k)(1) is amended to read as follows: "The following ski troop equipment: carbiners, ice axes, pitons (rock and ice) and ski bindings, but this exemption shall expire December 31, 1945."

This amendment shall become effective as of the 30th day of June 1945.

Issued this 19th day of July 1945.

JAMES G. ROGERS, Jr., Acting Administrator.

[F. R. Doc. 45-13112; Filed, July 19, 1945; 11:39 a.m.]

Chapter XV—Board of War Communications

(Order 26-F)

PART 1720—TELEGRAPH SERVICE

Whereas, the Board of War Communications on 3 July 1942, requested the Federal Communications Commission to investigate the service being rendered in the telegraph field; and

Whereas, the Commission by its Order No. 103 dated 7 July 1942, undertook such an investigation into telegraph service and has forwarded its report together with its recommendations; and

Whereas, the Board of War Communications has determined that the national defense and security and the successful conduct of the war demand that immediate steps be taken to the end that the domestic telegraph industry shall be more closely geared to the war effort;

Now, therefore, by virtue of the authority vested in the Board by Executive Order No. 9088 of 6 March 1942, pre-
REVOKING IN PART EXECUTIVE ORDER 8865

The date at the end of Federal Register document 45-12961, appearing at page 8911 of the issue for Wednesday, July 18, 1945, should read “July 6, 1945.”

FINDING AS TO CONTRACT IN PROSECUTION OF THE WAR

In the matter of New York State Employers Association, Syracuse, New York; Case No. S-2309.

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. No. 89, 78th Cong.) and the directive of the President dated August 10, 1943, published in the Federal Register August 14, 1943, and

Having been advised of the existence of a labor dispute involving Local No. 698 of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, and members of the New York State Employers Association, Syracuse, New York, engaged in transportation of commodities in and around Binghamton, New York, I find that motor vehicle transportation of goods, articles and commodities by any concern involved in the above dispute, pursuant to any contract whether or not with the United States, to or from any plant, mine or facility equipped for manufacturing, producing or mining any articles or materials which may be required or useful in connection with the prosecution of the war, or to or from any establishment engaged in wholesaling or storing any such articles or materials, is contracted for in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C., this 17th day of July 1945.

L. B. SCHWELLENBACH,
Secretary of Labor.

[FR. Doc. 45-13054; Filed, July 18, 1945; 4:01 p.m.]

CIVIL AERONAUTICS BOARD.

[DOCKET NO. SA-104]

ACCIDENT OCCURRING NEAR LAMAR, S. C.

NOTICE OF HEARING

In the matter of investigation of accident involving aircraft of United States Registry No. N 5947, which occurred near Lamar, South Carolina, on July 12, 1945.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 702 of said act, in the above-entitled proceeding, that hearing is hereby assigned to be held on Saturday, July 21, 1945, at 10:00 a.m., e. w. t., in the County Court House Building, Miami, Florida.

Dated at Washington, D. C., July 18, 1945.

JOHN M. CHAMBERLAIN,
Acting Director, Safety Bureau.

[FR. Doc. 45-13102; Filed, July 19, 1945; 11:37 a. m.]

FEDERAL POWER COMMISSION.

[DOCKET NO. G-6-64]

CANADIAN RIVER GAS CO.

NOTICE OF APPLICATION

JULY 17, 1945.

Notice is hereby given that on June 23, 1945, Canadian River Gas Company (Applicant), a Delaware corporation filed its application for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, as amended, for authority to construct and operate the following described facilities:

(1) Two additional 600 h. p. gas engine driven natural gas compressors and including additional building, water circulating system, gas header connections, gas cooling equipment.

(2) One 210 h. p. gas engine driven generator and other necessary auxiliary equipment; all of above to be installed at Applicant's Bivins Compressor Station.

The above facilities are to include necessary foundations, water piping, fittings and other necessary auxiliary items.

Applicant asserts that no additional business will result from the installation of the proposed facilities. It is further asserted by the Applicant that the sole purpose of the proposed facilities is to make certain that deliveries to Colorado Interstate Gas Company may be maintained on peak demand.

The over-all cost of the project is estimated to be $250,165.

Any person desiring to be heard or to make any protest with reference to said application shall file his protest at the 2d day of August, 1945, with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's general rules of practice and regulations under the Natural Gas Act.

[SEAL] LEON M. FUGAY,
Secretary.

[FR. Doc. 45-13092; Filed, July 19, 1945; 9:43 a. m.]

NEBRASKA POWER CO.

ORDER SETTING HEARING

JULY 17, 1945.

It appears that:

(a) Nebraska Power Company, a Maine corporation, having its principal business office at Omaha, Nebraska ("Applicant"), on June 21, 1945, filed an application seeking an order authorizing it to issue its bonds and notes, pursuant to section 204 of the Federal Power Act.

(b) The proposed bonds are to be first Mortgage Bonds, 3% Series, Due 1955, in the principal amount of $7,000,000, to be dated as of May 15, 1945, and to mature May 15, 1955, and to be secured by the mortgage and deed of trust of the Applicant to Guaranty Trust Company of New York and M. P. Callaway, as Trustees, dated as of June 1, 1931, and indentures supplemental thereto.

(c) The proposed notes are to be Serial Notes in the aggregate principal amount of $7,000,000, bearing interest at the rate of 2% per annum, to be dated as of the date of issue thereof, which
will be not later than September 1, 1945, to mature $125,000 on December 1, 1945, and a like principal amount at the expiration of each three months thereafter for five additional successive installments, and the balance to mature on January 1, 1948. The notes are to be secured by the pledge of the bonds referred to in paragraph (b), above.

(d) The bonds and notes are to be issued to secure funds which, with other monies available in the possession of the applicant, will enable it to redevelop all of its 7%, Cumulative Preferred Stock and all of its outstanding 6% Cumulative Preferred Stock.

(e) By agreement dated December 26, 1944, between Central West Irrigation Company (now known as Omaha Electric Committee, Inc.) and applicant, applicant purported, among other things, to issue to Central West Irrigation Company, equities items of property which may include facilities subject to the jurisdiction of this Commission, having a value in excess of $50,000. No authorization by this Commission was applied for and such authorization may have been required by section 208 of the Federal Power Act.

(f) The agreement referred to in paragraph (e), above, contains provisions for the sale, purchase and interchange of electric energy which may affect or relate to rates, charges, classifications or services for transmission of sale of electric energy subject to the jurisdiction of this Commission. The agreement has not been filed with the Federal Power Commission as a schedule in compliance with the requirements of section 206 of the Federal Power Act and the Commission’s rules of practice and regulations thereunder and such filing may have therefore been required thereafter.

(g) By agreement dated December 26, 1944, between Central West Irrigation Company, Loup River Public Power District, and Applicant, the Central West Irrigation Company purported to convey to Loup River Public Power District all of its right, title and interest under and pursuant to the agreement referred to in paragraph (e), above. This agreement of assignment was not authorized by this Commission under section 203 of the act and was not filed with this Commission as a rate schedule in compliance with the requirements of section 205 of the act and the Commission’s rules of practice and regulations thereunder and such authorization and filing may have been required.

(h) By letter dated June 30, 1945, applicant was advised that its application filed June 21, 1945, appeared deficient in that it made no showing in compliance with the requirements of paragraph (e) of § 34.2 of the Commission’s rules of practice and regulations as amended, relating to underwriters’ and finders’ fees. Applicant’s attention was also directed to the requirements of paragraph (a) of paragraph (e) to (g), inclusive, above, and the apparent necessity for appropriate action to restore the situation which existed before the agreements of December 26, 1944, and for making application under section 203 and filings under section 205 of the act.

(i) No amendment in compliance with the Commission’s rules has been submitted in response to the requirements referred to in paragraph (h) and no application or filing made to rectify the situation resulting from the indicated violations of sections 203 and 205 of the act. The attorney for the applicant has by letter under date of July 5, 1945, stated the applicant’s position with reference thereto, contending that no underwriters’ or finders’ fees are due and that it is neither appropriate nor desirable for any questions concerning the agreements referred to in paragraphs (e) and (f) above, to be submitted to the Commission at this time.

(j) Written notice of the application filed June 21, 1945, has been duly given to the Nebraska State Railway Commission, the Federal Power Commission, the U.S. Attorney for the District of Nebraska, and to the governors of each of those States. Notice of the application was also published in the Federal Register June 29, 1945, stating that any person desiring to file an objection to the petition referred to in paragraph (k) above should file a petition or protest on or before July 7, 1945.

(k) On July 6, 1945, Chemical Bank & Trust Company, as Successor Trustee under the Debenture Bond Agreement under which the applicant’s 6% Gold Debenture Bonds, Series A, Due 2022, were issued, filed a protest against the granting of the application.

(l) On July 7, 1945, Omaha Ice & Cold Storage, Incorporated, a Delaware corporation, on its own behalf as a user of electric power and energy and on behalf of all other users of electric power and energy, served by applicant, filed a protest against the granting of the application.

The Commission finds that:

It is appropriate to carry out the provisions of the Federal Power Act that a public hearing be held as hereinafter provided.

The Commission orders that:

(A) A public hearing be held commencing on August 8, 1945, at 10:00 a.m. (c.w.t.) in North Court Room, Third Floor, Post Office Building, 16th and Dodge, Omaha, Nebraska, respecting the matters involved and the issues presented in this proceeding.

(B) At the hearing, applicant shall present evidence in support of its application and shall, in any event, show cause, if any there be, why the Commission should not find and determine that the agreements referred to in paragraphs (e) to (g), inclusive, above, insofar as they involve the lease or disposition of facilities and the sale, purchase or interchange of electric energy, were subject to the requirements of sections 203 and 205 of the Federal Power Act and the rules of practice and regulations thereunder.

(C) Interested State Commissions may participate in said hearing as provided in § 39.4 of the rules of practice and regulations of the Commission under the Federal Power Act.

By the Commission.

[SEAL]

LEON M. FUGUAY,
Secretary.

[F. R. Doc. 45-13150; Filed, July 19, 1945; 12:01 p.m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 580, Order 86]

FORT PITT BEDDING CO.

ESTABLISHMENT OF MAXIMUM PRICES

Establishing ceiling prices at retail for branded articles; Docket No. 6065-580.

For the reasons set forth in an opinion issued simultaneously hereinafter, 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 articles manufactured by Fort Pitt Bedding Company, Liverpool, Preble and Franklin Streets (North Side), Pittsburgh, Pa., and described in the manufacturer’s application dated April 16, 1945.

<table>
<thead>
<tr>
<th>Article</th>
<th>Brand name</th>
<th>Manufacturer’’s price line</th>
<th>Ceiling price</th>
<th>Retail price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mattress</td>
<td>Dream King</td>
<td>$21.00</td>
<td>$30.50</td>
<td></td>
</tr>
<tr>
<td>Box spring</td>
<td>do</td>
<td>21.00</td>
<td>36.50</td>
<td></td>
</tr>
</tbody>
</table>

(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 31, 1945, Fort Pitt Bedding Company 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:

<table>
<thead>
<tr>
<th>(Section 13, MPR 580)</th>
</tr>
</thead>
<tbody>
<tr>
<td>OPA Retail Ceiling Price $ ______</td>
</tr>
</tbody>
</table>

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.
(b) Cayol Foods may make substitutions in its various formulae provided that any fruit or nut used as a substitution be of at least equal cost to the item it replaces at the time of substitution.

(c) The prices established in this order are the highest prices for which these items may be sold to the respective purchasers. All sellers, on sales of these items, shall reduce the above appropriate maximum prices by applying their customary discounts, allowances and price differentials which have been applied to sales of comparable candy items. In the application of any customary differentials, the specific maximum prices established by this order shall not be exceeded.

d) Cayol Foods shall mail or otherwise supply to its purchasers at the time of or prior to the first delivery to such purchasers, the following notice:

On July 18, 1945 the Office of Price Administration authorized us to sell "Cayol Honey Dipped Fruit Boxes" to retailers in the following sizes at the following maximum delivered prices, per item:

<table>
<thead>
<tr>
<th>Sizes</th>
<th>Prices in Cents</th>
</tr>
</thead>
<tbody>
<tr>
<td>1/2 lb.</td>
<td>$0.45</td>
</tr>
<tr>
<td>1 lb.</td>
<td>$0.84</td>
</tr>
<tr>
<td>2 lb.</td>
<td>$1.22</td>
</tr>
<tr>
<td>3 lb.</td>
<td>$1.83</td>
</tr>
</tbody>
</table>

Retailers are authorized to sell these sizes to consumers at the respective maximum prices of $0.45, $0.84, $1.22 and $1.83 per item.

Order No. 84 under Order No. 375 of Section 1499.3 (b) of the General Maximum Price Regulation. Cayol Foods, Docket No. 6033: 2-GMPR-ORD 375-177.

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered:

Authorization of maximum prices governing sales of certain packaged confectionery items processed by Cayol Foods, 626 Third Avenue, North, Minneapolis, Minnesota, in accordance with its price application dated May 15, 1945, shall be the sums following:

<table>
<thead>
<tr>
<th>Sizes</th>
<th>Prices in Cents</th>
</tr>
</thead>
<tbody>
<tr>
<td>1/2 lb.</td>
<td>83.45</td>
</tr>
<tr>
<td>1 lb.</td>
<td>166.84</td>
</tr>
<tr>
<td>2 lb.</td>
<td>252.22</td>
</tr>
<tr>
<td>3 lb.</td>
<td>338.35</td>
</tr>
</tbody>
</table>

This order shall become effective July 18, 1945.

JAMES G. ROGERS, Jr., Acting Administrator.

[Order 84 Under Order 375 of 3 (b) ]

AUTHORIZATION OF MAXIMUM PRICES

Order No. 84 under Order No. 375 of Section 1499.3 (b) of the General Maximum Price Regulation. Cayol Foods, Docket No. 6033: 2-GMPR-ORD 375-177.

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered:

Authorization of maximum prices governing sales of certain packaged confectionery items processed by Cayol Foods, 626 Third Avenue, North, Minneapolis, Minnesota, in accordance with its price application dated May 15, 1945, shall be the sums following:

<table>
<thead>
<tr>
<th>Sizes</th>
<th>Prices in Cents</th>
</tr>
</thead>
<tbody>
<tr>
<td>1/2 lb.</td>
<td>83.45</td>
</tr>
<tr>
<td>1 lb.</td>
<td>166.84</td>
</tr>
<tr>
<td>2 lb.</td>
<td>252.22</td>
</tr>
<tr>
<td>3 lb.</td>
<td>338.35</td>
</tr>
</tbody>
</table>

This order shall become effective July 18, 1945.

JAMES G. ROGERS, Jr., Acting Administrator.

[f. R. Doc. 45-13002; Filed, July 17, 1945;
5:01 p. m.]
<table>
<thead>
<tr>
<th>Size group Nos.</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
<th>8</th>
<th>9</th>
<th>10</th>
<th>11</th>
</tr>
</thead>
<tbody>
<tr>
<td>Price classification</td>
<td>E</td>
<td>E</td>
<td>E</td>
<td>D</td>
<td>D</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>D</td>
<td>D</td>
</tr>
<tr>
<td>Rail shipment</td>
<td>319</td>
<td>319</td>
<td>309</td>
<td>309</td>
<td>319</td>
<td>319</td>
<td>309</td>
<td>279</td>
<td>279</td>
<td>264</td>
<td>264</td>
</tr>
<tr>
<td>Track shipment</td>
<td>459</td>
<td>439</td>
<td>439</td>
<td>404</td>
<td>374</td>
<td>374</td>
<td>374</td>
<td>329</td>
<td>299</td>
<td>284</td>
<td>284</td>
</tr>
</tbody>
</table>

Pierce Brothers Coal Co., Carbondale, Pa., Filer No. 2 Mine, Pittsburgh seam, Mine Index No. 4359, Allegheny County, Pa., Subdistrict 1, All by Truck, Deep Mine, Maximum Truck Price Group No. 5.

<table>
<thead>
<tr>
<th>Size group Nos.</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
<th>8</th>
<th>9</th>
<th>10</th>
<th>11</th>
</tr>
</thead>
<tbody>
<tr>
<td>Price classification</td>
<td>E</td>
<td>E</td>
<td>E</td>
<td>E</td>
<td>E</td>
<td>E</td>
<td>E</td>
<td>E</td>
<td>E</td>
<td>E</td>
<td>E</td>
</tr>
<tr>
<td>Rail shipment</td>
<td>355</td>
<td>335</td>
<td>315</td>
<td>295</td>
<td>275</td>
<td>255</td>
<td>235</td>
<td>215</td>
<td>195</td>
<td>175</td>
<td>155</td>
</tr>
<tr>
<td>Deep mined</td>
<td>365</td>
<td>345</td>
<td>325</td>
<td>305</td>
<td>285</td>
<td>265</td>
<td>245</td>
<td>225</td>
<td>205</td>
<td>185</td>
<td>165</td>
</tr>
<tr>
<td>Track shipment</td>
<td>390</td>
<td>370</td>
<td>350</td>
<td>330</td>
<td>310</td>
<td>290</td>
<td>270</td>
<td>250</td>
<td>230</td>
<td>210</td>
<td>190</td>
</tr>
</tbody>
</table>

This order shall become effective July 18, 1945.

Illinois Department of Mines and Minerals.

Issued under § 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. 1. 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 each mine is given by county and state.

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. 1. 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 each mine is given by county and state.

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. 1. 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 each mine is given by county and state.

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. 1. 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 each mine is given by county and state.

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. 1. 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 each mine is given by county and state.
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 § 1340.215 and all other provisions of Maximum Price Regulation No. 120.

<table>
<thead>
<tr>
<th>Price classification</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
</tr>
</thead>
<tbody>
<tr>
<td>E</td>
<td>E</td>
<td>E</td>
<td>E</td>
<td>E</td>
<td>E</td>
</tr>
<tr>
<td>Rail shipment</td>
<td>355</td>
<td>335</td>
<td>350</td>
<td>260</td>
<td>290</td>
</tr>
<tr>
<td>Railroad locomotive fuel</td>
<td>320</td>
<td>330</td>
<td>300</td>
<td>265</td>
<td>295</td>
</tr>
<tr>
<td>Truck shipment</td>
<td>365</td>
<td>340</td>
<td>340</td>
<td>280</td>
<td>290</td>
</tr>
</tbody>
</table>

**Pitt Fuel Supply Co., Saxon, Pa., Louise Mine, Fulton Seam, Mine Index No. 547, Berks County, Pa., Subdistrict 2, Rail Shipping Point, Group E

<table>
<thead>
<tr>
<th>Price classification</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>A</td>
<td>B</td>
<td>B</td>
<td>B</td>
<td>C</td>
</tr>
<tr>
<td>For all methods of shipment and all uses</td>
<td>443</td>
<td>443</td>
<td>406</td>
<td>363</td>
<td>368</td>
</tr>
</tbody>
</table>

**This order shall become effective July 18, 1945.**


Issued this 17th day of July 1945.

JAMES C. ROGERS, Jr., Acting Administrator.

[F. R. Doc. 45-13008; Filed, July 17, 1945; 4:57 p. m.]

**[MPR 120, Order 1423]**

**John Balog 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. 4. 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.
This order shall become effective July 18, 1945.
Issued this 17th day of July 1945.
JAMES G. ROGERS, Jr.,
Acting Administrator.
[F. R. Doc. 45-13011; Filed, July 17, 1945: 4:56 p. m.]

[MRP 120, Order 1424]

THORNHILL COAL CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; It is ordered:
(a) The Thornhill No. 2 Mine of Thornhill Coal Company is hereby assigned Mine Index No. 2040 and its coals are classified in Production Group No. 2 of District No. 15.
(b) Coals produced by Thornhill Coal Company from the Baxter Seam at its Thornhill No. 2 Mine, Mine Index No. 2040, located in Vernon County, Missouri in Production Group No. 2 of District No. 15, pursuant to § 1340.226 of Maximum Price Regulation No. 120, may be purchased and sold for the indicated movements at cents per net ton not exceeding the following:

<table>
<thead>
<tr>
<th>Size group No.</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
<th>8</th>
<th>9</th>
<th>10</th>
<th>11</th>
<th>12</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rail shipments</td>
<td>265</td>
<td>265</td>
<td>265</td>
<td>265</td>
<td>265</td>
<td>265</td>
<td>245</td>
<td>245</td>
<td>245</td>
<td>245</td>
<td>245</td>
<td>245</td>
</tr>
<tr>
<td>Railroad fuel</td>
<td>265</td>
<td>265</td>
<td>265</td>
<td>265</td>
<td>265</td>
<td>265</td>
<td>245</td>
<td>245</td>
<td>245</td>
<td>245</td>
<td>245</td>
<td>245</td>
</tr>
<tr>
<td>Reseller</td>
<td>265</td>
<td>265</td>
<td>265</td>
<td>265</td>
<td>265</td>
<td>265</td>
<td>245</td>
<td>245</td>
<td>245</td>
<td>245</td>
<td>245</td>
<td>245</td>
</tr>
</tbody>
</table>

and industrial equipment, Chester Dairy Supply Company; Docket No. 6982-192.21-364.
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:
(a) The maximum prices for sales by Chester Dairy Supply Company, Chester, Pennsylvania of the following milk handling equipment shall be determined as follows: The manufacturer shall increase the list price it had in effect just prior to the issuance of this order by the following percentage, and shall deduct from the resultant list prices, all discounts, allowances and other deductions that it had in effect to a purchaser of the same class on October 1, 1941:

<table>
<thead>
<tr>
<th>Groups</th>
<th>Percentage of increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>Heaters</td>
<td>6.0</td>
</tr>
<tr>
<td>Y&quot; coolers</td>
<td>18.5</td>
</tr>
<tr>
<td>Coolers, other than 1&quot;</td>
<td>6.0</td>
</tr>
<tr>
<td>Miscellaneous dairy equipment</td>
<td>6.0</td>
</tr>
</tbody>
</table>

(b) The maximum prices for sales by resellers of milk handling equipment manufactured by Chester Dairy Supply Company, shall be determined as follows: The resellers shall add to the maximum net price he had in effect to a purchaser of the same class just prior to the issuance of this order the amount, in dollars-and-cents, by which his net invoiced cost has been increased due to the adjustment granted by this order.

(i) Chester Dairy Supply Company shall notify each purchaser who purchases milk handling equipment from Chester Dairy Supply Company of the resultant list prices and of the dollars-and-cents amount by which this order permits the reseller to increase his maximum net price. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington, D. C.

(j) On or before December 23, 1944, Chester Dairy Supply Company shall file with the Machinery Branch, Office of Price Administration, Washington 25, D. C., a profit and loss statement for the period October 31, 1944 to October 31, 1945, inclusive.

(k) All requests not granted herein are denied.

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

This order shall become effective July 18, 1945.

Issued this 17th day of July 1945.
JAMES G. ROGERS, Jr.,
Acting Administrator.
[F. R. Doc. 45-13018; Filed, July 17, 1945: 5:06 p. m.]

WAR PRODUCTION BOARD,

[C-941, Revocation]

JACOB MILLER CO. AND MORRIS GORDON & SONS, INC.

CONSENT ORDER

Pursuant to an agreement between the above-named parties, the Regional Compliance Manager and the Regional Attorney, Consent Order No. C-341 was issued May 19, 1945, in consequence of a violation of Conservation Order L-41. Jacob Miller Company and Morris Gordon & Son, Incorporated have applied for revocation of the consent order with the approval of the Regional Compliance Manager and Regional Attorney. Accordingly, the Director of the Compliance Division and the Office of General Counsel have determined that the occasion for Consent Order C-941 no longer exists, and therefore, it is hereby revoked.

Issued this 19th day of July 1945.
WAR PRODUCTION BOARD,
By J. JOSEPH WHEELER,
Recording Secretary.
[F. R. Doc. 45-13062; Filed, July 19, 1945: 11:46 a. m.]