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Washington, Saturday, July 28, 1945

*The President*

**EXECUTIVE ORDER 9593**

**AUTHORIZING THE SECRETARY OF WAR TO TAKE POSSESSION OF AND OPERATE THE PLANTS AND FACILITIES OF THE SPRINGFIELD PLYWOOD CORPORATION, LOCATED AT SPRINGFIELD, OREGON**

WHEREAS after an investigation I find and proclaim that the plants and facilities of the Springfield Plywood Corporation, located at Springfield, Oregon, are equipped for the manufacture and production of articles and materials that are required for the war effort, or that are useful in connection therewith; that there are existing interruptions of the operation of said plants and facilities as a result of a labor disturbance; that the war effort will be unduly impeded or delayed by these interruptions; and that the exercise, as hereinafter specified, of the powers vested in me is necessary to insure, in the interests of the war effort, the operation of these plants and facilities;

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. 892) as amended by the War Labor Disputes Act (57 Stat. 163), 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 Secretary of War is hereby authorized and directed, through and with the aid of any persons or instrumentalities that he may designate, to take possession of the plants and facilities of the Springfield Plywood Corporation, located at Springfield, Oregon, 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 plants and facilities in any manner that he deems necessary for the successful prosecution of the war; to exercise any contractual or other rights of the Springfield Plywood Cor-

*The Codification Guide, consisting of a numerical list of the parts of the Code of Federal Regulations amended or added by documents appearing in this issue, follows the table of contents.*

poration, and to continue the employment of, or to employ, any persons, and to do any other thing that he may deem necessary for, or incidental to, the operation of the said plants and facilities and the production, sale and distribution of the products thereof, and to take any other steps that he deems necessary to carry out the provisions and purposes of this order.

2. The Secretary of War shall operate the said plants and facilities in accordance with the terms and conditions of employment which are in effect at the time possession thereof is taken, subject to the provisions of Section 5 of the War Labor Disputes Act.

3. The Secretary of War shall permit the management of the plants and facilities taken under the provisions of this order to continue with its managerial functions to the maximum degree possible, consistent with the aims of this order.

4. The Secretary of War is authorized to take such action, if any, as he may deem necessary or desirable to provide protection for the plants and all persons employed or seeking employment therein, and their families and homes. 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 Secretary of War 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 Secretary of War within 60 days after he determines that the productive efficiency of the plant, facility, or part thereof prevailing prior to the existing interruptions of production, re-

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Book 1: Titles 1-31, including Presidential documents in full text.

Book 2: Titles 32-50, with 1943 General Index and 1944 Codification Guide.

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

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ferred to in recitals of this order, has been restored.

HARRY S. TRUMAN

THE WHITE HOUSE,  
July 25, 1945.

[F. R. Doc. 45-13806; Filed, July 27, 1945; 10:18 a. m.]

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter II—Department of Agriculture, Commodity Credit Corporation

PART 262—BEEF CATTLE PRODUCTION PAYMENTS

OFFER TO MAKE BEEF CATTLE PRODUCTION PAYMENTS

The offer to make beef cattle production payments (10 F.R. 7081) issued June 11, 1945, is hereby amended in the following respects:

1. Section 262.1 is amended to read as follows:

§ 262.1 *Introduction.* In an effort to maintain and increase the production of beef, the United States Department of Agriculture, through Commodity Credit Corporation (herein called "Commodity"), a corporate agency of the United States, pursuant to this announcement, hereby offers to make beef cattle production payments to eligible feeders and feeder-slaughterers of beef cattle for the period beginning May 19, 1945, and ending June 30, 1946, all in the manner and subject to the terms and conditions specified in this offer.

2. Section 262.8 is amended to read as follows:

§ 262.8 *Right to declare claims invalid.* Commodity shall have the right to declare invalid in whole or in part, any claim which is not in compliance with the terms and conditions of this offer and any claim filed by an applicant who, in the judgment of the Price Administrator, has wilfully violated any meat or livestock regulation or order issued by the Price Administrator. Commodity shall also have the right to declare invalid, in whole or in part, any claim filed by an applicant concerning whom the Office of Price Administration has certified that in any civil action or proceeding (including a proceeding before a hearing commissioner) against such applicant it has been determined that the applicant has violated any substantive provision of any meat or livestock regulation or order issued by the

Price Administrator. If such determination is finally reversed, payment withheld under this section will be made by Commodity.

This amendment shall become effective July 26, 1945.

(56 Stat. 767; Pub. Law 39, 79th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681, O.E.S. Dir. 55, 10 F.R. 6595, 8906)

Issued this 26th day of July 1945.

[SEAL] COMMODITY CREDIT CORPORATION,  
By R. W. MAYCOCK,  
Vice-President.

Attest:

MARGARET W. SAMUELS,  
Assistant Secretary.

[F. R. Doc. 45-13795; Filed, July 26, 1945; 3:20 p. m.]

TITLE 7—AGRICULTURE

Chapter XI—War Food Distribution Orders

[WFO 141]

PART 1468—GRAIN

RESTRICTIONS ON DISTRIBUTION AND USE OF GRAIN

The fulfillment of requirements for war and essential civilian needs has created a shortage in the supply of grain for war needs, 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:

§ 1468.11 *Distribution and use of grain for alcohol, alcoholic beverages and spirits—(a) Definitions.* (1) "Grain" means corn, wheat, grain sorghums, barley, rye, granular wheat flour, granular rye flour, or any other grain or grain product used by a distiller in the manufacture of alcohol or alcoholic beverages or spirits.

(2) "Corn" means yellow, white, or mixed shelled corn, or snap corn, of the dent or flint varieties, in any form, whether whole or crushed or mixed with other grains.

(3) "Distiller" means any person engaged in the business of manufacturing alcohol or alcoholic beverages or spirits by any process which includes distillation.

(4) "Registered distillery" means a plant established and operated under Internal Revenue laws and regulations for the production of distilled spirits.

(5) "Industrial alcohol plant" means a plant established and operated under Internal Revenue laws and regulations for the production of industrial alcohol.

(6) "Ethyl alcohol" means that substance known as ethyl alcohol, hydrated oxide of ethyl or spirits of wine, from whatever source or process produced, having a proof of 160 degrees or more; but does not include the substance commonly known as whiskey, brandy, rum or gin or other spirits produced at registered distilleries or fruit distilleries operated

under Bureau of Internal Revenue Regulations 4 and 5.

(7) "Butyl alcohol" means that substance known as butyl alcohol or hydrated oxide of butyl, derived by fermentation.

(8) "Export" means to ship corn to a foreign country, or to sell corn to the government of a foreign country or to any buyer whose principal place of business is in a foreign country.

(9) "Foreign country" shall not include the Philippine Islands.

(10) "Futures contract" means a contract of sale for the future delivery of corn traded in on any contract market designated under the Commodity Exchange Act, 7 U.S.C. 1-17a.

(11) "Accept delivery" means to receive custody, control, physical possession, or legal title.

(12) "Feed recovery plant" means any facility of a distiller which may be used to recover livestock feed from the by-products of the manufacture of alcohol or alcoholic beverages or spirits.

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

(14) "Director" means the Director of Basic Commodities, Commodity Credit Corporation, United States Department of Agriculture.

(b) *Use of grain for alcohol, alcoholic beverages and spirits.* Unless otherwise authorized by the Director, no distiller shall use corn or corn products for the manufacture of ethyl alcohol except as the production of ethyl alcohol results from the manufacture of butyl alcohol or butyl solvents, and no distiller shall use grain or grain products for the manufacture of distilled spirits for beverage purposes, provided that:

(1) In the case of registered distilleries, beer entering the beer well after 12:01 a. m., August 1 and until 11:59 p. m. August 6, if derived from grain other than corn or corn products, may be distilled and the spirits produced therefrom may be removed for beverage purposes, pursuant to Internal Revenue laws and regulations.

(2) In the case of Industrial Alcohol Plants with basic distillers' Federal Alcohol Administration Act permits, beer entering the beer well after 12:01 a. m., August 1 and until 11:59 p. m., August 3, if derived from grain other than corn or corn products, may be distilled and the spirits produced therefrom may be removed for beverage purposes, pursuant to Internal Revenue laws and regulations.

(c) *Purchase, sale and delivery of corn.* No person shall sell or contract to sell corn to any distiller, and no distiller or any person acting on behalf of a distiller shall purchase, contract to purchase, or accept delivery of corn. *Provided, however,* That the provisions of this paragraph (c) shall not apply to corn purchased, sold or delivered under a futures contract or for the manufacture of butyl alcohol.

(d) *Export of corn.* No person shall export corn to a foreign country or purchase or contract to purchase corn for export to a foreign country.

(e) *Recovery of feed by-products.* No distiller with a feed recovery plant shall use any grain in the manufacture of alcohol or alcoholic beverages or spirits by any process which includes distillation, unless all feed by-products from grain so processed be recovered up to the maximum capacity of such plant.

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

(g) *Records and reports.* (1) Every distiller shall, on or before August 11, 1945, file a report of his daily mash bills covering all days during which he produced distilled spirits for beverage purposes pursuant to the provisions of this order.

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

(3) The Director shall be entitled to obtain such information from and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(h) *Audits and inspections.* The Director shall be entitled to make such audits or inspections of the books, records, and other writings, premises, or stocks of grain, grain products, alcohol, alcoholic beverages or spirits of any person, and to make such investigations as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

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

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

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

(l) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise provided, be addressed to the Order Administrator, War Food Order No. 141, Office of Basic Commodities, Commodity Credit Corporation, United States Department of Agriculture, Washington 25, D. C.

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

(n) *Effective date.* This order shall become effective at 12:01 a. m., August 1st, 1945, and shall supersede in all respects War Food Order No. 132 (10 F. R. 7237) and War Food Order No. 138 (10 F. R. 8648). With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 132 or War Food Order No. 138, all provisions of said War Food Order No. 132 and War Food Order No. 138 shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

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

(E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8087)

Issued this 26th day of July 1945.

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

[F. R. Doc. 45-13820; Filed, July 27, 1945; 11:10 a. m.]

[WFO 131-1, Amdt. 2]

PART 1430—SUGAR

REVISED DISTRIBUTION QUOTAS FOR APRIL-SEPTEMBER 1945 QUOTA PERIOD

War Food Order No. 131-1, as amended (10 F.R. 7132, 8201), is further amended by deleting the table which appears in Appendix A and substituting in lieu thereof the following:

|  | U. S. Department of Agriculture | Government agencies other than USDA and WSA | Authorized purchasers | Civilian |
|--|---------------------------------|---|-----------------------|----------|
| Atlantic and Gulf refiners: American Sugar Refg. Co. | 15,000                          | 112,504                                     | 52,197                | 541,686  |
| J. Aron & Co.  |                                 | 6,487                                       | 1,891                 | 25,961   |
| Colonial Sugars, Inc.                                | 4,120                           | 11,581                                      | 2,078                 | 59,237   |
| Godeboux Sugars, Inc.                                | 2,500                           | 19,498                                      | 7,346                 | 94,132   |
| Henderson Sugar Refinery                             |                                 | 5,474                                       | 2,565                 | 27,627   |
| Imperial Sugar Co.                                   | 2,240                           | 15,932                                      | 5,544                 | 71,323   |
| National Sugar Refg. Co.                             | 12,000                          | 68,951                                      | 33,502                | 329,626  |

|  | U. S. Department of Agriculture | Government agencies other than USDA and WSA | Authorized purchasers | Civilian |
|--|---------------------------------|---|-----------------------|----------|
| Atlantic and Gulf refiners—Continued.    |                                 |   |                       |          |
| Pepsi-Cola Co.                           |                                 |   | 4,497                 | 16,510   |
| Refined Syrups & Sugars, Inc.            | 2,309                           | 10,022                                      | 8,084                 | 55,326   |
| Revere Sugar Refinery                    | 2,000                           | 13,594                                      | 7,659                 | 75,847   |
| Savannah Sugar Refinery                  | 1,501                           | 18,856                                      | 6,840                 | 89,283   |
| South Coast Corporation                  | 1,951                           | 2,780                                       | 2,025                 | 27,435   |
| Sterling Sugars, Inc.                    |                                 | 1,130                                       | 1,366                 | 17,510   |
| Sucrest Corporation & Afil               |                                 | 21,863                                      | 2,200                 | 40,095   |
| West coast refiners:                     |                                 |   |                       |          |
| Calif. & Hawaiian Sugar Refining Corp.   | 6,964                           | 30,433                                      | 26,972                | 257,127  |
| Western Sugar Refinery                   | 5,533                           | 11,358                                      | 7,383                 | 65,726   |
| Inland refiners:                         |                                 |   |                       |          |
| Chase Candy Co.                          |                                 |   | 66                    | 1,549    |
| Inland Sugar Co.                         |                                 |   | 612                   | 6,888    |
| Liquid Sugars, Inc.                      |                                 | 3,750                                       | 2,613                 | 8,037    |
| Realty Operators, Inc.                   |                                 | 50  | 373                   | 14,932   |
| Beet sugar companies:                    |                                 |   |                       |          |
| Amalgamated Sugar Co.                    |                                 | 2,650                                       | 3,578                 | 39,526   |
| American Crystal Sugar Co.               |                                 | 738   | 5,035                 | 56,123   |
| Buckeye Sugar Co.                        |                                 |   | 3                     | 44       |
| Franklin County Sugar Co.                |                                 | 477   | 77                    | 1,165    |
| Garden City Co.                          |                                 | 100   | 264                   | 2,861    |
| Great Lakes Sugar Co.                    |                                 |   | 14                    | 221      |
| Great Western Sugar Co.                  |                                 | 1,735                                       | 16,661                | 153,625  |
| Holly Sugar Corp.                        |                                 | 1,106                                       | 5,422                 | 63,406   |
| Isabella Sugar Co.                       |                                 |   | 49                    | 772      |
| Lake Shore Sugar Co.                     |                                 |   | 60                    | 1,085    |
| Layton Sugar Co.                         |                                 | 114   | 185                   | 3,929    |
| Los Alamitos Sugar Co.                   |                                 | 275   | 550                   | 5,925    |
| Menominee Sugar Co.                      |                                 |   | 10                    | 222      |
| Michigan Sugar Co.                       |                                 |   | 177                   | 3,637    |
| Monitor Sugar Co.                        |                                 |   | 3                     | 72       |
| National Sugar Mfg. Co.                  |                                 | 44  | 421                   | 5,127    |
| Southeastern (Franklin County Sugar Co.) |                                 |   | 1                     | 12       |
| Spreckels Sugar Co.                      |                                 | 2,233                                       | 5,016                 | 38,320   |
| Superior Sugar Ref. Co.                  |                                 |   | 70                    | 1,574    |
| Union Sugar Co.                          |                                 | 275   | 2,872                 | 8,853    |
| Utah-Idaho Sugar Co. (incl. Gunnison)    |                                 | 1,600                                       | 3,734                 | 63,742   |
| Importers of direct-consumption sugar:   |                                 |   |                       |          |
| Cuban-American Mercantile Corp.          |                                 | 994   | 1,570                 | 24,858   |
| Czarnikow-Rionda Sugar Co.               |                                 | 3,309                                       | 2,133                 | 51,809   |
| Dyer Sugar Co.                           |                                 | 2,028                                       | 1,481                 | 15,491   |
| Eial Commercial                          |                                 |   |                       | 450      |
| Farr & Co.                               |                                 |   | 233                   | 4,253    |
| M. Golodetz & Co.                        |                                 |   | 232                   | 2,080    |
| Hershey Sugar Sales Corp.                |                                 | 3,039                                       | 6,162                 | 96,767   |
| Lamborn & Co., Inc.                      |                                 | 454   | 2,881                 | 35,984   |
| Lombard & Co.                            |                                 | 633   | 970                   | 11,885   |
| Marianno Sugar Trading Corp.             |                                 | 394   | 349                   | 23,231   |
| Milford & Co.                            |                                 | 205   | 1,301                 | 16,231   |
| Olavarria & Co.                          |                                 | 944   | 7,197                 | 82,151   |
| Revere Sugar Refinery                    |                                 |   | 49                    | 923      |
| Mainland cane mills                      |                                 |   |                       | (1)      |

<sup>1</sup> Stocks on hand April 1, 1945.

This amendment shall become effective at 12:01 a. m., e. w. t., July 27, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 131-1, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8087; WFO 131, 10 F.R. 7131)

Issued this 26th day of July 1945.

[SEAL] C. W. KITCHEN,  
Director of Marketing Services.

[F. R. Doc. 45-13796; Filed, July 26, 1945; 3:20 p. m.]

[WFO 44, Amdt. 11]

PART 1465—FISH AND SHELLFISH

RESTRICTIONS ON 1945 PACK OF CANNED FISH

War Food Order No. 44, as amended (9 F.R. 7361, 9584, 10624; 10 F.R. 103, 555, 3277, 5713, 7963), is further amended by deleting from § 1465.20 (b) (1) the provisions contained in class 10 and inserting, in lieu thereof, the following:

*Class 10.* Cod (*Gadus callarias*) or haddock (*Melanogrammus aeglefinus*) when processed and canned as the commercial product commonly known and sold under the name of fish flakes. (For the period May 20, 1945, to March 31, 1946, inclusive.)

This order shall become effective at 12:01 a. m., e. w. t., July 27, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken under War Food Order No. 44, as amended, prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 44, as amended, in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; E.O. 9577, 10 F.R. 8087)

Issued this 26th day of July 1945.

CLINTON P. ANDERSON,  
*Secretary of Agriculture.*

[F. R. Doc. 45-13794; Filed, July 26, 1945; 3:20 p. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regs., Serial No. 344]

REPEAL OF CERTAIN SPECIAL CIVIL AIR REGULATIONS

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 24th day of July 1945.

Effective July 24, 1945, Special Civil Air Regulations Serial Numbers 227 (7 F.R. 4445), 242 (7 F.R. 8725), 247 (7 F.R. 10423), 274 (8 F.R. 6589), 279 (8 F.R. 10653), 295 (8 F.R. 17473), 304 (9 F.R. 4075), 307 (9 F.R. 5944) are hereby repealed.

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

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,  
*Secretary.*

[F. R. Doc. 45-13706; Filed, July 26, 1945; 11:16 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 51284]

PART 8—LIABILITY FOR DUTIES, ENTRY OF IMPORTED MERCHANDISE

INVOICE; GRAIN AND SCREENINGS

Additional information required on invoices covering cultivated grain or grain

and screenings. Section 8.13 (i), Customs Regulations of 1943, amended.

In addition to all other information required by law or regulations, customs invoices for cultivated grain or grain and screenings shall contain a statement that no screenings are included with the grain, if such is the case, or the percentage of the shipment which consists of screenings commingled with the principal grain.

This requirement shall be effective as to invoices certified after 30 days after the publication of this document in the weekly Treasury Decisions. (Sec. 481 (a) (10), 46 Stat. 719; 19 U.S.C. 1481 (a) (10))

Section 8.13 (i), Customs Regulations of 1943 (19 CFR, Cum. Supp., 8.13 (i)), as redesignated by T. D. 51059, is hereby amended by adding the following to the list of merchandise in connection with which additional information is required to be furnished on invoices and by placing opposite such addition the number and date of this Treasury decision:

Grain or grain and screenings.

[SEAL] W. R. JOHNSON,  
*Commissioner of Customs.*

Approved: July 25, 1945.

HERBERT E. GASTON,  
*Acting Secretary of the Treasury.*  
[F. R. Doc. 45-13805; Filed, July 27, 1945; 10:15 a. m.]

TITLE 22—FOREIGN RELATIONS

Chapter I—Department of State

PART 58—CONTROL OF PERSONS ENTERING AND LEAVING THE UNITED STATES PURSUANT TO THE ACT OF MAY 22, 1918, AS AMENDED

TRAVEL BETWEEN U. S. AND CANADA, NEWFOUNDLAND OR LABRADOR

Pursuant to the authority vested in me by section 1 of Proclamation 2523 of the President, issued on November 14, 1941 (6 F.R. 5821) under authority of section 1 of the act of Congress approved May 22, 1918 (40 Stat. 559; 22 U.S.C. 223), as amended by the act of Congress of June 21, 1941 (55 Stat. 252; 22 U.S.C. 223, Supp.), § 58.3 of the regulations issued on November 25, 1941, as amended, is further amended by the substitution of a new paragraph for paragraph (b), as follows:

§ 58.3 *Exceptions to regulations in §§ 58.1-58.2.* \* \* \*

(b) When traveling between points in the continental United States and points in Canada or Newfoundland, including Labrador, or any island adjacent thereto: *Provided*, That this exception shall not be applicable to any such person when traveling to or arriving from a place outside the continental United States via Canada or Newfoundland, or Labrador, or any island adjacent thereto for which a valid passport is required under these rules and regulations; or

[SEAL] JOSEPH C. GREW,  
*Acting Secretary of State.*

JULY 25, 1945.

[F. R. Doc. 45-13809; Filed, July 27, 1945; 11:11 a. m.]

TITLE 29—LABOR

Chapter IX—Department of Agriculture (Agricultural Labor)

[Supp. 56, Amdt. 1]

PART 1108—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF IDAHO WORKERS ENGAGED IN HARVESTING POTATOES IN CERTAIN IDAHO COUNTIES

Supplement 56 (10 F.R. 8812) is amended as follows:

I. The phrase "Picking of potatoes" appearing at the beginning of subparagraph (b) (1) shall read as follows:

(1) Picking of potatoes, including vine shaking:

II. Subparagraph (b) (3) shall read as follows:

(3) Bucking potatoes, consisting of loading in field from ground to carrier, transporting to point of unloading and return to field for reloading, 4¢ per 100-pound sack, plus ¼¢ per 100-pound sack for each mile or fraction thereof transported in excess of 4 miles.

This Amendment 1 to Supplement 56 shall be effective 12:01 a. m., Mountain war time, July 30, 1945.

Issued this 27th day of July 1945.

[SEAL] K. A. BUTLER,  
*Acting Director of Labor,*  
*U. S. Department of Agriculture.*

[F. R. Doc. 45-13822; Filed, July 27, 1945; 11:10 a. m.]

[Supp. 52, Amdt. 2]

PART 1111—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF WASHINGTON

WORKERS ENGAGED IN HARVESTING WHEAT AND DRY PEAS AND IN PERFORMING GENERAL FARM LABOR ON WHEAT AND PEA FARMS DURING HARVEST SEASON IN CERTAIN WASHINGTON COUNTIES

Supplement 52 (10 F.R. 7336, 8812) is amended as follows:

Subparagraph (c) (2) (ii) is amended to read as follows:

(ii) Tractor driver—\$15 per day plus board.

This Amendment 2 to Supplement 52 shall be effective at 12:01 a. m., Pacific war time, July 30, 1945.

Issued this 27th day of July 1945.

[SEAL] K. A. BUTLER,  
*Acting Director of Labor,*  
*U. S. Department of Agriculture.*

[F. R. Doc. 45-13821; Filed, July 27, 1945; 11:10 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 72]

PART 801—GENERAL REGULATIONS PROHIBITED EXPORTATIONS; MISCELLANEOUS COMMODITIES

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

The group and country designation in Limits" and "G-Post Dollar Value the column headed "Gen. Lic. Country Limits" set opposite each of the com- modities listed below are hereby amended the columns headed "GLV Dollar Value to read as follows:

| Dept. of Comm. Schedule B. No. | Commodity  | Gen. lic. country group | GLV dollar value limits |      | G-post dollar value limits |
|--------------------------------|--|-------------------------|-------------------------|------|----------------------------|
|                                |  |                         | K                       | G+4  |                            |
| 473600                         | <i>Paper, Related Products and Manufactures</i><br>Fiber insulation board, 3/16" and over in thickness, except quilt or blanket types (include of cane or other fiber) (report quilt or blanket types-heat-in 479600)                                  | None                    | 100                     | 25   | 25                         |
| 473800                         | Wallboard of paper or pulp, 3/8" to less than 3/16" in thickness (include of cane and other fiber) except Rocklath paper   | None                    | 100                     | 25   | 25                         |
| 546500                         | <i>Other Nonmetallic Minerals, including Precious</i><br>Gypsum and Manufactures of: Plaster board and wallboard   | None                    | 100                     | 25   | 25                         |
| 660198                         | <i>Steel Mill Products</i><br>Mattress and furniture springs (include spring components)   | K&M                     | 100                     | 1100 | 25                         |
| 707490                         | <i>Electrical Machinery and Apparatus</i><br>Heating elements for industrial heating devices, in. e. s. (reports electric industrial melting and industrial space parts under 707410 and electric industrial heat-treating furnace parts under 707420) | K&M                     | 100                     | 1100 | 25                         |
| 724600                         | <i>Construction and Conveying Machinery</i><br>Elevators and parts, except dumb waiters and parts.   | K&M                     | 100                     | 25   | 25                         |
| 729100                         | Escalators and parts   | K&M                     | 100                     | 25   | 25                         |
| 762500                         | <i>Other Industrial Machinery</i><br>Paper and pulp-mill machinery and parts.  | K&M                     | 100                     | 25   | 25                         |
| 762800                         | Beater bars, for manufacture of roofing felt paper.  | K&M                     | 100                     | 25   | 25                         |
| 762800                         | Creping machinery and parts.   | K&M                     | 100                     | 25   | 25                         |
| 762800                         | Egg case filler making machinery and parts.  | K&M                     | 100                     | 25   | 25                         |
| 762800                         | Envelope lining machinery and parts.   | K&M                     | 100                     | 25   | 25                         |
| 762800                         | Envelope making machinery and parts.   | K&M                     | 100                     | 25   | 25                         |
| 762800                         | Gumming machinery and parts.   | K&M                     | 100                     | 25   | 25                         |
| 762800                         | Indexing devices and parts for paper making.   | K&M                     | 100                     | 25   | 25                         |
| 762800                         | Knitting machinery and parts.  | K&M                     | 100                     | 25   | 25                         |
| 762800                         | Pulp moulding machinery and parts.   | K&M                     | 100                     | 25   | 25                         |
| 762800                         | Pulp pressing machinery and parts.   | K&M                     | 100                     | 25   | 25                         |
| 762800                         | Reeling machinery and parts.   | K&M                     | 100                     | 25   | 25                         |
| 762800                         | Rolling machinery and parts.   | K&M                     | 100                     | 25   | 25                         |
| 762800                         | Slitting machinery and parts.  | K&M                     | 100                     | 25   | 25                         |
| 762800                         | T-wasting machinery and parts.   | K&M                     | 100                     | 25   | 25                         |
| 762800                         | Varnishing machinery and parts.  | K&M                     | 100                     | 25   | 25                         |
| 762800                         | Other paper-converting machinery and parts, except paper bag and container making machinery and parts and stencil cutting machinery and parts.   | None                    | 100                     | 25   | 25                         |
| 779000                         | <i>Printing and Bookbinding Machinery</i><br>Typesetting machines  | K&M                     | 100                     | 25   | 25                         |
| 779000                         | Printing presses.  | K&M                     | 100                     | 25   | 25                         |
| 779000                         | Bookbinding machinery, accessories and parts.  | K&M                     | 100                     | 25   | 25                         |
| 779000                         | Repair parts (other than type).  | K&M                     | 100                     | 25   | 25                         |
| 779000                         | Bookbinding machinery and accessories.   | K&M                     | 100                     | 25   | 25                         |
| 779000                         | Other printing and typesetting machinery, parts and accessories.   | K&M                     | 100                     | 25   | 25                         |
| 779000                         | Repair parts   | K&M                     | 100                     | 25   | 25                         |
| 779000                         | Parts other than repair  | K&M                     | 100                     | 25   | 25                         |
| 779000                         | Other printing and typesetting machinery and accessories   | K&M                     | 100                     | 25   | 25                         |

GLV value limit for shipments to Argentina \$25.

| Dept. of Comm. Schedule B. No. | Commodity   | Gen. lic. country group | GLV dollar value limits |      | G-post dollar value limits |
|--------------------------------|---|-------------------------|-------------------------|------|----------------------------|
|                                |   |                         | K                       | G+4  |                            |
| 784300                         | <i>Agricultural Machinery and Implements</i><br>Lawn mowers, hand and power   | K&M                     | 100                     | 1100 | 25                         |
| 889100                         | <i>Industrial Chemicals</i><br>Freon  | K                       | 100                     | 25   | 25                         |
| 900050                         | <i>Photographic and Projection Goods</i><br>Motion-picture cameras standard gauge (35 mm.)  | K&M                     | 100                     | 1100 | 25                         |
| 900130                         | Motion-picture cameras, substandard gauge (16 mm.)  | K&M                     | 100                     | 1100 | 25                         |
| 900238                         | Photograving cameras  | K&M                     | 100                     | 25   | 25                         |
| 902900                         | Microphone booms for motion picture equipment other than 35 mm.   | K&M                     | 100                     | 1100 | 25                         |
| 930100                         | <i>Miscellaneous Office Supplies</i><br>Mechanical pencils:<br>Of plastic material (cellulose acetate, nitrocellulose and synthetic resins) | K&M                     | 100                     | 1100 | 25                         |
| 930200                         | Of other materials  | K&M                     | 100                     | 1100 | 25                         |
| 930900                         | Fountain and stylographic pens:<br>Of plastic materials (cellulose acetate, nitrocellulose, and synthetic resins):                          | K&M                     | 100                     | 1100 | 25                         |
| 930900                         | Fountain pens   | K&M                     | 100                     | 1100 | 25                         |
| 930900                         | Stylographic pens   | K&M                     | 100                     | 1100 | 25                         |
| 931000                         | Of other materials:   | K&M                     | 100                     | 1100 | 25                         |
| 931000                         | Fountain pens   | K&M                     | 100                     | 1100 | 25                         |
| 931000                         | Stylographic pens   | K&M                     | 100                     | 1100 | 25                         |
| 931000                         | Ballpoint pens  | K&M                     | 100                     | 1100 | 25                         |
| 931000                         | Nib assemblies, with nibs of gold   | K&M                     | 100                     | 1100 | 25                         |
| 939000                         | Paper clips, clamps and fasteners   | K&M                     | 100                     | 1100 | 25                         |
| 939000                         | Pencil sharpeners, desk   | K&M                     | 100                     | 1100 | 25                         |
| 939000                         | Punches and perforators   | K&M                     | 100                     | 1100 | 25                         |
| 939000                         | Staple removers   | K&M                     | 100                     | 1100 | 25                         |
| 939000                         | Thumbtacks  | K&M                     | 100                     | 1100 | 25                         |
| 957200                         | <i>Miscellaneous Commodities, N. E. S.</i><br>Manic novelty and wall clocks   | K&M                     | 100                     | 1100 | 25                         |
| 957900                         | Other clocks and parts, except 1-day alarm clocks (include parts of electric clocks)  | K&M                     | 100                     | 1100 | 25                         |

Shipment of any of the above commodities removed from general license or whose GLV dollar value limits have been reduced, which were on dock, on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to an actual order for export prior to the effective date of this amendment may be exported under the previous general license provisions. Shipments of such commodities moving to a vessel subsequent to the effective date of this amendment pursuant to Office of Defense Transportation permits issued prior to such date may also be exported under the previous general license provisions.

This amendment shall become effective immediately upon publication except that with respect to commodities re-

moved from general license or whose GLV dollar value limits have been reduced, it shall become effective on August 2, 1945.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; Pub. Law 99, 79th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: July 21, 1945.

S. H. LEBENSBERGER,  
Director,  
Requirements and Supply Branch,  
Bureau of Supplies.

[F. R. Doc. 45-13788; Filed, July 26, 1945; 1:33 P. m.]



| Dept. of Comm. Schedule B, No.             | Commodity  | Gen. lic. country group | GLV dollar value limits country groups |       | G-post dollar value limits |
|--|--|-------------------------|--|-------|----------------------------|
|  |  |                         | K                                      | G+4   |                            |
| <b>OTHER VEHICLES AND PARTS</b>            |  |                         |  |       |                            |
| 795000                                     | Bicycles.....  | K&M                     | 100                                    | 1 100 | None                       |
| 799200                                     | Push carts and hand trucks.....  | K&M                     | 100                                    | 25    | 25                         |
| <b>PHOTOGRAPHIC AND PROJECTION GOODS</b>   |  |                         |  |       |                            |
| 900700                                     | Motion picture projectors, standard gauge (35 mm.)                                     | K&M                     | 100                                    | 25    | 25                         |
| 900900                                     | Kodascope projectors, standard gauge 35 mm. silent, not motion-picture.....            | K&M                     | 100                                    | 25    | 25                         |
| 901000                                     | Motion-picture sound equipment, 35 mm. recording.....                                  | K&M                     | 100                                    | 25    | 25                         |
| 901100                                     | Motion-picture sound equipment, 35 mm. reproducing.....                                | K&M                     | 100                                    | 25    | 25                         |
| 902900                                     | Micophone booms for 35 mm. motion-picture equipment.....                               | K&M                     | 100                                    | 25    | 25                         |
| <b>MISCELLANEOUS OFFICE SUPPLIES</b>       |  |                         |  |       |                            |
| 930410                                     | Pencils, not mechanical, of black lead.....  | K&M                     | 100                                    | 1 100 | 25                         |
| 930420                                     | Pencils, not mechanical, other.....  | K&M                     | 100                                    | 1 100 | 25                         |
| 931600                                     | Metallic pen points (except gold pen points and nib assemblies with nibs of gold)..... | K&M                     | 100                                    | 1 100 | 25                         |
| <b>MISCELLANEOUS COMMODITIES, N. E. S.</b> |  |                         |  |       |                            |
| 959198                                     | Time-recording devices and parts for assembly.....                                     | K&M                     | 100                                    | 25    | 25                         |
| 979200                                     | Lanterns, wick.....  | K&M                     | 100                                    | 1 100 | 25                         |
| 979300                                     | Gasoline pressure lamps and lanterns.....  | K&M                     | 100                                    | 1 100 | 25                         |
| 979400                                     | Acetylene and carbide lamps (except miners').....                                      | None                    | 25                                     | 25    | 25                         |
| 979400                                     | Miners' lamps, carbide and oil.....  | None                    | 25                                     | 25    | 25                         |
| 979400                                     | Other lamps (except electric).....   | K&M                     | 100                                    | 1 100 | 25                         |
| 979600                                     | Lamp burners.....  | K&M                     | 100                                    | 1 100 | 25                         |
| 984098                                     | Pins, bobby, hair, safety, bank, and common straight.....                              | K&M                     | 100                                    | 1 100 | 25                         |

<sup>1</sup> GLV value limit for shipments to Argentina—\$25.00.

Shipments of any of the above commodities removed from general license or whose GLV dollar value limits have been reduced, which were on dock, on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to an actual order for export prior to the effective date of this amendment may be exported under the previous general license provisions. Shipments of such commodities moving to a vessel subsequent to the effective date of this amendment pursuant to Office of Defense Transportation permits issued prior to such date may also be exported under the previous general license provisions. Shipments of any of the above commodities whose G-Post dollar value limits have been reduced and which were mailed prior to the effective date of this amendment may also be exported under the G-Post general license provisions previously in effect.

This amendment shall become effective immediately upon publication, except that with respect to the Commodity "Kerosene cooking stoves" it shall become effective on August 2, 1945.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th Cong.; Pub. Law 99, 79th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320; Delegation of Authority No. 55, 9 F.R. 7512)

Dated: July 25, 1945.

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

[F. R. Doc. 45-13789; Filed, July 26, 1945; 1:33 p. m.]

**Chapter IX—War Production Board**

**AUTHORITY:** Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

**PART 1010—SUSPENSION ORDERS**

[Suspension Order S-768, Amdt. 1]

J. BAKER BRYAN

J. Baker Bryan of 7830 Laura Street, Jacksonville, Florida, during the months of September and October 1944 did construction without authorization from the War Production Board on his property known as the "Windmill" restaurant and night club located nine miles south of Jacksonville, Florida, on the Phillips Highway. Suspension Order No. S-768 was issued against J. Baker Bryan on April 24, 1945. In view of the amendment of May 29, 1945 to Order L-41, the Chief Compliance Commissioner has directed that the suspension order be amended to allow additional construction up to but not exceeding \$5,000.

In view of the foregoing, it is hereby ordered, that: § 1010.768 *Suspension Order No. S-768* issued April 24, 1945, be amended by the substitution of the following paragraph (a) for the present paragraph (a):

(a) Neither J. Baker Bryan, his successors or assigns, nor any other person, shall do any construction on the premises known as the "Windmill" restaurant and night club, located nine miles south of Jacksonville, Florida, on the Phillips Highway, including putting up or altering the structure located on said premises, except that J. Baker Bryan may do

additional construction on the property known as the "Windmill" so that the construction begun in September 1944 may equal a cost of \$5,000 but may not exceed that amount, unless hereafter specifically authorized in writing by the War Production Board.

Issued this 26th day of July 1945.

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

[F. R. Doc. 45-13799; Filed, July 26, 1945; 4:30 p. m.]

**PART 1010—SUSPENSION ORDERS**

[Suspension Order S-812, Revocation]

SAN HYGENE UPHOLSTERY CO.

Suspension Order No. S-812 was issued on June 9, 1945 against the San Hygene Upholstery Company, engaged in the manufacture of living room, dining room, and juvenile furniture.

The suspension order provided that during the effective period of the order, the San Hygene Upholstery Company, its successors or assigns, shall reduce its use of wood in the manufacture and crating of furniture by 20,000 board feet per calendar quarter below the amount of wood it otherwise would be permitted to use under the provisions of Limitation Order L-260-a, a total reduction in permitted usage of wood during this period of 80,000 board feet. In view of the revocation on July 21, 1945 of Limitation Order L-260-a, the Chief Compliance Commissioner has directed that Suspension Order No. S-812 be revoked.

In view of the foregoing, it is hereby ordered, that: § 1010.812 *Suspension Order No. S-812* be revoked.

Issued this 26th day of July 1945.

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

[F. R. Doc. 45-13800; Filed, July 26, 1945; 4:30 p. m.]

**PART 1010—SUSPENSION ORDERS**

[Suspension Order S-852]

SWEETHEART BAKERY CO.

Sweetheart Bakery Company of Fargo, North Dakota, is a corporation engaged in the manufacturing and sale of bread and bakery products. During the second and fourth quarters of 1944 and the first quarter of 1945, respondent exceeded its permitted use of fibre shipping containers. Respondent thus violated Order L-317. Its violations have diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.852 *Suspension Order No. S-852*. (a) Respondent shall reduce its use of new fibre shipping containers for the third and fourth quarters of 1945 in the following amounts:

|                       | Amount of reduction from quota |             | Permitted use after deduction for repayment |             |
|-----------------------|--------------------------------|-------------|---|-------------|
|                       | Pounds                         | Square feet | Pounds                                      | Square feet |
| 3d quarter 1945.....  | 3,750                          | 15,750      | 6,828                                       | 43,415      |
| 4th quarter 1945..... | 3,750                          | 15,750      | 6,828                                       | 43,415      |

Provided, That if respondent chooses to reduce its third quarter usage by a larger amount than is herein provided, it may so do and thereby to such extent it will reduce the balance to be repaid or deducted for the fourth quarter of 1945; Provided, That in no event shall the reduction from quota for the third quarter be less than above specified.

(b) Nothing contained in this order shall be deemed to relieve Sweetheart Bakery Company from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) The restrictions and prohibitions contained herein shall apply to Sweetheart Bakery Company, Fargo, North Dakota, its successors and assigns, or persons acting in its behalf.

(d) This order shall take effect on July 26, 1945.

Issued this 19th day of July 1945.

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

[F. R. Doc. 45-13746; Filed, July 26, 1945; 11:30 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-865]

THE DAY PUBLISHING CO., INC.

The Day Publishing Co., Inc., a corporation organized under the laws of the State of New York, with its principal office and place of business within the City of New York, is engaged in publishing a newspaper called "The Day." During the period commencing January 1, 1943, and ending March 31, 1945, it used, or caused to be used in the publishing of that newspaper, a substantial amount of print paper in excess of its authorized quota, in violation of Limitation Order L-240 and amendments thereto. This overconsumption was in the main due to the error of that publisher in calculating its quota without taking into account a six-month period during the year 1941 (the base consumption period) during which its use of paper dropped by about 25 per cent on account of a jurisdictional strike over which it had no control.

This violation has diverted scarce materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.865 Suspension Order No. S-865.  
(a) The Day Publishing Company, Inc., its successors or assigns, during each of the third and fourth quarters of 1945, shall not use or cause to be used in the publication of "The Day," or any other newspaper, more than 390 tons of print paper and shall not carry over into sub-

sequent quarters any less-than-quota use during those quarters.

(b) Nothing contained in this order shall be deemed to relieve The Day Publishing Company, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions thereof.

Issued this 27th day of July 1945.

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

[F. R. Doc. 45-13817; Filed, July 27, 1945; 11:08 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-310, as Amended July 27, 1945]

HIDES, SKINS AND LEATHER

The fulfillment of requirements for the defense of the United States has created shortages in hides, skins and leather 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:

- (a) General definitions.
- (b) Provisions applying to all hides, skins and leather.
- (c) Untanned cattlehides, calfskins and kips.
- (d) Cattlehides, calfskins and kips, and leather therefrom.
- (e) Sole leather and sole leather cut stock.
- (f) Horsehides.
- (g) Pickled sheepskins.
- (h) Goatskins and cabrettas.
- (i) Deerskins.
- (j) Effect on prior orders.
- (k) Reports.
- (l) Appeals.
- (m) Communications to the War Production Board.
- (n) Violations. Schedule A. Schedule B.

§ 3290.196 Conservation Order M-310—(a) General definitions. (1) "Tanner" means a person in the business of tanning, dressing, or similarly processing hides or skins, who in any calendar month after April 1, 1940, processed or processes more than 100 hides or skins.

(2) "Contractor" or "converter" means a person in the business of causing hides or skins to be tanned or dressed for his account in any tannery not owned or controlled by him.

(3) "Collector" means a person, including a dealer or importer, engaged in the business of acquiring from others untanned hides or skins for resale, or removing hides or skins from animals not slaughtered by him.

(4) "Producer" means a person in the business of slaughtering animals.

(5) "Military order" means an order for hides, skins or leather for delivery against a specific contract placed by any of the following, or for incorporation in any product to be delivered against such a contract:

The Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, or any

foreign government pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act) or any extension or renewal thereof. Regardless of the provisions of Priorities Regulation 17, no orders for military exchanges and service departments shall be regarded as military orders except rated orders of United States Navy Ship's Service Departments and War Shipping Administration Training Organization Ship's Service activities for cut sole leather for repair purposes which are endorsed as follows:

The within order has been approved in accordance with instructions of the Army and Navy Munitions Board.

By \_\_\_\_\_  
Authorized Official.

(6) "Military specifications" or "military quality" means, except as herein otherwise specifically provided, the specifications applicable to military orders or the quality of material meeting such specifications.

(7) "Sole leather" means vegetable tanned sole leather unless otherwise specified.

(8) "Scrap leather" means small leather pieces which are unavoidably produced from processing or cutting operations, but in no case shall include bellies or shoulders.

(9) "Rawhide" means a hide or skin which after the hair has been removed is used in that state or fabricated without further tanning.

(10) All trade terms shall have their usual trade significance unless otherwise specified.

(b) Provisions applying to all hides, skins and leather. (1) No person shall process any hides, skins or leather contrary to any specific direction issued from time to time by the War Production Board relating to the processing or production of specific types of leather to meet military or designated civilian requirements.

(2) No producer, collector, tanner, contractor, converter or cutter shall sell, deliver, accept delivery of, cut, use or incorporate in any product any hides skins or leather contrary to any specific direction issued from time to time by the War Production Board deemed necessary in order to fill military or designated civilian requirements.

(3) No person shall commercially incorporate any leather or rawhide into any product except as permitted by Schedule A at the end of this order, and no person shall sell any leather or rawhide unless the same is to be incorporated into a product permitted by Schedule A. This restriction shall not, however, apply to:

- (i) The filling of military orders;
- (ii) The delivery or use of vegetable tanned cattlehide leather available after accepting and filling all military orders and all orders for items permitted under Schedule A, and after complying with all specific directions. However, the restrictions of paragraph (b) (3) do apply to calfskins and kipskins and to sole leather, innersole leather, side upper leather, lining leather, belting leather, mechanical leather and welting leather.

(iii) The delivery or use of scrap leather, *Provided*, That any tanner selling any such scrap leather shall report his sales on his monthly form prescribed in paragraph (k).

(iv) [Deleted Aug. 25, 1944.]

(v) [Deleted Aug. 25, 1944.]

(4) The War Production Board may authorize the reprocessing, sale and use of rejected leather, or leather which can be made available consistently with program requirements, for purposes not otherwise permitted by this order or § 944.11 of Priorities Regulation 1. Any person may request such authorization by letter on his own behalf to use leather he owns or his supplier may request authorization to sell, and on behalf of his customer to use, stating the proposed uses of the leather and the quantity, quality, weight and type involved, and in the case of rejected leather, facts substantiating its qualification as such.

"Rejected leather" as used in this paragraph means any leather made to fill a military order or for production of items listed on Schedule A which (i) is so defective that it will be refused if tendered, (ii) the purchaser has refused, or (iii) the purchaser has notified the seller will be refused because of defects.

No person shall process or order any leather which he knows will be rejected. This paragraph does not prohibit the production of rejects to the extent that they are unavoidable in the manufacturers' or tanners' operations.

(5) The War Production Board may authorize the reprocessing or use of leather not used for the purposes for which it was purchased because of termination of procurement by the United States Government or any of its agencies for which the production was ordered. Any person may request such authorization on his own behalf, or on behalf of his customer, stating the proposed use of the leather, the quantity, quality, weight, type involved, the number of the cancelled contract, branch of service, date of purchase, intended end use and why it cannot be used for the purpose for which it was intended.

Any leather held by a person who does not in the regular course of his business sell leather in that form may only be sold in accordance with Priorities Regulation 13.

(6) Notwithstanding the provisions of any priorities or other regulations of the War Production Board, no preference ratings shall be applied or extended for the delivery of hides, skins or leather, except:

(i) Leather for military orders (excluding sole leather whole stock as defined in paragraph (e) (1) (vii) and cattlehide splits in the blue, pickled, or lime state); or

(ii) When specifically authorized in writing by the War Production Board pursuant to this subparagraph (b) (6) (ii).

(7) In making sales or deliveries of hides, skins or leather (including sole leather cut stock) not required to fill military orders, no person shall make discriminatory cuts in quality or quantity between customers who meet such person's established prices, terms and

credit requirements, or between customers and his own consumption of said materials.

(8) No tanner, contractor, converter, finisher, jobber or cutter shall deliver any leather (except shearlings) for footwear purposes, unless he has received the footwear manufacturers' quota number of the purchaser. This paragraph shall not prevent deliveries to persons regularly in business as leather contractors, leather converters, leather finishers, leather jobbers, leather cutters, finders or shoe repairers or to persons outside the continental United States.

(c) *Untanned cattlehides, calfskins and kips*—(1) *Definition*. "Cattlehide", "calfskin" and "kip" mean the hide or skin of a bull, steer, cow or buffalo, foreign or domestic (excluding slunks).

(2) No tanner shall put into process, and no contractor shall cause to be put into process, any cattlehide, calfskin or kip in excess of such amounts for specified periods as may be fixed by the War Production Board from time to time.

(3) No person shall sell, deliver, purchase or accept delivery of any untanned cattlehide, calfskin or kip, or portion thereof, other than splits and glue stock, except to the extent that the purchaser is specifically authorized by the War Production Board on Form WPB-1323 or Form WPB-3507. Applications may be made on Form WPB-1325 (formerly PD-569) for the purchase of domestic cattlehides, and on Form WPB-1322 (formerly PD-569-a) for the purchase of domestic calfskins and kips; *Provided*, That the following may be made without such authorization:

(i) Transactions between collectors and between producers and collectors for purposes of resale or delivery within the continental United States.

(ii) The sale and delivery to and the purchase and acceptance of delivery by any person other than a tanner of less than 100 hides or skins in any calendar month.

(4) In acting under paragraph (c) (3), it will be the policy of the War Production Board, so far as is practicable, to grant authorizations so that:

(i) The contractor or tanner may obtain cattlehides, calfskins, or kips in the proportions that the wettings in 1942 of the contractor or tanner, respectively, of cattlehides, calfskins, or kips, computed separately, bore to all wettings thereof in that year by all contractors and tanners producing the same type of leather, except that authorizations to tanners or contractors having more than a practicable minimum working inventory may be reduced or omitted; and

(ii) [Deleted Aug. 25, 1944.]

(5) No producer or collector shall cut off bellies or shoulders of untanned cattlehides, except for a purchaser specifically authorized in writing by the War Production Board to purchase hides with portions cut off.

(6) [Deleted Jan. 24, 1944.]

(d) *Cattlehides, calfskins and kips, and leather therefrom*—(1) *Definition*. (i) "Cattlehide, calfskin or kip leather" means leather produced from such hides or skins whether grain or split, including leather (whether tanned with or without

the hair) produced from slunks, and rawhide.

(ii) "Rough sole leather" means vegetable-tanned sides, crops, backs, bends, shoulders, and bellies which have not been rolled.

(iii) "Rough belting butts and butt bends" means vegetable, chrome, or combination tanned belting butts and butt bends which have not been carried.

(iv) "Rough shoulders" means vegetable-tanned sole leather shoulders or shoulders cut from vegetable, chrome or combination tanned belting butts, which have not been either carried or rolled.

(2) [Deleted May 25, 1944.]

(3) No tanner shall produce any harness leather in any color other than russet, except to fill military orders.

(4) Unless otherwise specifically ordered in writing by the War Production Board, no person shall curry or finish the following leathers and no manufacturer shall use the same, either before or after such currying or finishing, except in accordance with the following requirements:

(i) Rough sole leather shall be finished as sole leather (which thereupon becomes subject to paragraph (e) hereof) except that rough sole leather 12 iron and up may be carried and used for round belting or V belting;

(ii) Rough belting butts or butt bends shall be carried and thereafter used only for transmission belts, hydraulic, packing, mechanical and textile leathers; or fillet leather: *Provided*, That this restriction shall not apply to straightenings cut from the portion of the belting butt or butt bend beginning at the edge from which the belly was removed, if the straightening is less than two inches in width at the widest point;

(iii) Rough shoulders cut from sole leather hides if not finished for sole leather, and rough shoulders cut from any belting butts, shall be carried and used only for wetting, hydraulic, packing, mechanical and textile leathers, except that double rough shoulders 11 iron and up may be carried and used for round belting.

The War Production Board may on written application authorize the substitution of any of the types of leather mentioned in subparagraphs (i), (ii), and (iii) of this paragraph (d) (4) for any of the end uses therein specified, and when consistent with meeting requirements for approved programs, the War Production Board may authorize the finishing and use of any of these types of leather for any products listed on Schedule A.

(5) Vegetable tanned sole leather shall be processed so as to meet the requirements of Federal Specification KK-L-261B, including any emergency alternate specifications or amendments thereto.

(6) Bellies cut from cattlehides processed for sole leather (excluding stags and bulls) shall be cut in accordance with standard practice, but bellies weighing 3 pounds or more when finished shall not be cut to measure less than 6 inches across the navel when finished.

(7) Shoulders cut from cattlehides processed for sole leather (excluding stags and bulls) shall be cut in a line

running perpendicular to line of backbone at a point within the limits of the break in the foreflank.

(8) No tanner, currier, finisher, jobber or dealer shall accept any order for cattlehide leather in the form of harness, skirting, collar, latigo, lace, rigging, rawhide, bag, case, strap or upholstery leather, rated or otherwise, or transfer any such leather to his own fabricating plant, unless such order or the request for such transfer states the specific end use of such leather.

(9) No tanner shall process any cattlehide to make grain garment leather.

(10) [Deleted Jan. 24, 1944.]

(11) [Deleted Jan. 24, 1944.]

(e) *Sole leather and sole leather cut stock*—(1) *Definitions.* (i) "Military quality outersole" means a bend sole  $9\frac{1}{2}$  to 11 iron inclusive of good fiber and of a grade not lower than imperfect fine.

(ii) "Military quality midsole" means any bend sole of good fiber within one of the following two classifications:

7 to 9 iron, inclusive, all grades down to No. 1 scratch, inclusive; —  
 $9\frac{1}{2}$  iron, No. 1 scratch grade only.

(iii) "Military quality innersole" means a sole of  $5\frac{1}{2}$  to  $7\frac{1}{2}$  iron inclusive after being properly fleshed, first quality full grain leather of a quality and fiber adapted to the purpose.

(iv) "Military quality strip" means a strip  $8\frac{1}{2}$  iron to 13 iron, inclusive, and "military quality tap" means a tap of 9 iron to 14 iron, inclusive, both cut from sole leather bends, commercially described as finders' leather, and a good fiber of a grade not lower than No. 1 scratch.

(v) "Butt piece" means a piece cut from the butt portion of a sole leather bend by a straight cut perpendicular to line of backbone not more than three inches from root of tail.

(vi) "Cutter for the repair trade" means a sole leather cutter who is equipped to cut repair taps, and who during the year ending July 31, 1942, cut repair taps as a regular part of his business.

(vii) "Whole stock" means sides, crops, backs, bends, shoulders with heads on, shoulders with heads off, bellies, and belly centers.

(2) Every tanner and contractor shall set aside each month for cutting as required by paragraph (e) (4) the percentage of the manufacturers' bends produced by him for his own account, or produced for his account by others, fixed by the War Production Board by directions issued under this order. Such bends are hereinafter referred to as "manufacturers' bends-for-repair," and the weight and the quality of the bends set aside shall be equal, as nearly as possible, to those of the manufacturers' bends not so set aside, unless other directions in writing are issued by the War Production Board. No manufacturers' bends-for-repair shall be sold to any finder or shoe repairer as a whole bend.

(3) No person shall cut military quality outersoles, midsoles or innersoles, except on patterns to fit the United States Munson last in sizes and widths to fit the

sizes of shoes specified in military orders, or on other patterns approved or in sizes prescribed by the War Production Board from time to time.

(4) Sole leather whole-stock shall be cut and the resulting cut stock disposed of only in accordance with the provisions of Schedule B hereof, and military quality cut stock produced in accordance with such schedule may be sold, delivered or used only to fill military orders unless otherwise permitted by General Direction 12 to this order. Upon written application, however, the War Production Board may authorize the cutting and use of sole leather and sole leather cut stock to meet military orders or orders for products on Schedule A, but not mentioned in Schedule B, when sole leather can be diverted to these uses consistent with meeting programmed military and civilian footwear requirements.

No soles cut before January 30, 1945 and meeting the requirements for military quality outersoles as defined in this order before the amendment of January 30, 1945 shall be sold or used except to meet military orders. This does not apply to soles cut pursuant to General Direction 8 to this order or to soles released, sold or delivered pursuant to General Direction 9 to this order.

(5) No person except a shoe-repairer repairing shoes for the general public or any person repairing his own shoes shall hereafter use any non-military quality repair stock (except as provided in Block IIIB of Schedule B hereof) cut from finders' bends, from manufacturers' bends-for-repair or from parts of such bends.

(f) *Horsehides*—(1) *Definitions.* (i) "Horsehide" means the hide or skin of a horse, colt, mule, ass or pony, except dry pony hides to be processed for furs.

(ii) "Horsehide front", "horsehide butt" and "horsehide shank" means those horsehide parts commercially so known whether or not attached to other parts of the horsehide.

(2) No tanner shall put into process, and no converter shall cause to be put into process, any horsehide fronts, butts or shanks in excess of such amounts for specified periods as may be fixed by the War Production Board from time to time.

(3) No tanner shall put into process, or continue to process, any horsehide front, except into leather meeting military specifications in force at the time, unless such horsehide is not capable of being so processed.

(4) No person shall sell, deliver, accept delivery of or commercially incorporate into any product any horsehide front leather meeting any military specification, except for unfilled military orders.

(g) *Pickled sheepskins*—(1) *Definitions.* "Pickled sheepskin" means the de-wooled, unsplit skin of a sheep or a lamb (other than a cabretta or hair-sheep) or the flesh split of such a skin which has been immersed in a chemical solution to preserve and condition it for tanning.

(2) No person shall sell, deliver, purchase or accept delivery of any pickled sheepskins of the following commercial designations except for resale in the pickled state or for processing into

chamois leather meeting military specifications:

(i) New Zealand North Island pickled sheep pelts, (usual grades averaging 45 pounds per dozen or heavier);

(ii) Argentine pickled heavy sheepskins (usual grades averaging 45 pounds per dozen or heavier);

(iii) All imported pickled fleshers.

(h) *Goatskins and cabrettas*—(1) *Definitions.* (i) "Goatskin" means the skin of a goat or leather made from such skin, including kidskin, but excluding India tanned goatskin, and domestic angora goatskin.

(ii) "Cabretta" means the skin of a hair sheep or leather made from such skin.

(iii) "India tanned goatskin" means an imported goatskin tanned in Asia.

(2) No tanner shall put into process in the respective three months' period, commencing May 1, 1943, and on the first days of each August, November, February and May thereafter, more than 220% of his average monthly wettings of raw goatskins and cabrettas in 1941 (which average shall be known as "basic monthly wettings"), or more than such other percentages for such periods as may be fixed in writing by the War Production Board from time to time, with respect to any or all skins referred to in subparagraph (1) (i) and (ii) above: *Provided*, That kidskins and Calcutta Smalls purchased separately and described as such in Government purchase contracts dated later than August 1, 1943, may be put into process in addition to the percentages specified in this paragraph.

(3) [Deleted Jan. 24, 1944]

(4) The restrictions of paragraph (h) (2) shall not apply to persons who put into process less than 200 domestic goatskins in any calendar month and who process no foreign goatskins.

(5) No tanner shall sell or deliver goatskin garment leather for other than military purposes, except leather failing to meet military specifications: *Provided*, That such failure has resulted unavoidably in the course of producing military leather; *Provided further*, That such leather permitted hereby to be sold or delivered for other than military purposes may not exceed  $12\frac{1}{2}$ % of his production of military goatskin garment leather subsequent to the date of this order.

(6) [Deleted Jan 24, 1944]

(i) *Deerskins*—(1) *Definition.* "Deerskin" means the skin of any North American, South American, New Zealand or French Oceanian deer, except elk, moose, caribou skins and Alaska deerskins.

(2) No person shall process any deerskin or deerskin leather except:

(i) To produce suitable leather meeting Army Air Forces or Army Service Forces specifications as revised from time to time; or

(ii) To fill a specific military order.

(3) No person shall sell or deliver any deerskin leather, or incorporate or manufacture any deerskin leather into any product, except to fill a specific military order.

(4) *Exceptions.* The restrictions of the preceding paragraphs (2) and (3) shall not apply to:

(i) Any deerskin or deerskin leather which does not meet and cannot be made to meet military specifications referred to in paragraph (i) (2) (i).

(ii) Deerskin leather rejected in writing by the Inspection Sections of the Army Air Forces or the Quartermaster.

(iii) [Deleted Jan. 24, 1944]

(iv) Any person who at no time puts into process, splits, shaves, skives, sells, delivers or uses more than 25 deerskins during any calendar month beginning with March 1943 or causes more than 25 deerskins to be processed, split, shaved, skived, sold, delivered or used for his account during any such month.

(v) A skin taken off a deer after September 20, 1943 and owned by the person causing it to be processed or incorporated into a product for his personal use or for a gift.

(j) *Effect on prior orders.* Authorizations to buy hides issued prior to June 23, 1943, under Conservation Order M-194, shall continue in effect until the expiration date therein provided or until expressly revoked.

Authorizations and directions issued and appeals granted prior to June 23, 1943, under the following orders, shall continue in effect until the expiration date therein provided or until expressly revoked:

- General Preference Order M-80
- General Conservation Order M-94
- Conservation Order M-114
- General Conservation Order M-141
- Conservation Order M-278
- General Preference Order M-301

(k) *Reports.* Every person described below shall, on or before the 10th day of each month execute and file reports with the War Production Board, as directed on the respective forms mentioned below:

- Tanners and converters of cattle-hides..... WPB-1325 formerly PD-569
- Tanners and converters of calf-skins and kips..... WPB-1322 formerly PD-569A and WPB-3822
- Tanners and converters of cattlehide side upper leather..... WPB-3822
- Tanners, converters, curriers, finishers, jobbers and dealers of harness, skirting, collar, latigo, lace, rigging, rawhide, bag, case, strap and upholstery leather..... WPB-3822
- Tanners and converters of sole leather..... WPB-3822
- Tanners and converters of horse-hides..... WPB-1001 formerly PD-475
- Tanners and converters of goat-skins, kidskins, cabretta or rough tanned goatskins and sheepskins..... WPB-1437 formerly PD-373
- Sole cutters..... WPB-1303 formerly PD-598A
- Non-sole cutting shoe manufacturers..... WPB-2209 formerly PD-598C
- Finishers and converters of cattlehide splits..... WPB-2351
- Tanners and converters of glove and garment cattlehide grain leather..... WPB-3822

Failure to file any of the reports mentioned above or any other reports requested pursuant to approval by the Bureau of the Budget shall constitute a violation of this order.

(l) *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.

No direction issued under this order shall be deemed to require the furnishing of materials or facilities to the War Production Board. If a direction requires the furnishing of materials or facilities to a contracting agency or to a war contractor, or the production of a specified amount of a material or product, or restricts all or a part of a person's production or inventory to specified purposes, and if the person affected cannot get firm orders to cover the materials, facilities, production or inventory involved, he may appeal and the War Production Board will grant appropriate relief.

(m) *Communications to the War Production Board.* All reports, applications, forms, or communications required under or referred to in this order, and all communications concerning this order, shall, unless otherwise directed, be ad-

ressed to the War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., Ref. M-310.

(n) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or who 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.

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 27th day of July 1945.

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

SCHEDULE A

| Column I   | Column II  | Column III   | Column IV  | Column V   |
|--|--|--|--|--|
| Items  | Cattlehide, calfskin and kip leather not restricted to military orders or specifically restricted elsewhere in this order may be incorporated in any product marked "Permitted" in this column | Horsehide shank or non-military quality horsehide front leather may be incorporated in any product marked "Permitted" in this column | Goatskin leather not restricted to military orders or specifically restricted elsewhere in this order may be incorporated in any product marked "Permitted" in this column | All other leather may be incorporated in any product marked "Permitted" in this column |
| 1. Footwear, except as prohibited by Conservation Order M-217.   | Permitted except harness leather.  | Permitted.....   | Permitted.....   | Permitted.   |
| 2. Transmission belts.....   | Permitted.....   | Not permitted.   | Not permitted...   | Permitted.   |
| 3. Hydraulic, packing, and mechanical leather products.  | Permitted.....   | Not permitted.   | Not permitted...   | Permitted.   |
| 4. Leather products for textile equipment.   | Permitted.....   | Not permitted.   | Not permitted...   | Permitted.   |
| 5. Harness, horse collars, and saddlery for police, farm and industrial use.   | Permitted.....   | Not permitted.   | Not permitted...   | Permitted.   |
| 6. Trusses.....  | Permitted.....   | Permitted.....   | Permitted.....   | Permitted.   |
| 7. Surgical supports.....  | Permitted.....   | Permitted.....   | Permitted.....   | Permitted.   |
| 8. Artificial limbs.....   | Permitted.....   | Permitted.....   | Permitted.....   | Permitted.   |
| 9. Orthopedic products including arch supports.  | Permitted.....   | Permitted.....   | Permitted.....   | Permitted.   |
| 10. [Deleted July 11, 1945].   |  |  |  |  |
| 11. Laces and thongs.....  | Permitted.....   | Not permitted.   | Not permitted...   | Permitted.   |
| 12. Cap visors for military personnel.   | Permitted.....   | Not permitted.   | Not permitted...   | Permitted.   |
| 13. Divers' equipment.....   | Permitted.....   | Not permitted.   | Not permitted...   | Permitted.   |
| 14. Motorcycle and bicycle saddles.....  | Permitted.....   | Not permitted.   | Not permitted...   | Permitted.   |
| 15. Work chaps.....  | Permitted.....   | Not permitted.   | Not permitted...   | Permitted.   |
| 16. Work gloves.....   | Permitted.....   | Permitted.....   | Permitted.....   | Permitted.   |
| 17. Work aprons.....   | Permitted.....   | Permitted.....   | Permitted.....   | Permitted.   |
| 18. Garments for heavy duty workers.   | Not permitted.   | Permitted.....   | Permitted.....   | Permitted.   |
| 19. Industrial safety clothing and equipment (exclusive of linemen's belts) only to the extent essential for safety and protection in the performance of the workers' duties.  | Permitted.....   | Permitted.....   | Permitted.....   | Permitted.   |
| 20. [Deleted July 11, 1945].   |  |  |  |  |
| 21. Athletic goods (except golf bags).....   | Permitted.....   | Permitted.....   | Not permitted...   | Permitted.   |
| 22. [Deleted July 11, 1945].   |  |  |  |  |
| 23. [Deleted July 11, 1945].   |  |  |  |  |
| 24. [Deleted July 11, 1945].   |  |  |  |  |
| 25. Rawhide hammers and hammer faces.  | Permitted.....   | Not permitted..  | Not permitted...   | Permitted.   |
| 26. Functional parts of musical instruments (excluding straps, cases or containers).   | Permitted.....   | Not permitted..  | Permitted.....   | Permitted.   |
| 27. Craft work products—certified to be for occupational therapy and rehabilitative purposes by any of the following: hospitals, institutions for the blind, the Red Cross, the Veterans Administration and by individuals invalided and incapable of doing any other type of manual work. | Permitted.....   | Not permitted..  | Permitted for lacing only.   | Permitted.   |
| 28. Other products.....  | Not permitted...   | Not permitted..  | Not permitted...   | Permitted.   |

SCHEDULE B

| Column I  | Column II   | Column III  | Column IV  | Column V   | Column VI   |
|---|---|---|--|--|---|
| Type of sole leather whole stock  |   |   |  |  |   |
|   | Finders' bends  | Manufacturers-bends-for-repair  | Manufacturers' crops, backs and bends  | Shoulders, bellies, and shanks   | Manufacturers' leather or manufacturers'-bends-for-repair butt pieces   |
| Block I. Persons permitted to cut each type subject to the provisions of Block II and III below.<br><br><i>Method of Cutting</i><br><br>Block IIA. Each type shall be cut to yield maximum quantity of of military quality cut stock shown in this block (notwithstanding the additional requirements in General Direction 12 to this order), except as otherwise permitted in Block IIB.<br>Block IIB. Each type may be cut to produce the military quality cut stock shown in this block but only—<br>1. So as to yield the maximum quantity of such military quality cut stock, and<br>2. To the extent required to meet unfilled military orders of the kinds indicated.<br>Cutting and disposition of remainder of each type after military quality cut stock has been obtained as provided in Block II.<br>Block IIIA. Except as provided in Block IIIB below, remainder of each type shall be cut and disposed of only as shown in this block.<br><br>Block IIIB. Exceptions shall be only as shown in this block. | Cutters for the repair trade only, except that any sole cutter may cut to obtain outsoles, midsoles and toplifts only in accordance with block IIB below.<br><br>Must be cut as shown in Block IIB.<br><br>Strips and tape to meet any unfilled military order. Toplifts cut from bends or other bend portions to meet any unfilled military orders. Outsoles and midsoles to meet military orders under Lend-Lease Act only.<br><br>To produce repair cut stock, other than outer soles and midsoles, for sale only to finders for ultimate use by shoe-repairers or persons repairing their own shoes.<br><br>Finders toplifts and finders pieces from which no tap can be obtained—unrestricted. Non-military outer soles and midsoles produced unavoidably in the course of cutting military outsoles and midsoles—for sale only to shoe manufacturers. | Cutter for the repair trade only.<br><br>Outsoles.....<br><br>May not be cut except under Block IIA.<br><br>To produce repair cut stock, other than outer soles, midsoles and innersoles, for sale only to finders for ultimate use by shoe repairers or persons repairing their own shoes.<br><br>Butt pieces, finders toplifts and finders pieces from which no tap can be obtained—unrestricted. Non-military outsoles, midsoles and innersoles, produced unavoidably in the course of cutting military outsoles, midsoles, and innersoles,—for sale only to shoe manufacturers. | Any sole leather cutter.<br><br>Outsoles.....<br><br>Counters and toplifts to meet any unfilled military order. Outsoles and midsoles to meet military orders under Lend - Lease Act only.<br><br>To produce cut stock for use by shoe manufacturers only.<br><br>No exceptions..... | Any sole leather cutter.<br><br>Innersoles.....<br><br>Counters, box toes and midsoles to meet any unfilled military order.<br><br>To produce cut stock or use by shoe manufacturers only.<br><br>No exceptions..... | Any sole leather cutter.<br><br>Outsoles, midsoles, and innersoles.<br><br>Counters and box toes to meet any unfilled military order.<br><br>To produce cut stock for use by shoe manufacturers only.<br><br>No exceptions. |

INTERPRETATION 1

EFFECT OF RATINGS ON EQUITABLE DISTRIBUTION

Paragraph (b) (7) of this order, the so-called equitable distribution clause, does not excuse filing of rated orders. This clause prohibits discrimination between customers who meet established prices, terms and credit requirements but it does not override Priorities Regulation No. 1, which requires, subject to the conditions set forth, that all rated orders be accepted and that preference be given to orders carrying higher ratings over those with lower ratings.

The particular types of leather specified by preference rated orders must be delivered unless the leather cannot be produced from the hides or skins available to the tanner or the tanner is excused or prevented from filling the order by a regulation, order or direction of the War Production Board. If a rated order is placed for military quality leather, this order may not be filled with civilian quality leather. (Issued Apr. 11, 1944.)

INTERPRETATION 2

OPRA AND UNRRA ORDERS NOT WITHIN DEFINITION OF "MILITARY ORDER"

"Military order" as defined in paragraph (a) (5) does not include orders for delivery against contracts placed by the Office of Foreign Relief Administration or the United Nations Rehabilitation and Relief Administration, or orders for hides, skins or leather for incorporation in products to be delivered against such contracts. (Issued April 15, 1944.)

[F. R. Doc. 45-13815; Filed, July 27, 1945; 11:08 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B, Schedule D, as Amended July 27, 1945]

SPECIAL PROGRAM FOR COTTON FABRICS FOR NURSES' UNIFORMS

§ 3290.120d *Schedule D to Order M-328B*—(a) *Explanation.* This schedule states the special rules in addition to those set forth in Order M-328B for manufacturers of student and graduate nurses' uniforms made of cotton fabrics to get an AA-2X and an AA-3 preference rating for fabrics to make the items listed in this Schedule. Priorities assistance granted under this schedule will be in addition to any granted under Supplement XI of Schedule A of M-328B. Therefore manufacturers who have received authorizations under that supplement must file applications under this Schedule for whatever additional fabrics they need to participate in this Program in the third quarter of 1945.

(b) *Definitions.* (1) "Fabrics," unless otherwise designated, means a woven fabric 12 inches or more in width.

(2) "Cotton fabric" means any fabric containing less than 25 percent wool by weight but of which the remaining fibers are 50 percent or more cotton by weight.

(3) "Cotton item" means an item of which more than 50 percent of the fabric yardage incorporated in it, exclusive

of linings, binding and trimmings, is cotton fabric.

(c) *Special requirements for obtaining priorities assistance.* (1) Three copies of Form WPB-3732 Revised must be filed in making application for priorities assistance under this schedule, in accordance with the rules stated in paragraph (c) of Order M-328B.

(2) A base period manufacturer who files Form WPB-3732 Revised for the third calendar quarter of 1945 by August 11, 1945, may, as soon as he files his application, apply an AA-2X rating for the purchase of Class A sheeting, and an AA-3 rating for the purchase of other cotton fabrics for delivery in that quarter for incorporation into the cotton items for which application is made. He may do so only for an item he made in the base period and only for 25% of the yardage of fabrics he used in the base period with respect to any item. Cotton fabrics purchased under this provision 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) [Deleted July 27, 1945.]

(4) A manufacturer receiving an allocation for Item No. 1 of section (A) or Item Nos. 1 or 2 of section (B) of the preference rating schedule for any quarter must subtract from his rated quota for Item A-56 under Order M-388A the total yardage of fabrics for which priorities assistance is granted under this schedule to determine the quantity of fabrics which he may purchase with an AA-4 rating under his M-388A rated quota in that quarter. In the event that the quantity of fabrics for which an AA-2X or an AA-3 rating authorized under this schedule is in excess of his AA-4 rated quota in M-388A, the manufacturer may not, during that quarter, use an AA-4 rating under the provisions of M-388A for Item A-56.

(d) *General provisions.* (1) Preference ratings assigned under this schedule may be used only to get the particular fabrics shown in the Fabric Column of the preference rating schedule to make the cotton items specified.

(2) If applications are received for rated quotas in an amount for any item in excess of the yardage allotted for that item, the rated quotas will be assigned in proportion to the manufacturer's production of the particular items during the base period.

(3) If the manufacturer did not produce or have produced for his own account in the base period the item for which application is made, he must comply with the provisions of paragraph (c) (6) of M-328B.

(4) The minimum linear yardage which shall be incorporated in each dozen of the item for which a grant is made, shall in the case of a base period manufacturer, be no less than the amount used by him for the production of the same item in the base period. In the case of persons who did not manufacture the item in the base period the minimum linear yardage of fabric per dozen shall be the product of the total yards of each fabric authorized, divided by the number of units authorized in the grant by the War Production Board.

(5) Manufacturers may file with the Textile, Clothing and Leather Bureau, War Production Board, Washington 25, D. C., Form WPB-2842 to obtain priorities assistance for sewing thread, narrow selvage edge tape, and Form WPB-541 for metal fasteners in the quantities required for incorporation into the numbers of each item for which application is made on Form WPB-3732 Revised. Such requests will be granted to the extent that materials are available and to the extent that priorities assistance is granted for the production of the items applied for.

(6) Manufacturers who did not produce the item applied for in the base period and cannot, therefore, comply with paragraph (f) (5) of M-328B, shall specify in the "Remarks" section of form WPB-3732 Revised the assortment of sizes per dozen for each size range for which application is made. He must comply with the size ranges and assortments of sizes which the War Production

Board specifies in its grant of priorities assistance.

(7) Student nurses' uniforms manufactured under this schedule may be sold only to hospitals or nurses' training schools; or to persons who furnish substantially the following certification on their purchase orders:

The purchaser represents to the seller and to the War Production Board that the student nurses' uniforms covered by this order will be sold only to hospitals or nurses' training schools or for ultimate delivery to such institutions.

The standard certification provided for in Priorities Regulation 7 may not be used instead of the above.

Issued this 27th day of July 1945.

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

PREFERENCE RATING SCHEDULE—SECTION (A)  
GRADUATE NURSES' UNIFORMS

| Item No. | Items        | Fabric  |
|----------|--------------|---|
| A-1..... | Uniforms.... | Poplin, combed—88 sley or higher.<br>Poplin, carded—90 sley or higher.<br>Broadcloth, combed—96 sley or higher.<br>Broadcloth, carded—100 sley or higher. |
| A-2..... | Caps.....    | Lawns and Organdy—76 x 72, 9.00 yard.<br>Poplin, carded—90 sley or higher.<br>Broadcloth, carded—100 sley or higher.                                      |

PREFERENCE RATING SCHEDULE—SECTION (B)  
STUDENT NURSES' UNIFORMS

| Item No. | Items              | Fabric   |
|----------|--------------------|--|
| B-1..... | Uniforms, colored. | Chambray—4.20-4.30 yard.<br>Class "A" Sheeting—40 x 40 or higher.<br>Jeans.<br>Broadcloth, combed—96 sley or higher.<br>Poplin, combed—88 sley or higher.  |
| B-2..... | Uniforms, white.   | Class "A" Sheeting—40 x 40 or higher.<br>Jeans.<br>Chambray, 4.20-4.30 yard.<br>Poplin, combed—88 sley or higher.<br>Broadcloth, combed—96 sley or higher. |
| B-3..... | Caps.....          | Lawn and Organdy—76 x 72 9.00 yard or higher.<br>Poplin, combed—88 sley or higher.<br>Broadcloth, combed—96 sley or higher.                                |
| B-4..... | Collars.....       | Print cloth, 68 x 64—4.85 yard 39" or higher.<br>Jeans.  |
| B-5..... | Cuffs.....         | Class "C" Sheeting.<br>Print cloth, 68 x 64—4.85 yard 39" or higher.<br>Jeans.   |
| B-6..... | Aprons.....        | Class "C" Sheeting.<br>Class "A" Sheeting, 40 x 40 or higher.  |
| B-7..... | Bibs.....          | Class "C" Sheeting.<br>Class "A" Sheeting, 40 x 40 or higher.<br>Class "C" Sheeting.   |

[F. R. Doc. 45-13816; Filed, July 27, 1945; 11:08 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B, Schedule F, as Amended July 25, 1945]

SPECIAL PROGRAM FOR WORK GLOVES

Correction

In the document appearing on page 9330 of the issue for Friday, July 27, 1945, the Federal Register serial number should read "45-13676".

PART 1010—SUSPENSION ORDERS

[Suspension Order S-866]

MORRISON-MERRILL AND CO.

Morrison-Merrill & Company of 205 North Third West, Salt Lake City, Utah, is a corporation engaged in the manufacture and distribution of building materials. During the year 1944 the corporation used new fibre shipping containers amounting to 10,152 pounds and 15,068 square feet in excess of its authorized quota under the provisions of Limitation Order L-317, and in violation of that order. This violation has diverted critical materials to uses not authorized by War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.866 *Suspension Order No. S-866.* (a) Morrison-Merrill & Company shall reduce its use of new fibre shipping containers during the period extending from June 30, 1945, to July 1, 1946, so that its usage of such containers during each of the third and fourth calendar quarters of 1945 and the second calendar quarter of 1946 shall be 2,263 pounds and 1,384 square feet less, and its use during the first calendar quarter of 1946 shall be 3,364 pounds and 10,916 square feet less than it would otherwise be permitted to use during each of those quarters, under the provisions of Limitation Order L-317.

(b) Nothing contained in this order shall be deemed to relieve Morrison-Merrill & Company from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) The restrictions and prohibitions contained herein shall apply to Morrison-Merrill & Company, its successors and assigns, or persons acting in its behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

Issued this 27th day of July 1945.

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

[F. R. Doc. 45-13818; Filed, July 27, 1945; 11:08 a. m.]

PART 3292—AUTOMOTIVE VEHICLES, PARTS AND EQUIPMENT

[Limitation Order L-1-E, as Amended July 27, 1945]

MOTOR TRUCKS AND TRUCK-TRAILERS

The fulfilment of requirements for the defense of the United States having cre-

ated a shortage in the supply of rubber, steel and other materials entering into the production of motor trucks and truck-trailers for defense, for private account and for export, the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3292.1 *Limitation Order L-1-E—(a) Definitions.* For the purposes of this order.

(1) "Motor truck" means a complete motor vehicle, or the chassis thereof, designed for operating entirely or in part on rubber tires for use either on or off the public highways in the military or commercial transportation of materials or persons. The term "Motor truck" does not include integral motorized fire equipment, integral buses or automobiles as defined in Limitation Order L-2-G, paragraph (a) (1).

(2) "Truck-trailer" means a complete full-trailer or semi-trailer, or the chassis thereof, having a load-carrying capacity of 10,000 pounds or more, designed for military or commercial transportation of materials or persons. The term "truck-trailer" does not include integral trailer buses.

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

(b) *Limitation on production of motor trucks or truck-trailers.* No person shall produce any motor trucks or truck-trailers except as specifically authorized in writing by the War Production Board.

(c) *Production with priorities assistance.* Priorities assistance, in the form of allotments of controlled materials and preference ratings for the purchase of other materials and components, will be given for the production of a definite number of motor trucks or truck-trailers according to approved War Production Board programs. In determining the number of nonmilitary vehicles which each producer will be authorized to make with priorities assistance an equitable assignment of quotas will be made. The assignment of quotas for the production of motor trucks or truck-trailers with priorities assistance will not be dependent upon any applicant having been engaged in the production of trucks or truck-trailers at some previous time.

(1) Any person wishing an authorization to produce non-military motor trucks or truck-trailers with priorities assistance shall apply by letter to the Automotive Division, War Production Board, stating (i) the number of trucks by weight class or the number of trailers by type, as the case may be, and (ii) the period within which such vehicles are to be produced.

(d) *Production without priorities assistance.* In addition, any person wishing to produce non-military motor trucks or truck-trailers without priorities assistance may apply for authority to do so as explained in Priorities Regulation 25.

(e) *Changes in authorizations.* The War Production Board may revoke or modify any authorization provided for in paragraph (b), notwithstanding any other order, preference rating, directive or regulation of the War Production Board or other governmental agency.

(f) *No duplication of orders for materials.* No person authorized to produce trucks or truck-trailers shall place any order with one or more suppliers for a total quantity of any material or components in excess of his actual requirements to fill his production schedule.

(g) *Vehicles for civilian use to be subject to General Order ODT-44, effective July 1, 1944.* All motor trucks and truck-trailers produced under the terms of this order, except those produced on orders for the United States Army or Navy, will be subject to the provisions of the Office of Defense Transportation Order ODT-44, effective July 1, 1944, and amendments thereto.

(h) *Reports.* Any person receiving an authorization to produce military or non-military motor trucks and any person receiving an authorization to produce military truck trailers shall report his production and forecasts of production on or before the third day of each month on Form WPB-4291 (formerly GA-1188). Any person receiving an authorization to produce non-military truck trailers shall report his production and forecasts of production on or before the tenth day of each month on Form WPB-3972 in accordance with instructions accompanying the form. Persons so authorized may be required to file additional reports subject to the approval of the Bureau of the Budget.

The data for the reports on Form WPB-4291 covering military and non-military truck production and military trailer production will be secured by an Automotive Specialist of the War Production Board on or before the third day of each month from each truck and trailer producer. The truck or trailer producer himself will not be obligated to file Form WPB-4291, as the actual filing with the War Production Board will be done by the Automotive Specialist who secures the data. Each producer, however, is required to furnish to the Automotive Specialist the data on production and forecasts of production called for by the form.

The data for the report on Form WPB-3972 covering production and forecasts of production of non-military trailers will be filled in on the form by the truck trailer producer himself and the form must be filed by him each month with the Automotive Division, War Production Board, Washington 25, D. C., in accordance with the instructions accompanying the form.

These reporting requirements have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(i) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any 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.

(j) *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-1-E.

Issued this 27th day of July 1945.

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

[F. R. Doc. 45-13813; Filed, July 27, 1945; 11:08 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300,  
Schedule 114]

SILICA AEROGEL

§ 3293.1114 *Schedule 114 to General Allocation Order M-300—(a) Definition.* "Silica aerogel" means a finely divided, porous silica having a dry bulk density of 9.0 pounds per cubic foot or less, with or without intermixed silicon.

(b) *General provisions.* Silica aerogel is subject to the provisions of General Allocation Order M-300 as an Appendix B material. The initial allocation date is August 1, 1945. The allocation period is the calendar month. The small order exemption without use certificate is 10 pounds per person per month.

(c) *Suppliers' applications on WPB-2947.* Each supplier seeking authorization to use or deliver shall file application on Form WPB-2947 (formerly PD-602). Filing date is the 18th day of the month before the proposed delivery month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-114. The unit of measure is pounds. An aggregate quantity may be requested, without specifying customers' names, for delivery on uncertified exempt small orders. Fill in Table II.

(d) *Certified statements of use.* Each person placing orders for delivery of more than 10 pounds of silica aerogel per month in the aggregate from all suppliers, shall furnish each supplier with a certified statement of proposed use, in the form prescribed in Appendix D of Order M-300. End use may be specified as "thermal insulation", "flattening agent", "thickening agent for liquid", or in terms of any other specified product. The ultimate end product should be specified in each of these classifications. Proposed use may also be specified as "for resale on further authorization", "for resale on exempt small orders", or "for export" (specify destination and export license number).

(e) *One-time use report.* On or before the 18th day of the month preceding the first month for which a person

seeks for use or resale more than 10 pounds of silica aerogel, he must file one certified copy of a one-time use report on Form WPB-3442 with the War Production Board, Washington 25, D. C., Ref: M-300-114. Another copy should be retained. In space (1) of the heading specify "silica aerogel", in space (2) specify "pounds" and in space (3) specify "M-300-114." 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) show type. In the heading of Columns (c), (d), (e), (f) and (g), specify Jan., Feb., Mar., Apr., and May of 1945, respectively and fill in these columns accordingly. In Section II specify in Column (b) inventories of types shown in Column (a) on the first day of the current month. In Column (c) specify estimated inventory on the last day of the current month. Leave Column (d) blank.

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

(g) *Communications to War Production Board.* Reports and communications concerning this schedule shall be addressed to: War Production Board, Chemical Bureau, Washington 25, D. C., Ref. M-300-114.

Issued this 27th day of July 1945.

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

[F. R. Doc. 45-13814; Filed, July 27, 1945;  
11:08 a. m.]

## Chapter XI—Office of Price Administration

### PART 1300—PROCEDURE

[Procedural Reg. 6, Amdt. 8]

#### PROCEDURE FOR ADJUSTMENT OF MAXIMUM PRICES FOR COMMODITIES OR SERVICES UNDER GOVERNMENT CONTRACTS OR SUB-CONTRACTS

Section 1300.401 of Procedural Regulation 6 is amended in the following respects:

1. Paragraph (a) is redesignated as (a) (1).

2. Paragraph (a) (2) is added to read as follows:

(2) If the application is filed with respect to a commodity or service for which a maximum price has been established under a price regulation or supplementary order containing an adjustment provision, the applicant may invoke all applicable adjustment provisions by submitting with his application both the information herein required and that required by any applicable adjustment provisions which he invokes. In such cases the relief granted shall be the higher of the following: the amount permitted under (i) the adjustment criteria of Revised Supplementary Order 9 or (ii) the adjustment criteria of the applicable adjustment provisions specifically invoked by the applicant.

(3) If at the time of filing or during the pendency of an application for or request for approval of a maximum price or a

method for determining maximum prices under any regulation of the Office of Price Administration the applicant files a written notice of his intention to seek an adjustment in the event the maximum price established or resulting from the employment of the pricing method established is less than the amount set forth in such notice, contracts may be entered into or proposed and bids submitted for this amount, and deliveries may be made under such contracts. The seller may receive and the buyer may pay the amount set forth in such written notice pending the establishment of a maximum price or a method for determining maximum prices, or any adjustment thereof: *Provided*, That the contract stipulates final settlement shall be made in accordance with the maximum price as established or determined by the employment of the pricing method established or as adjusted, and any amount paid in excess thereof will be refunded to the buyer. If the application for or request for approval of a maximum price or a method for determining maximum prices results in the establishment or determination of a maximum price which is less than the minimum permitted under the applicable adjustment provision, any adjustment granted hereunder shall be retroactive to the date of the filing of the aforesaid notice of intention: *Provided*, That the applicant filed his application for adjustment within fifteen days of the receipt of the order establishing the maximum price or the method for determining maximum prices.

3. The first undesignated paragraph of § 1300.410 (g) is amended to read as follows:

(g) As used herein, the term "commodity or service essential to the war program" means any commodity or service purchased (1) for the ultimate use of the Army, the Navy, the Maritime Commission, or the War Shipping Administration of the United States or for lend-lease purposes; or (2) by any Government (or agency thereof) of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States", or (3) for use in the production or manufacture of any commodity or in the supply of any service as defined in (1) or (2). *Provided*, That a certificate of the necessity of the procurement is received from the Chief of the particular Procurement Service listed in (g) (1). This certification should include the following information:

(i) Description of the commodity.

(ii) Quantities involved.

(iii) A statement that adequate individual adjustment provisions sufficient to remove the impediments to supply of such commodity or service are not available under the applicable price regulation.

This amendment shall become effective August 1, 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-13825; Filed, July 27, 1945;  
11:32 a. m.]

### PART 1305—ADMINISTRATION

[Rev. Supp. Order 9, Amdt. 1]

#### ADJUSTMENT OF MAXIMUM PRICES OF COMMODITIES OR SERVICES UNDER GOVERNMENT CONTRACTS OR SUB-CONTRACTS

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

Section 1305.12 of Revised Supplementary Order 9 is amended in the following respects:

1. Paragraph (a) is redesignated as (a) (1).

2. Paragraphs (a) (2) and (a) (3) are added to read as follows:

(2) If the application is filed with respect to a commodity or service for which a maximum price has been established under a price regulation or supplementary order containing an adjustment provision, the applicant may invoke all applicable adjustment provisions by submitting with his application both the information herein required and that required by any applicable adjustment provisions which he invokes. In such cases the relief granted shall be the higher of the following: the amount permitted under (i) the adjustment criteria of Revised Supplementary Order 9 or (ii) the adjustment criteria of the applicable adjustment provisions specifically invoked by the applicant.

(3) If at the time of filing or during the pendency of an application for or request for approval of a maximum price or a method for determining maximum prices under any regulation of the Office of Price Administration the applicant files a written notice in accordance with Procedural Regulation 6 of his intention to seek an adjustment in the event the maximum price established or resulting from the employment of the pricing method established is less than the amount set forth in such notice, contracts may be entered into or proposed and bids submitted for this amount, and deliveries may be made under such contracts. The seller may receive and the buyer may pay the amount set forth in such written notice pending the establishment of a maximum price or a method for determining maximum prices, or any adjustment thereof: *Provided*, That the contract stipulates final settlement shall be made in accordance with the maximum price as established or determined by the employment of the pricing method established or as adjusted, and any amount paid in excess thereof will be refunded to the buyer. If the application for or request for approval of a maximum price or a method for determining maximum prices results in the establishment or determination of a maximum price which is less than the minimum permitted under the applicable adjustment provision, any adjustment granted hereunder shall be retroactive to the date of the filing of the aforesaid notice of intention: *Provided*, That the applicant filed his application for adjustment within fifteen days of the receipt of the order establishing the maxi-

imum price or the method for determining maximum prices.

3. The first undesignated paragraph of paragraph (e) is amended to read as follows:

(e) "As used herein, the term "commodity or service essential to the war program" means any commodity or service purchased (1) for the ultimate use of the Army, the Navy, the Maritime Commission, or the War Shipping Administration of the United States or for lend-lease purposes; or (2) by any Government (or agency thereof) of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States", or (3) for use in the production or manufacture of any commodity or in the supply of any service as defined in (1) or (2): *Provided*, That a certificate of the necessity of the procurement is received from the Chief of the particular Procurement Service listed in (e) (1). This certification should include the following information:

- (i) Description of the commodity
- (ii) Quantities involved
- (iii) A statement that adequate individual adjustment provisions sufficient to remove the impediments to supply of such commodity or service are not available under the applicable price regulation.

This amendment shall become effective August 1, 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,  
*Acting Administrator.*

[F. R. Doc. 45-13828; Filed, July 27, 1945; 11:32 a. m.]

PART 1305—ADMINISTRATION

[Supp. Order 45, Amdt. 18]

EXEMPTION FROM PRICE CONTROL OF LABELS FOR PHARMACEUTICAL BOTTLES

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 1305.59 (a) (3) is amended by adding the following:

Hand-lettered, hand-decorated glass labels for pharmaceutical bottles.

This amendment shall become effective August 1, 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,  
*Acting Administrator.*

[F. R. Doc. 45-13829; Filed, July 27, 1945; 11:33 a. m.]

PART 1305—ADMINISTRATION

[Supp. Order 45, Amdt. 19]

EXEMPTION FROM PRICE CONTROL OF CANADIAN CRUDE BOTANICAL DRUGS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith,

has been filed with the Division of the Federal Register.

Supplementary Order No. 45 is amended in the following respects:

1. The provision covering reagent chemicals in § 1305.59 (a) (3) is amended to read as follows: "The following, when sold for the purposes of scientific and medical research, for analytical and educational uses, and for quality control of industrial products: reagent chemicals, laboratory reagent specialty solutions and prepared culture media."

2. The following additional miscellaneous item is added to § 1305.59 (a) (3):

Crude botanical drugs imported from Canada.

This amendment shall become effective August 1, 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,  
*Acting Administrator.*

[F. R. Doc. 45-13830; Filed, July 27, 1945; 11:33 a. m.]

PART 1305—ADMINISTRATION

[Supp. Order 45, Amdt. 20]

FOUNDRY RIDDLE RIMS

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

In Supplementary Order No. 45, section 59 (a) (3) is amended by adding thereto the following commodity:

Knife cut or saw cut foundry riddle rims made wholly or principally of wood.

This Amendment No. 20 shall become effective August 1, 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,  
*Acting Administrator.*

[F. R. Doc. 45-13831; Filed, July 27, 1945; 11:33 a. m.]

PART 1405—FERRO ALLOYS

[MPR 405, Amdt. 2]

FERROSILICON AND SILICON METAL

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 No. 405 is amended in the following respect:

1. Section 4 is amended to read as follows:

SEC. 4. *Maximum prices for grades for which specific maximum prices are not established.* The maximum price of any silicon metal or ferrosilicon, which differs materially from all silicon metals and ferrosilicons for which specific maximum prices are prescribed in sections 1, 2 and 3 of this regulation, shall be a price approved by the Administrator. This price and the analysis of the material

<sup>1</sup> 8 F.R. 8181, 10759.

shall be reported within fifteen days after delivery and, pending approval, such price may be paid and received subject to adjustment between the parties if the price is disapproved. A price once reported and approved need not thereafter be reported by the same seller.

Reports called for by this provision shall be made by letter addressed to the Metals Price Branch, Office of Price Administration, Washington 25, D. C. In approving or disapproving a price submitted for approval, the Office of Price Administration will consider whether the price submitted is in line with other maximum prices established by this regulation.

NOTE: Approval of the reporting and record-keeping requirements of this amendment has been waived by the Bureau of the Budget.

This amendment shall become effective August 1, 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,  
*Acting Administrator.*

[F. R. Doc. 45-13826; Filed, July 27, 1945; 11:32 a. m.]

PART 1420—BREWERY, WINERY AND DISTILLERY PRODUCTS

[MPR 445, Amdt. 27]

DISTILLED SPIRITS AND WINES

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 No. 445 is amended in the following respect:

Section 1.4 (d) is amended by substituting the date "September 15, 1945" in the place of "August 4, 1945".

This amendment shall become effective July 27, 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,  
*Acting Administrator.*

[F. R. Doc. 45-13827; Filed, July 27, 1945; 11:32 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 95—CAR SERVICE

[Rev. S. O. 308, Amdt. 2]

REFRIGERATION ON POTATOES IN ARIZONA AND CALIFORNIA

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 26th day of July, A. D. 1945.

Upon further consideration of Revised Service Order No. 308 (10 F.R. 7417), as amended (10 F.R. 7540), and good cause appearing therefor; *It is ordered*, That: Revised Service Order No. 308 (10 F.R. 7417) as amended (10 F.R. 7540), be, and

<sup>1</sup> 10 F.R. 7444, 8241.

it is hereby further amended by substituting the following paragraph (g) for paragraph (g) thereof:

(g) *Expiration date.* This order shall expire at 11:59 p. m. September 15, 1945, unless otherwise modified, changed, suspended, or annulled by order of this Commission. (40 Stat. 101, sec. 402; 41 Stat. 476, sec. 4; 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

*It is further ordered,* That this order shall become effective at 12:01 a. m., July 31, 1945; that copies of this order and direction shall be served upon the State railroad regulatory bodies of the States of Arizona and California; and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 45-13809; Filed, July 27, 1945;  
10:55 a. m.]

#### PART 95—CAR SERVICE

[S. O. 318, Amdt. 2]

##### PRECOOLING CITRUS PROHIBITED IN CALIFORNIA

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 26th day of July, A. D. 1945.

Upon further consideration of Service Order No. 318 (10 F.R. 7729), as amended (10 F.R. 7856), and good cause appearing therefor: *It is ordered,* That:

Service Order No. 318 (10 F.R. 7729), as amended (10 F.R. 7856), be, and it is hereby, further amended by substituting the following paragraph (d) for paragraph (d) thereof:

(d) *Expiration date.* This order shall expire at 11:59 p. m., April 1, 1946, unless otherwise modified, changed, suspended, or annulled by order of this Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

*It is further ordered,* That this order shall become effective at 12:01 a. m., July 31, 1945; that copies of this order and direction shall be served upon the Railroad Commission of the State of California; and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 45-13810; Filed, July 27, 1945;  
10:55 a. m.]

#### PART 95—CAR SERVICE

[S. O. 323, Amdt. 1]

##### PREICING CITRUS PROHIBITED IN ARIZONA AND CALIFORNIA

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 26th day of July, A. D. 1945.

Upon further consideration of Service Order No. 323 (10 F.R. 8143), and good cause appearing therefor: *It is ordered,* That:

Service Order No. 323 (10 F.R. 8143), be, and it is hereby, amended by substituting the following paragraph (g) for paragraph (g) thereof:

(g) *Expiration date.* This order shall expire at 11:59 p. m., April 1, 1946, unless otherwise modified, changed, suspended, or annulled by order of this Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

*It is further ordered,* That this order shall become effective at 12:01 a. m., July 31, 1945; that copies of this order and direction shall be served upon the State railroad regulatory bodies of the States of Arizona and California; and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 45-13811; Filed, July 27, 1945;  
10:55 a. m.]

#### TITLE 50—WILDLIFE

##### Chapter I—Fish and Wildlife Service, Department of the Interior

###### Subchapter Q—Alaska Commercial Fisheries

##### PART 205—ALASKA PENINSULA AREA FISHERIES

###### AREAS OPEN TO SALMON TRAPS

Effective only through December 31, 1945, Sec. 205.17 is hereby amended to read as follows:

In § 205.17 *Areas open to salmon traps* paragraph (f) is hereby suspended, and paragraph (a) (3) is amended to read as follows:

(3) From a point at 54 degrees 46 minutes 6 seconds north latitude, 163 degrees 11 minutes 42 seconds west longitude, to a point at 54 degrees 46 minutes 3 seconds north latitude, 163 degrees 10 minutes west longitude.

OSCAR L. CHAPMAN,  
Assistant Secretary.

JULY 24, 1945.

[F. R. Doc. 45-13801; Filed, July 27, 1945;  
9:45 a. m.]

#### Notices

##### DEPARTMENT OF THE TREASURY.

Office of the Secretary.

TREASURY SAVINGS NOTES, SERIES C

CONTINUATION OF SALE AND ISSUE

JULY 25, 1945.

*It is hereby ordered,* That the sale and issue of Treasury Savings Notes, Series C, pursuant to Department Circular No. 696, First Revision, continue as heretofore and that the stock on hand in the Treasury Department and the Federal Reserve Banks and Branches continue to be used notwithstanding the fact that the bonds bear the facsimile signature of the former Secretary of the Treasury. All Treasury Savings Notes, Series C, issued or reissued pursuant to said Department circular or applicable regulations, by the Treasury or by the Federal Reserve Banks or Branches, shall be valid and binding obligations notwithstanding they bear the facsimile signature of the former Secretary.

[SEAL] FRED M. VINSON,  
Secretary of the Treasury.

[F. R. Doc. 45-13803; Filed, July 27, 1945;  
10:15 a. m.]

##### 2 PERCENT DEPOSITARY BONDS

CONTINUATION OF SALE AND ISSUE

JULY 25, 1945.

*It is hereby ordered,* That the sale and issue of 2 Percent Depositary Bonds under the provisions of Department Circular No. 660, dated May 23, 1941, and 2 Percent Depositary Bonds, Second Series, issued under the provisions of the First Supplement to that circular, dated June 29, 1943, continue as heretofore and that the stock on hand in the Treasury Department and the Federal Reserve Banks and Branches continue to be used notwithstanding that fact that the bonds bear the facsimile signature of the former Secretary of the Treasury. All 2 Percent Depositary Bonds, and all 2 Percent Depositary Bonds, Second Series, issued or reissued pursuant to said Department circular and supplement or applicable regulations shall be valid and binding obligations notwithstanding that they bear the facsimile signature of the former Secretary.

[SEAL] FRED M. VINSON,  
Secretary of the Treasury.

[F. R. Doc. 45-13802; Filed, July 27, 1945;  
10:14 a. m.]

##### U. S. SAVINGS BONDS, SERIES E, F, AND G

CONTINUATION OF SALE AND ISSUE

JULY 25, 1945.

*It is hereby ordered,* That the sale and issue of United States Savings Bonds of Series E, F, and G, pursuant to Department Circulars Nos. 653, Second Revision, as supplemented, and 654, Second Revision, as amended, continue as heretofore and that the stock on hand in the Treasury Department and at the various issuing agents, including Federal Reserve Banks and Branches, continue to be used

notwithstanding the fact that the bonds bear the facsimile signature of the former Secretary of the Treasury. All savings bonds issued or reissued pursuant to said Department circulars or applicable regulations, by the Treasury directly or through authorized issuing agents, shall be valid and binding obligations notwithstanding they bear the facsimile signature of the former Secretary.

[SEAL] FRED M. VINSON,  
Secretary of the Treasury.

[F. R. Doc. 45-13804; Filed, July 27, 1945; 10:14 a. m.]

DEPARTMENT OF AGRICULTURE.

Commodity Exchange Commission.

REDUCTION OF LIMITS ON RYE TRADING AND NET POSITIONS

NOTICE OF HEARING

Whereas, section 4a of the Commodity Exchange Act (7 U.S.C. 6a), directs that, for the purpose of diminishing, eliminating, or preventing excessive speculation causing sudden, unreasonable, or unwarranted price changes in any commodity named in the act, the Commodity Exchange Commission shall, from time to time, after due notice and opportunity for hearing, proclaim and fix such limits on the amount of trading which may be done by any person, under contracts of sale of such commodity for future delivery on or subject to the rules of any contract market, as the Commission finds is necessary for such purpose; and

Whereas, there is reason to believe that there should be a reduction of the limits proclaimed and fixed by the Commodity Exchange Commission, December 28, 1938 (17 CFR, Cum. Supp., 150.1), on the maximum amount of rye which any person may buy or sell during any one business day under contracts of sale for future delivery on any contract market and on the maximum net long or net short position in rye which any person may hold or control under contracts of sale for future delivery on any contract market;

Now, therefore, notice is hereby given that a hearing will be held beginning at 10 o'clock a. m., c. w. t. on August 15, 1945, in Room 338, Chicago Board of Trade Building, 141 W. Jackson Boulevard, Chicago, Illinois, for the presentation of evidence as to (1) what limit should be fixed on the maximum amount of rye which any person directly or indirectly may buy or sell, or agree to buy or sell, under contracts of sale for future delivery on or subject to the rules of any contract market, on any one business day, and (2) what limit should be fixed on the maximum net long or net short position in rye which any person may hold or control under contracts of sale for future delivery on or subject to the rules of any contract market.

Neither of the aforesaid limits will apply to transactions which are shown to be bona fide hedging transactions as de-

finied in section 4a (3) of the Commodity Exchange Act (7 U.S.C. 6a (3)).

Issued this 26th day of July 1945.

[SEAL] COMMODITY EXCHANGE COMMISSION,  
CLINTON P. ANDERSON,  
Secretary of Agriculture, Chairman.  
H. A. WALLACE,  
Secretary of Commerce.  
TOM C. CLARK,  
Attorney General.

[F. R. Doc. 45-13819; Filed, July 27, 1945; 11:10 a. m.]

Rural Electrification Administration.

[Administrative Order 923]

ALLOCATION OF FUNDS FOR LOANS

JUNE 23, 1945.

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

| Project designation:                    | Amount    |
|---|-----------|
| Arkansas 5-46018F1 Carroll.....         | \$225,000 |
| Florida 5-46017D2 Jackson.....          | 50,000    |
| Georgia 5-46090D1 Candler.....          | 85,000    |
| Kansas 5-46013E2 Brown.....             | 100,000   |
| Minnesota 5-46037F1 Jackson.....        | 150,000   |
| Minnesota 5-46084A5 Traverse.....       | 78,000    |
| Minnesota 5-46096B1 Beltrami.....       | 147,000   |
| Missouri 5-46024F1 Callaway.....        | 150,000   |
| Missouri 5-46040C1 Pettis.....          | 120,000   |
| Montana 5-46026A2 Valley.....           | 395,000   |
| North Carolina 5-46023E2 Caldwell.....  | 379,000   |
| Ohio 5-46083E1 Huron.....               | 85,000    |
| South Carolina 5-46030B1 Colleton.....  | 85,000    |
| South Carolina 5-46037B1 Lexington..... | 150,000   |
| Texas 5-46052E2 Fannin.....             | 100,000   |
| Virginia 5-46027K1 Nottoway.....        | 405,000   |
| Virginia 5-46031E1 Mecklenburg.....     | 181,000   |
| Wyoming 5-46024A1 Sheridan.....         | 220,000   |

[SEAL] WILLIAM J. NEAL,  
Acting Administrator.

[F. R. Doc. 45-13790; Filed, July 26, 1945; 3:20 p. m.]

[Administrative Order No. 924]

ALLOCATION OF FUNDS FOR LOANS

JUNE 26, 1945.

By virtue of the authority vested in me by the provisions of section 5 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for a loan for the project and in the amount as set forth in the following schedule:

| Project designation              | Amount   |
|----------------------------------|----------|
| New York 5-46020S2 Delaware..... | \$10,000 |

[SEAL] WILLIAM J. NEAL,  
Acting Administrator.

[F. R. Doc. 45-13791; Filed, July 26, 1945; 3:20 p. m.]

[Administrative Order 925]

ALLOCATION OF FUNDS FOR LOANS

JUNE 26, 1945.

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

| Project designation:                   | Amount    |
|--|-----------|
| Arkansas 5-46033A1 Polk.....           | \$410,000 |
| Georgia 5-46017D1 Burke.....           | 115,000   |
| Indiana 5-46027D1 Decatur.....         | 200,000   |
| Iowa 5-46074E1 Allamakee.....          | 200,000   |
| Louisiana 5-46012E1 Franklin.....      | 195,000   |
| Missouri 5-46056B1 Sullivan.....       | 200,000   |
| North Carolina 5-46023T1 Caldwell..... | 260,000   |
| North Carolina 5-46032C1 Person.....   | 205,000   |
| North Carolina 5-46036C1 Randolph..... | 149,000   |
| Oklahoma 5-46010F1 Cleveland.....      | 235,000   |
| South Carolina 5-46019D4 Laurens.....  | 58,000    |
| Texas 5-46069D1 Erath.....             | 150,000   |
| Virginia 5-46034D1 Lee.....            | 500,000   |

[SEAL] WILLIAM J. NEAL,  
Acting Administrator.

[F. R. Doc. 45-13792; Filed, July 26, 1945; 3:20 p. m.]

[Administrative Order 926]

ALLOCATION OF FUNDS FOR LOANS

JUNE 26, 1945.

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

| Project designation:              | Amount    |
|-----------------------------------|-----------|
| Alabama 5-46036C1 DeKalb.....     | \$120,000 |
| Iowa 5-46049E1 Hardin.....        | 75,000    |
| Iowa 5-46079B1 Clarke.....        | 200,000   |
| Missouri 5-46042E1 Caldwell.....  | 120,000   |
| Montana 5-46029A1 Wibaux.....     | 430,000   |
| Texas 5-46053D2 McLennan.....     | 50,000    |
| Texas 5-46093E1 DeWitt.....       | 115,000   |
| Texas 5-46106B1 Taylor.....       | 165,000   |
| Texas 5-46111D1 Austin.....       | 75,000    |
| Texas 5-46122A1 Robertson.....    | 245,000   |
| Vermont 5-46008C1 Washington..... | 325,000   |
| Wisconsin 5-46035F1 Richland..... | 75,000    |

[SEAL] WILLIAM J. NEAL,  
Acting Administrator.

[F. R. Doc. 45-13793; Filed, July 26, 1945; 3:20 p. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-650]

EL PASO NATURAL GAS CO.

NOTICE OF APPLICATION

JULY 26, 1945.

Notice is hereby given that on July 13, 1945, an application was filed with the Federal Power Commission by El Paso Natural Gas Company ("Applicant"), a Delaware corporation with its principal

place of business at El Paso, Texas, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, to authorize applicant to construct and operate certain facilities, hereinafter more particularly described.

Applicant owns and operates an integrated natural-gas pipeline system extending from Jal, Lea County, New Mexico, in a general westerly direction across portions of Texas, New Mexico and Arizona to Phoenix and Ajo, Arizona. Among other operations, it purchases natural gas in the Lea County field in New Mexico, and delivers the same to other companies for distribution in numerous communities in Arizona, New Mexico and Texas, and to numerous industrial customers in said States.

The facilities which applicant seeks authorization to construct and operate are the following: (1) a 1,000 H. P. compressor unit at its Jal No. 2 Residue Gas Compressor Station, located 4 miles northeast of Jal, Lea County, New Mexico, increasing the installed capacity at said station from 7,800 H. P. to 8,800 H. P., and taking an additional 7,400 Mcf per day of residue gas from applicant's gasoline absorption plant there located; also necessary equipment for cooling jacket water and for extension to engine room, pipe connections and accessories; (2) an 8 3/8" transmission line, 18.09 miles in length, beginning at a point approximately 6/10ths of a mile northwest of applicant's Morenci Compressor Station in Greenlee County, Arizona, and extending in a northwesterly direction to a point in Graham County, Arizona, replacing applicant's 6 3/8" transmission line between the aforementioned points; (3) a 6 3/8" loop line, 18.09 miles in length, in Graham County, beginning at a point approximately 18.69 miles northwest of the aforesaid compressor station and extending in a northwesterly direction parallel to its present 6 3/8" line; (4) a 4" transmission line, 1,500 feet in length, in Gila County, Arizona, beginning at a point on applicant's 6 3/8" line near Miami, and extending in a northwesterly direction to a point of connection with facilities of International Smelting and Refining Company at Inspiration. The construction of the transmission lines and loop line above-described will increase the present capacity of applicant's line from the Morenci Compressor Station to Inspiration, Arizona, by 4,800 Mcf per day.

By the construction and operation of the above-described facilities, applicant proposes to deliver an additional quantity of natural gas, to the extent of 4,800 Mcf daily, to International Smelting and Refining Company's copper smelter at Inspiration, Arizona. The application recites that the gas to be so delivered will constitute an interruptible load and will not be furnished at a time when to do so will interfere with the requirements of applicant's existing customers. The application further recites that by the construction and operation of the 1,000 h. p. compressor unit at the Jal No. 2 Residue Gas Compressor Station, applicant proposes to take 7,400 Mcf of residue gas per day in addition to the quantity at present taken therefrom; that such additional quantity will not affect applicant's re-

serves for the reason that the same is now being processed by applicant in connection with the production of gasoline at said plant, and is being flared to the air; and that the construction of the proposed new unit will enable applicant to utilize gas that is now being wasted.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 11th day of August 1945, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's provisional rules of practice and regulations under the Natural Gas Act.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 45-13807; Filed, July 27, 1945; 10:43 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 752 Under 3 (b), Amdt. 1]

ETHYL CORP.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to §§ 1499.3 (b) (2) and 1499.3 (e) (3) Order No. 752 under § 1499.3 (b), issued January 8, 1945, is amended in the following respects:

1. Paragraph (a) is amended by changing in the table therein the column headed "To retail dealers" as follows:

| Bottle size                   | To retail dealers              | Each   |
|-------------------------------|--------------------------------|--------|
| 6-oz. (contents 5 3/4 oz.)... | \$0.21 in cases of 36 bottles. | \$0.23 |
| 24-oz. (contents 23-oz.)...   | \$0.60 in cases of 12 bottles. | .67    |
| 1 gal. (contents 126-oz.)...  | \$2.70 in cases of 4 bottles.  | 3.00   |

2. Paragraph (d) is amended by changing in the first notice therein the column headed "(2) Your maximum prices to retail dealers" as follows:

| Bottle size                   | (2) Your maximum prices to retail dealers | Each   |
|-------------------------------|---|--------|
| 6-oz. (contents 5 3/4 oz.)... | \$0.21 in cases of 36 bottles.            | \$0.23 |
| 24-oz. (contents 23-oz.)...   | \$0.60 in cases of 12 bottles.            | .67    |
| 128-oz. (contents 126-oz.)... | \$2.70 in cases of 4 bottles.             | 3.00   |

3. Paragraph (d) is amended by changing in the second Notice therein the column headed "(1) Our maximum prices" as follows:

| Bottle size                   | (1) Our maximum prices         | Each   |
|-------------------------------|--------------------------------|--------|
| 6-oz. (contents 5 3/4 oz.)... | \$0.21 in cases of 36 bottles. | \$0.23 |
| 24-oz. (contents 23-oz.)...   | \$0.60 in cases of 12 bottles. | .67    |
| 128-oz. (contents 126-oz.)... | \$2.70 in cases of 4 bottles.  | 3.00   |

This amendment shall become effective July 27, 1945.

Issued this 26th day of July 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-13761; Filed, July 26, 1945; 11:45 a. m.]

[MPR 136, Amdt. 1 to Order 443]

AMERICAN SAW MILL MACHINERY CO.

ESTABLISHMENT OF MAXIMUM PRICES

Amendment No. 1 to Order No. 443 under Revised Maximum Price Regulation 136. Machines, parts and industrial equipment. American Saw Mill Company; Docket No. 6083-136.25a-133.

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 No. 136, *It is ordered:*

Order No. 443 under Revised Maximum Price Regulation 136 is amended in the following respects:

1. In paragraph (a) the text preceding the table is amended to read as follows: "The maximum prices for sales by all persons of the following woodworking and saw mill machinery or any motor arrangement, sub-assembly or combination thereof, manufactured by American Saw Mill Machinery Company, Hacketts-town, New Jersey, shall be determined as follows: The seller (manufacturer or reseller) shall increase the maximum net price he had in effect to a purchaser of the same class just prior to the issuance of this order by the applicable percentage set forth below."

2. Paragraph (b) is revoked.

3. Paragraphs (c), (d), (e) and (f) are redesignated (b), (c), (d) and (e), respectively.

4. Redesignated paragraph (b) is amended to read as follows:

(b) American Saw Mill Machinery Company shall notify each person who buys the woodworking and saw mill machinery listed in paragraph (a) for resale of the percentage 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 25, D. C.

This amendment shall become effective July 27, 1945.

Issued this 26th day of July 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-13762; Filed, July 26, 1945; 11:45 a. m.]

[MPR 188, 2d Rev. Order 3151]

COMMONWEALTH CO.

AUTHORIZATION OF MAXIMUM PRICES

Revised Order No. 3151 under § 1499.158 of Maximum Price Regulation No. 188 is redesignated Second Revised Order No. 3151 and is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment for sales by any person of the following commodities manufactured by the Commonwealth Company of Alhambra, California, shall be:

| Item   | On sales to distributors | On sales to jobbers | On sales to dealers | On sales to consumers |
|--|--------------------------|---------------------|---------------------|-----------------------|
| No. 58 DWH Commonwealth vented wall circulating heater, either gas-fired or oil-fired, designed for a normal input rating of 58,000 BTU per hour.... | \$49.95                  | \$55.50             | \$77.09             | \$123.35              |
| No. 48 DWH Commonwealth vented wall circulating heater, either gas-fired or oil-fired, designed for a normal input rating of 48,000 BTU per hour.... | 46.57                    | 51.75               | 71.88               | 115.00                |
| No. 38 EWH Commonwealth vented wall circulating heater, either gas-fired or oil-fired, designed for a normal input rating of 38,000 BTU per hour.... | 43.82                    | 48.60               | 67.63               | 108.20                |
| No. 28 DWH Commonwealth vented wall circulating heater, either gas-fired or oil-fired, designed for a normal input rating of 28,000 BTU per hour.... | 42.93                    | 47.70               | 66.25               | 106.00                |
| No. 20 DWH Commonwealth vented wall circulating heater, either gas-fired or oil-fired, designed for a normal input rating of 20,000 BTU per hour.... | 42.23                    | 46.92               | 63.16               | 104.25                |
| Factory heater casing, 20-gauge black iron.....  | 12.78                    | 14.20               | 19.72               | 31.55                 |

(b) The maximum net prices established by this order shall be subject to discounts and allowances including transportation allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(c) Each seller except on sales to consumers, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of his maximum prices established by this order on sales to his purchasers as well as the maximum prices established for such purchasers upon resale.

(d) The Commonwealth Company shall affix a tag to each of the items priced by this order which shall contain the maximum price to consumers established by this order. The tag shall contain substantially the following:

OPA Maximum Retail Price—\$-----

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

This second revised order shall become effective July 27, 1945.

Issued this 26th day of July 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-13764; Filed, July 26, 1945; 11:46 a. m.]

[MPR 188, Order 4159]

PENNSYLVANIA AIRCRAFT WORKS  
APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, It is ordered:

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Pennsylvania Aircraft Works of 7055-59 West Garrett Road, Upper Darby, Pa.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

| Article             | Model No. | Maximum prices for sales by any seller to— |                   |                 |                        |             |
|---------------------|-----------|--|-------------------|-----------------|------------------------|-------------|
|                     |           | Wholesalers (jobbers)                      | Droppship jobbers | Other retailers | Chain and dept. stores | Consumers   |
| Aluminum fry pan... | 9½        | Doz. \$4.80                                | Doz. \$4.92       | Doz. \$6.24     | Doz. \$5.76            | Each \$0.80 |

These maximum prices are for the articles described in the manufacturer's application dated June 15, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are for the article described in your application. They are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$.80 each  
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

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

(e) This order shall become effective on the 27th day of July 1945.

Issued this 26th day of July 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-13765; Filed, July 26, 1945; 11:46 a. m.]

[MPR 188, Order 4160]

GRAHAM LIGHTER CORP.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; It is ordered:

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Graham Lighter Corporation, 5713 Euclid Avenue, Cleveland 3, Ohio.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

| Article                             | Number | Maximum prices for sales by all persons to— |             |             |
|-------------------------------------|--------|---|-------------|-------------|
|                                     |        | Wholesalers                                 | Retailers   | Consumers   |
| Cigarette lighter "Graham Standard" |        | Each \$2.02                                 | Each \$2.70 | Each \$4.50 |

These maximum prices are for the articles described in the manufacturer's application dated June 14, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$.45 each  
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

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

(e) This order shall become effective on the 27th day of July 1945.

Issued this 26th day of July 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-13766; Filed, July 26, 1945; 11:47 a. m.]

[MPR 188, Order 4161]

HERBERT E. ZOBRIST CO. AND RADIO PRODUCTS SALES

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of Model MZ500 6 tube 2 band AC-DC table model radio manufactured by Herbert E. Zobrist, D. B. A.-Radio Products Sales and Herbert E. Zobrist Co., of 1214 First Avenue and 2125 Westlake Avenue, Seattle 1, Washington.

(1) For all sales and deliveries to the following classes of purchasers by all sellers, the maximum prices are those set forth below:

Maximum price for sales to jobbers and to U. S. Government agencies... \$16.72  
Maximum price for sales to retailers... 19.95  
Maximum price for sales at retail... 31.95

The above maximum prices do not include the Federal excise tax which may be added.

They are f. o. b. sellers usual point of shipment for all sales at wholesale.

These maximum prices are for the articles described in the manufacturer's application dated Sept. 2, 1944, and completed by subsequent data submitted to the Seattle District Office of OPA.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price

Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$31.95 exclusive of Federal excise tax  
Model MZ500 table model radio  
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

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

(e) This order shall become effective on the 27th day of July 1945.

Issued this 26th day of July 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-13767; Filed, July 26, 1945; 11:47 a. m.]

[MPR 188, Order 4162]

SEABREEZE MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Seabreeze Manufacturing Company, 834 South San Pedro Street, Los Angeles 14, California.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

| Article  | Model No. | Maximum prices for sales by any seller to—  |   |   |  |
|--|-----------|---|---|---|--|
|  |           | Wholesalers, mill, electric motor, restaurant, hotel or store equipment suppliers | Industrial, commercial, institutional users (3 units or more) | Industrial, commercial, institutional users (less than 3 units) | Users other than industrial, commercial or institutional |
| Adjustable pedestal fan, chrome, ½ h. p. motor | 24        | Each \$75.00  | Each \$112.50   | Each \$127.50   | Each \$150   |
| Adjustable pedestal fan, chrome, ½ h. p. motor | 30        | 87.50   | 130.25  | 148.75  | 175  |

These maximum prices are for the articles described in the manufacturer's application dated May 11, 1945. To each of the above prices only the exact amount of the Federal Excise Tax which the particular seller is required to pay may be added.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser for resale, the

seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

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

(d) This order shall become effective on the 27th day of July 1945.

Issued this 26th day of July 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-13768; Filed, July 26, 1945; 11:47 a. m.]

[MPR 188, Order 4163]

DE LUXE ELECTRIC LAMP MFG. CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by De Luxe Electric Lamp Mfg. Co., 1220 Jerome Avenue, Bronx, New York.

(1) For all sales and deliveries to the following classes of purchasers by the

sellers indicated below, the maximum prices are those set forth below:

| Article  | Model No. | For sales by the manufacturer to— |             | For sales by any person to consumers |
|--|-----------|-----------------------------------|-------------|--------------------------------------|
|  |           | Jobbers                           | Retailers   |                                      |
| 15" Hand sewn rayon silk lamp shade with double ruching top and bottom.....  | 325       | Each \$2.92                       | Each \$3.43 | Each \$6.20                          |
| 14" Hand sewn rayon silk lamp shade with silk braid trim top and bottom..... | 350       | 2.19                              | 2.58        | 4.65                                 |
| 15" Hand sewn rayon silk lamp shade with silk braid trim top and bottom..... | 375       | 2.30                              | 2.71        | 4.90                                 |
| 16" Hand sewn rayon satin lamp shade with double ruching top and bottom..... | 400       | 3.30                              | 3.88        | 7.00                                 |
| 24" Highly hand decorated pottery table lamp (no shade).....                 | 500       | 4.68                              | 5.50        | 9.90                                 |
| 24" Highly hand decorated pottery table lamp (no shade).....                 | 525       | 5.31                              | 6.25        | 12.25                                |
| 24 1/2" Highly hand decorated pottery table lamp (no shade).....             | 550       | 7.65                              | 9.00        | 16.20                                |
| 24 1/2" Highly hand decorated pottery table lamp (no shade).....             | 575       | 5.95                              | 7.00        | 12.60                                |
| 24" Highly hand decorated pottery table lamp (no shade).....                 | 600       | 6.38                              | 7.50        | 13.50                                |

These maximum prices are for the articles described in the manufacturer's application dated April 27, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. ....  
OPA Retail Ceiling Price—\$.....  
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

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

(f) This order shall become effective on the 27th day of July 1945.

Issued this 26th day of July 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-13769; Filed, July 26, 1945; 11:47 a. m.]

[MPR 260, Order 1631]

PACKER BROTHERS

AUTHORIZATION OF MAXIMUM PRICES

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

(a) Packer Brothers, 318 W. 47th St., New York 19, N. Y. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand        | Frontmark        | Packing | Maximum list price | Maximum retail price |
|--------------|------------------|---------|--------------------|----------------------|
| Bolivar..... | Corona Imperial. | 25      | Per M \$425        | Cents 57             |

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

imported cigars of the same price class to purchasers of the same class.

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

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

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

This order shall become effective July 27, 1945.

Issued this 26th day of July 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-13770; Filed, July 26, 1945; 11:48 a. m.]

[MPR 260, Order 1632]

HABER'S EXPORT AGENCIES, INC.

AUTHORIZATION OF MAXIMUM PRICES

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

(a) Haber's Export Agencies, Inc., 12 E. 41 St., New York 17, N. Y. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand         | Frontmark                       | Packing | Maximum list price       | Maximum retail price |
|---------------|---------------------------------|---------|--------------------------|----------------------|
| El Arabe..... | Petit Cetroa...<br>Londres..... | 25      | Per M \$176.00<br>161.50 | Cents 22<br>20       |

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

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

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

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

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

This order shall become effective July 27, 1945.

Issued this 26th day of July, 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-13771; Filed, July 26, 1945; 11:48 a. m.]

[MPR 260, Order 1633]

J. M. RODRIGUEZ & Co.

AUTHORIZATION OF MAXIMUM PRICES

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

(a) J. M. Rodriguez & Co., 305 Morgan St., Tampa 1, Fla. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, front mark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand         | Frontmark          | Packing | Maximum list price | Maximum retail price |
|---------------|--------------------|---------|--------------------|----------------------|
| El Coral..... | Rolandos No. 6...  | 25      | \$176.00           | 22                   |
|               | Rolandos No. 9...  | 50      | 135.00             | 18                   |
|               | Rolandos No. 10... | 25      | 330.00             | 44                   |
|               | Rolandos No. 11... | 25      | 200.00             | 28                   |
|               | Rolandos No. 12... | 25      | 330.00             | 44                   |
|               | Rolandos No. 15... | 25      | 385.00             | 55                   |
|               | Rolandos No. 16... | 50      | 161.50             | 20                   |
|               | Havana Club.....   | 50      | 154.00             | 25                   |
|               | Habaneros.....     | 25      | 165.00             | 22                   |

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

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

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

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

This order shall become effective July 27, 1945.

Issued this 26th day of July 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-13772; Filed, July 26, 1945; 11:48 a. m.]

[MPR 260, Order 1634]

AUGUSTUS POLLACK, INC.

AUTHORIZATION OF MAXIMUM PRICES

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

(a) Augustus Pollack, Inc., 400 Water St., Wheeling 1, W. Va. (hereinafter

called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand           | Size or frontmark | Packing | Maximum list price | Maximum retail price |
|-----------------|-------------------|---------|--------------------|----------------------|
| Melo Crown..... | 6 1/2"            | 50      | Per M \$48         | Cents 6              |

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

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

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

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

This order shall become effective July 27, 1945.

Issued this 26th day of July 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-13773; Filed, July 26, 1945;  
11:49 a. m.]

[MPR 260, Order 1635]

CUBAN CIGAR CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this Order and pursuant to § 1358.102 (a) (8) of Maximum Price Regulation 260; *It is ordered, That:*

(a) The maximum list prices of Cuban Cigar Company, 717-719 Main Street, Joplin, Missouri (hereinafter called manufacturer) for its sales on and after July 27, 1945, of the following brands and sizes of domestic cigars of the composition and specifications described in its applications filed with the Office of Price Administration, Washington, D. C., and the maximum retail prices for such cigars shall be as follows:

| Brand                          | Size or frontmark | Pack-<br>ing | Maxi-<br>mum<br>list<br>price | Maxi-<br>mum<br>retail<br>price |
|--------------------------------|-------------------|--------------|-------------------------------|---------------------------------|
|                                |                   |              | Per M                         | Cents                           |
| Dry Climate.....<br>M & O..... | Perfecto.....     | 50           | \$75                          | 10                              |
|                                | Juniors.....      | 50           | 72                            | 9                               |
|                                | Panatella.....    | 50           | 75                            | 10                              |

(b) In its sales of said cigars, the manufacturer shall grant the discounts and allow the packing differentials it customarily granted or allowed in March 1942 on its sales of the particular brand and size of cigars to purchasers of the same class unless a change therein results in a lower price. The manufacturer may continue to charge in its sales of such brands and sizes of cigars the packing differentials it charged in sales of the particular brand and size in March 1942, but may not increase those differentials.

(c) Maximum prices for sales of such brands and sizes of cigars by wholesalers shall be determined in accordance with § 1358.102 (a) of Maximum Price Regulation 260. Maximum prices for sales of such brands and sizes of cigars by retailers shall be determined in accordance with § 1358.102 (f) of Maximum Price Regulation 260.

(d) On or before making its first delivery to which prices established by this order apply, he manufacturer and every other seller of such brands and sizes of cigars (except a retailer) shall notify the purchaser of the maximum list price and maximum retail price established by this order for the particular brand and size of cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation 260.

(e) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation 260 shall apply to sales for which maximum prices are established by this order.

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

This order shall become effective July 27, 1945.

Issued this 26th day of July 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-13774; Filed, July 26, 1945;  
11:49 a. m.]

[MPR 260, Order 1636]

RITA RAMIREZ

AUTHORIZATION OF MAXIMUM PRICES

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

(a) Rita Ramirez, 83 Mayor Cantera Street, Ponce, Puerto Rico (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand            | Size or frontmark | Pack-<br>ing | Maxi-<br>mum<br>list<br>price | Maxi-<br>mum<br>retail<br>price |
|------------------|-------------------|--------------|-------------------------------|---------------------------------|
|                  |                   |              | Per M                         | Cents                           |
| Rita Ramirez.... | Corona 4 1/2".... | 50           | \$40                          | 5                               |
|                  | Tubano 4 1/2".... | 50           | 36                            | 2 for 9                         |

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

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

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

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

This order shall become effective July 27, 1945.

Issued this 26th day of July 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-13775; Filed, July 26, 1945;  
11:49 a. m.]

[MPR 200, Order 4]

GRO-CORD RUBBER CO., ET AL.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1315.1405b of Maximum Price Regulation 200, it is ordered:

(a) *What this order does.* This order establishes maximum prices for the manufacturer's, wholesalers' and shoe repairmen's sales in the shoe repair trade of men's brown corded 6/8" whole heels bearing the brand name "Raw Cord" which are manufactured by the Gro-Cord Rubber Company, Lima, Ohio. The shoe repairmen's maximum prices for sales of these heels attached are also established by this order.

(b) *Maximum prices.* The manufacturer's and wholesalers' maximum prices for sales in the shoe repair trade of the heels described in paragraph (a) of this order and for shoe repairmen's sales of these heels attached and unattached are as follows:

|   | Sales by shoe repairmen to consumers |                                 | Sales to shoe repairmen | Sales to wholesalers  |
|---|--------------------------------------|---------------------------------|-------------------------|-----------------------|
|   | At-<br>tached,<br>per<br>pair        | Unat-<br>tached,<br>per<br>pair | Per<br>dozen<br>pairs   | Per<br>dozen<br>pairs |
| Men's brown 6/8" whole heels, corded grade..... | \$0.70                               | \$0.28                          | \$3.05                  | \$2.29                |

The above maximum prices for sales to shoe repairmen shall be reduced by any cash discounts given by the seller to shoe repairmen of the same class during March 1942.

The above maximum prices for sales to wholesalers shall be decreased by 5

percent if the purchaser pays cash within thirty days after delivery.

All other discounts, allowances, and trade practices of sellers which were in effect during March 1942, shall apply to sales covered by this order.

(c) *Notification of maximum prices.* With or prior to the first delivery to a wholesaler or a shoe repairman of any of the heels covered by this order, the seller shall notify the purchaser in writing of the maximum price for sales by the shoe repairman of the rubber heel attached and the maximum price for sales by the shoe repairman of the unattached heel as established by paragraph (b) of this order. If the purchaser is a wholesaler, the notification shall include the maximum price applicable to the wholesaler's resales to wholesalers and to shoe repairmen, and a statement that such purchaser is required by this order to notify any shoe repairman to whom he sells of the maximum prices for the sales of the heels by the shoe repairmen, attached or unattached, as established by paragraph (b) of this order.

(d) All provisions of Maximum Price Regulation 200 not inconsistent with this order shall apply to sales covered by this order.

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

This order shall become effective July 27, 1945.

Issued this 26th day of July 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-13763; Filed, July 26, 1945; 11:46 a. m.]

[MPR 580, Order 97]

JOSEPH A. KAPLAN, INC.

ESTABLISHMENT OF MAXIMUM PRICES

Order 97 under Maximum Price Regulation 580. Establishing ceiling prices at retail for branded articles. Docket No. 6063-580-13-224.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 13 of Maximum Price Regulation No. 580, *It is ordered:*

(a) The following ceiling prices are established for sales by any seller at retail of the following branded articles manufactured by Joseph A. Kaplan, Inc., Empire State Building, New York, N. Y., and described in the manufacturer's application dated May 21, 1945.

| Article                                     | Brand name | Manufacturer's price lines | Ceiling price at retail |
|---|------------|----------------------------|-------------------------|
| Shower curtains and bathroom window drapes. | Koroseal.. | \$3.65                     | \$6.50                  |
| Shower curtains and bathroom window drapes. | Koroseal.. | 4.20                       | 7.50                    |
| Shower curtains and bathroom window drapes. | Koroseal.. | 4.85                       | 8.50                    |
| Shower curtains and bathroom window drapes. | Koroseal.. | 5.25                       | 9.50                    |

(b) The retail ceiling prices contained in paragraph (a) shall apply in

place of the ceiling prices which would otherwise be established under the pricing rules of Maximum Price Regulation No. 580.

(c) On and after July 31, 1945, Joseph A. Kaplan, Inc. must mark each article listed in paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

(Section 13, MPR 580)

OPA Retail Ceiling Price \$-----

On and after September 1, 1945, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to September 1, 1945, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of Maximum Price Regulation No. 580.

(d) On or before the first delivery to any purchaser for resale of each article listed in paragraph (a), the seller shall send the purchaser a copy of this order.

(e) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 580 shall apply to sales for which retail ceiling prices are established by this order.

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

This order shall become effective July 27, 1945.

Issued this 26th day of July 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-13777; Filed, July 26, 1945; 11:50 a. m.]

[MPR 188, Order 4157]

IRVING HINDEN

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to §1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) The maximum net price for sales to any person by Irving Hinden of the following commodity shall be:

Out door shower complete with bent riser, shower head, hose coupling, and 2 clamps for wall mounting, \$1.25.

(b) The maximum net price for sales by plumbing and heating jobbers of the following commodity shall be:

(1) On sales to plumbing and heating contractors, installers, commercial and industrial users—Out door shower complete with bent riser, shower head, hose coupling, and 2 clamps for wall mounting, \$1.65.

| Article                                   | Model No.        | Maximum prices for sales by any seller to— |                  |                            |                              |             |
|---|------------------|--|------------------|----------------------------|------------------------------|-------------|
|   |                  | Wholesalers (jobbers)                      | Dropship jobbers | Retailer (6 units or more) | Retailer (less than 6 units) | Consumers   |
| Electric heater black crackle finish..... | PAW1000-275..... | Each \$3.98                                | Each \$4.20      | Each \$4.69                | Each \$5.05                  | Each \$7.59 |

(2) On sales to all other persons—out door shower complete with bent riser, shower head, hose coupling, and 2 clamps for wall mounting, \$1.80.

(c) The maximum net prices for sales by retailers to any person of the following commodity shall be:

Out door shower complete with bent riser, shower head, hose coupling, and 2 clamps for wall mounting, \$1.80.

(d) The maximum net prices established by this order shall be subject to discounts, allowances including transportation allowances, and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(e) The maximum net prices for sales on an installed basis of the commodity covered by this order shall be determined in accordance with Revised Maximum Price Regulation No. 251.

(f) Each seller, except on sales to consumers, shall notify in writing each of his purchasers at or before the time of the first invoice after the effective date of this order of the maximum prices established by this order for his sales to such purchasers and the maximum resale prices established for such purchasers.

(g) Irving Hinden shall tag the out-door shower covered by this order and shall print in a conspicuous place on the tag: "Office of Price Administration maximum retail price . . . \$1.80".

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

This order shall become effective July 27, 1945.

Issued this 26th day of July 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-13797; Filed, July 26, 1945; 4:13 p. m.]

[MPR 188, Order 4158]

PENNSYLVANIA AIRCRAFT WORKS

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188: *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Pennsylvania Aircraft Works of 7055-59 West Garrett Road, Upper Darby, Pa.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

These maximum prices are for the articles described in the manufacturer's application dated June 15, 1945. These prices include the Federal Excise Tax.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are for the article described in your application. They are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain either of the following statements with the correct order number properly filled in:

Order No. 4158 under MPR 188  
Model No. -----  
OPA Retail Ceiling Price \$-----  
Federal Excise Tax Included  
Do Not Detach or Obliterate

or  
Pennsylvania Aircraft Works, 7055-59 West  
Garrett Road, Upper Darby, Pennsylvania  
Model No. -----

OPA Retail Ceiling Price \$-----  
Federal Excise Tax Included  
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

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

(e) This order shall become effective on the 27th day of July 1945.

Issued this 26th day of July 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-13798; Filed, July 26, 1945;  
4:13 p. m.]

[MPR 39, Order 29]

**AUTOMOBILE FLAT FABRICS**  
**ADJUSTABLE PRICING OF SALES BY THE**  
**MANUFACTURER**

An opinion accompanying this order, issued simultaneously herewith, has been filed with the Division of the Federal Register.

(a) This order applies to sales of automobile flat fabrics for which manufacturers' maximum prices are established by Maximum Price Regulation No. 39.

(b) In connection with any sale (and any delivery pursuant thereto) made on or after the effective date of this order, manufacturers are authorized to reserve the right to charge the difference, if any, between their maximum price provided by Maximum Price Regulation No. 39 and any higher maximum price which may be established by the Office of Price Administration prior to the revocation of this order.

(c) Except as modified by paragraph (b), the provisions of Maximum Price Regulation No. 39 shall continue to apply to all sales and deliveries by manufacturers of automobile flat fabrics.

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

This order shall become effective as of June 26, 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-13832; Filed, July 27, 1945;  
11:34 a. m.]

[MPR 188, Amdt. 11 to 2d Rev. Order A-3]

**TOYS AND GAMES**  
**ADJUSTMENT OF MAXIMUM PRICES**

An opinion accompanying this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Second Revised Order A-3 issued under Maximum Price Regulation No. 188, is amended in the following respect:

Paragraph (e) (1) is amended by adding to the list of commodities set forth therein the following:

Doll furniture.

This amendment shall become effective on the 28th day of July 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-13835; Filed, July 27, 1945;  
11:34 a. m.]

**FIRESTONE TIRE AND RUBBER Co.**  
**[RMPR 528, Order 51]**

**AUTHORIZATION OF MAXIMUM PRICES**

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 16 (d) of Revised Maximum Price Regulation 528, *It is ordered:*

(a) The maximum retail price for a 16.00-32 new truck and bus tube shall be \$75.00, each.

(b) All provisions of Revised Maximum Price Regulation 528 not inconsistent with this order shall apply to sales covered by this order.

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

This order shall become effective July 28, 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-13836; Filed, July 27, 1945;  
11:35 a. m.]

[MPR 188, Amdt. 30 to Order A-2]

**PIANO PARTS**

**ADJUSTMENT IN MAXIMUM PRICES**

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.159b of Maximum Price Regulation No. 188; *It is ordered:* Order A-2 issued under § 1499.159b is amended in the following respect:

A new paragraph (a) (18) (ii) is added to read as follows:

(i) A further adjustment in maximum prices beyond the amounts provided for above may be allowed by the Administrator on application to the Office of Price Administration, Washington, D. C., if the manufacturer can show:

(a) That he has manufactured piano parts since December 7, 1944, and

(b) That his piano parts manufacturing operation has been conducted at a loss for the 90 day period immediately preceding the date of his application and that there is little prospect of profitable operation within the 90 days following the date of his application for adjustment, and

(c) That the manufacturer's maximum prices (including the adjustment provided above) are less than his total costs to make and sell when his volume of production is as high as the availability of materials, labor, supplies, and plant facilities permit.

The greatest adjustment which will be allowed will be one increasing the manufacturer's maximum prices up to his total costs to make and sell as calculated by the Administrator. The adjustments may be in smaller amounts if it appears that the manufacturer's losses on his piano parts operations are offset in whole or in part by profits resulting from other manufacturing operations. Orders allowing adjustments under this paragraph (a) (18) (ii) shall be effective for a period of 90 days after issuance but may be further extended on application of the manufacturer if it appears that his total costs to make and sell are not below the adjusted prices.

This amendment is effective the 30th day of July 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

For the reasons set forth in the accompanying opinion, and by virtue of the authority vested in me by the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328, I find that the issuance of subparagraph (a) (18) (ii) of Order A-2 under Maximum Price Regulation No. 188 is neces-

sary to aid in the effective prosecution of the war.

WILLIAM H. DAVIS,  
Economic Stabilization Director.

[F. R. Doc. 45-13834; Filed, July 27, 1945;  
11:33 a. m.]

[MPR 188, Amdt. 2 to Rev. Order 2525]

PIANOS

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.159b of Maximum Price Regulation No. 188 and section 6.4 of Second Revised Supplementary Regulation No. 14; It is ordered, Order No. 2525 is amended in the following respect:

Paragraph (d) is amended to read as follows:

(d) *Additional increases for manufacturers.* (1) Any manufacturer who believes that his maximum prices, as increased by this order, do not equal his total costs in October 1941 adjusted for increases in straight time factory wage rates and direct and indirect material prices, may apply to the Office of Price Administration, Washington 25, D. C., for an adjustment of his maximum prices. The Administrator will grant an adjustment to any such manufacturer if he finds that the manufacturer's total costs, when adjusted in accordance with the method of adjusting total costs employed by the Administrator in determining the extent of the increase granted to the industry, are higher than the manufacturer's maximum prices established under this order. The adjustment in the manufacturer's maximum prices will be granted in amounts sufficient to permit the recovery of total costs as thus adjusted by the Administrator.

(2) A further adjustment in maximum prices beyond the amounts provided for above may be allowed by the Administrator on application to the Office of Price Administration, Washington, D. C., if the manufacturer can show:

(i) That he has manufactured pianos since February 26, 1945, and

(ii) That his piano manufacturing operation has been conducted at a loss for the 90 day period immediately preceding the date of his application and that there is little prospect of profitable operation within the 90 days following the date of his application for adjustment, and

(iii) That the manufacturer's maximum prices (including the adjustment provided above) are less than his total costs to make and sell when his volume of production is as high as the availability of materials, labor, supplies and plant facilities permit.

The greatest adjustment which will be allowed will be one increasing the manufacturer's maximum prices up to his total costs to make and sell as calculated by the Administrator. The adjustments may be in smaller amounts if it appears that the manufacturer's losses on his piano operations are offset in whole or in part by profits resulting from other

manufacturing operations. Orders allowing adjustments under this paragraph (d) (2) shall be effective for a period of 90 days after issuance but may be further extended on application of the manufacturer if it appears that his total costs to make and sell are not below the adjusted prices.

(3) If a manufacturer is permitted a further increase in maximum prices under the provisions of this paragraph, the provisions of paragraph (e) may not be used to compute new maximum retail prices. In such cases, orders will be issued establishing revised maximum prices for sales at wholesale and at retail.

This amendment is effective the 30th day of July 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

For the reasons set forth in the accompanying opinion, and by virtue of the authority vested in me by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, I find that the issuance of paragraph (d) (2) of Revised Order 2525 under Maximum Price Regulation No. 188, is necessary to aid in the effective prosecution of the war.

WILLIAM H. DAVIS,  
Economic Stabilization Director.

[F. R. Doc. 45-13833; Filed, July 27, 1945;  
11:33 a. m.]

[Supp. Order 94, Order 72]

RECONSTRUCTION FINANCE CORP.

SPECIAL MAXIMUM PRICES FOR SALES OF CERTAIN HOISTS, WINCHES AND SNATCH BLOCKS

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

(a) *What this order does.* This order establishes maximum prices for sales at wholesale and retail of certain new hoists, winches and snatch blocks hereinafter described, which have been or may be purchased from the Reconstruction Finance Corporation.

(b) *Maximum prices.* Maximum prices of the hereinafter described new articles, manufactured by the Chisholm Moore Corporation, North Tonawanda, New York, shall be as follows:

| Description of articles  | Price for all sales at wholesale | Price for all sales at retail |
|--|----------------------------------|-------------------------------|
| Hoist, 2 ton capacity, equipped with shearing pin designed to shear at any lift or strain in excess of two tons..... | \$60                             | \$90                          |
| Winch, 1 ton capacity, equipped with safety link, designed to break at any load or strain in excess of one ton.....  | 20                               | 30                            |
| Snatch block.....  | 4                                | 6                             |

All of the aforesaid articles are constructed of magnesium alloy.

(c) *Discounts.* Every seller shall continue to maintain his customary discounts for cash.

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

(e) *Tagging.* Any person who sells the articles described in paragraph (b) at retail shall attach to each article before sale a tag or label which plainly states the appropriate retail ceiling price, and in the case of the hoist and winch the maximum lifting capacity.

(f) *Relation to other regulations and orders.* This order with respect to the commodities it covers supersedes any other regulation or order previously issued by the Office of Price Administration.

(g) *Definitions.* (1) "Sale at wholesale" is a sale by any person to any other person who is not a user or ultimate consumer.

(2) "Sale at retail" is a sale by any person to a user or ultimate consumer.

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

This order shall become effective July 31, 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-13837; Filed, July 27, 1945;  
11:34 a. m.]

[Max. Import Price Reg., Order 100]

IRISH LINEN HANDKERCHIEFS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 5 of the Maximum Import Price Regulation and section 23 of Maximum Price Regulation No. 580, It is ordered:

(a) *Effect of this order.* This order provides an adjustment of ceiling prices established by manufacturers under the General Maximum Price Regulation and by retailers under Maximum Price Regulation No. 580 for Irish linen handkerchiefs. Manufacturers thus still remain under the General Maximum Price Regulation, as also do distributors other than retailers, except to the extent that its provisions are inconsistent with this order. Retailers remain under Maximum Price Regulation No. 580, except to the extent that its provisions are inconsistent with this order, but they must figure their ceiling prices as provided herein instead of using their pricing charts under Maximum Price Regulation No. 580. The manufacturers' ceiling prices herein established apply to sales to wholesalers and jobbers as well as to sales to retailers. They also apply to sales by wholesalers and jobbers to retailers or others. This omission of any

markup for wholesalers and jobbers will work no hardship because these distributors are not a factor in the marketing of this commodity.

(b) *Manufacturers' maximum prices.* The adjusted maximum price at which any manufacturer or any other person except a retailer may sell or deliver, and at which any person may buy or receive from any other person except a retailer, any handkerchief made in the Continental United States from linen imported from North Ireland, shall be the price determined as follows:

(1) If the manufacturer delivered or offered for delivery the same or similar Irish linen handkerchief to retailers during March 1942, his maximum price therefor as established under § 1499.2 of the General Maximum Price Regulation for sale to the same class of retailer may be increased by any amount that the price which he paid his supplier for the linen in the handkerchief being priced exceeds the price which he paid his supplier for the linen in the same or similar Irish linen handkerchief whose delivery or offer for delivery to retailers in March 1942 served to establish his maximum price under § 1499.2 of the General Maximum Price Regulation: *Provided, however,* That where the manufacturer has himself imported the linen used in the handkerchief being priced, he may not, in making this computation, use a price of such linen in excess of the highest price which he paid his foreign supplier for linen of the same kind and quality during the thirty days prior to August 20, 1943; or, if he made no such purchase, the highest price charged by the foreign supplier to a purchaser of the same class during that period; or, if no such sales were made, the foreign supplier's firm offering price to a purchaser of the same class on August 20, 1943.

(2) If the manufacturer did not deliver or offer for delivery the same or similar Irish linen handkerchief to retailers during March, 1942, or if (in the case of the importing manufacturer) his foreign supplier was not selling or offering for sale the same Irish linen on or during the thirty days prior to August 20, 1943, or if for any other reason the manufacturer cannot compute his maximum price under subparagraph (1) above, his maximum price must be established upon application to the Export-Import Price Branch, Office of Price Administration, Washington, D. C. Such application must (1) identify and describe the handkerchief being priced, (2) give the name and address of the supplier of the Irish linen in such handkerchief, (3) contain a statement of the delivered cost of the linen and the direct labor cost of manufacturing the handkerchief, (4) indicate (where the applicant is the importer of the linen) the price charged or quoted for the same kind and quality of linen by the same foreign supplier (or, if he were not then in the market, by other foreign suppliers) on or during the thirty days preceding August 20, 1943, (5) identify and describe, and state the actual March 1942 cost and sale price, of the Irish linen handkerchief sold or offered for sale to retailers by the applicant in March, 1942 which was most nearly like

the handkerchief being priced, and (6) state a proposed maximum price to retailers for the handkerchief being priced. Such proposed maximum price and the maximum price established by the Office of Price Administration must be in line with the maximum prices established under subparagraph (1) above. The manufacturer may not offer the handkerchief for sale until his maximum price has been established by the Office of Price Administration.

(c) *Retailers' maximum prices.* The adjusted maximum price at which any retailer may sell or deliver, and at which any person in the course of trade or business may buy or receive from any retailer, any handkerchief made in the Continental United States from linen imported from North Ireland, shall be the price actually charged therefor by the manufacturer (less all discounts except cash discounts but not in excess of the maximum price established under paragraph (b) above), plus a markup equal to 60% of such price.

(d) *Notification of retailers.* Any manufacturer or other person selling to any retailer any handkerchiefs covered by this order shall include on, or attach to, every invoice therefor the following statement:

Your retail ceiling prices for the Irish linen handkerchiefs covered by this invoice, as established by OPA in Order No. 100 under the Maximum Import Price Regulation, may not exceed our net prices by more than a 60% markup figured on cost. These handkerchiefs may not be priced by using your pricing charts under Maximum Price Regulation No. 580.

(e) *Revision, amendment or revocation.* This order may be amended or revoked at any time and the Price Administrator may at any time revise any maximum price herein established so as to bring it into line with the general level of maximum prices otherwise established herein.

This order shall become effective July 30, 1945.

Issued this 27th day of July 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

For the reasons set forth in the accompanying opinion, and by virtue of the authority vested in me by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, I find that the issuance of this Order is necessary to correct a gross inequity.

WILLIAM H. DAVIS,  
Economic Stabilization Director.

[F. R. Doc. 45-13838; Filed, July 27, 1945; 11:34 a. m.]

**Regional and District Office Orders.**

[Region II Order G-7 Under RMPR 122, Amdt. 3]

**PENNSYLVANIA ANTHRACITE IN PENNSYLVANIA**

For the reasons set forth in an opinion issued simultaneously herewith and

under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, Revised Order No. G-7 is amended in the following respects:

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

(d) *Schedule I; Sales on a "direct delivery" basis—*(1) *For sales of anthracite of the sizes and in quantities specified.*

| Size                         | Per net ton | Per net ½ ton | Per 100 lbs. (for sales of 100 lbs. or more but less than ½ ton) | Per 50-lb. paper bag |
|------------------------------|-------------|---------------|--|----------------------|
| Broken, egg, stove, nut..... | \$14.65     | \$7.85        | \$0.85   | \$0.50               |
| Pea.....                     | 12.70       | 6.85          | .75  | .45                  |
| Buckwheat.....               | 10.70       | 5.85          | .65  | -----                |
| Rice.....                    | 9.55        | 5.30          | .60  | -----                |
| Barley.....                  | 8.15        | 4.60          | -----  | -----                |
| Buckwheat No. 4.....         | 6.25        | 3.15          | -----  | -----                |
| Screenings.....              | 4.70        | 2.35          | -----  | -----                |

2. Paragraph (e) (1) and (2) is amended to read as follows:

(e) *Schedule II; "yard sales"—*(1) *Sales by dealers except those who normally sold exclusively to equipped dealers.*

| Size                         | Per net ton for sales of ½ ton or more | Per 100 lbs. (for sales of 100 lbs. or more but less than ½ ton) | Per 50 lb. paper bag |
|------------------------------|--|--|----------------------|
| Broken, egg, stove, nut..... | \$11.65                                | \$0.75   | \$0.45               |
| Pea.....                     | 9.60                                   | .65  | .40                  |
| Buckwheat.....               | 7.90                                   | .55  | -----                |
| Rice.....                    | 6.95                                   | .50  | -----                |
| Barley.....                  | 5.70                                   | -----  | -----                |
| Screenings.....              | 2.95                                   | -----  | -----                |

(2) *Wholesale yard sales.* (Sales from yards of dealers who normally sold exclusively to equipped dealers.)

| Size:                        | Per net ton |
|------------------------------|-------------|
| Broken, egg, stove, nut..... | \$11.45     |
| Pea.....                     | 9.70        |
| Buckwheat.....               | 7.75        |
| Rice.....                    | 6.85        |
| Screenings.....              | 2.95        |

3. Paragraph (f) (1) and (2) is amended to read as follows:

(f) *Schedule III—*(1) *Maximum price per 25 lb. paper bag.*

| Size     | Delivered to retail stores | Sales to ultimate consumers |
|----------|----------------------------|-----------------------------|
| Nut..... | \$0.195                    | \$0.245                     |

(2) *Maximum price per 13 lb. paper bag.*

| Size     | Delivered at dealer's yard | Delivered to retail stores | Sales to ultimate consumers |
|----------|----------------------------|----------------------------|-----------------------------|
| Nut..... | \$0.14                     | \$0.16                     | \$0.18                      |
| Pea..... | .12                        | .14                        | .16                         |

This Amendment No. 3 to Revised Order No. G-7 shall become effective July 9th, 1945.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 3d day of July 1945.

CHARLES T. ABERNETHY,  
Acting Regional Administrator.

[F. R. Doc. 45-13670; Filed, July 25, 1945; 2:23 p. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 39]

SOLID FUELS IN SIOUX CITY, IOWA, AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

In Appendix No. 2, which covers the Sioux City, Iowa, area, paragraph (b) VI, Price schedule, is amended to read as follows:

|                  | Domestic delivered |             |
|------------------|--------------------|-------------|
|                  | Per ton            | Per 1/2 ton |
| VI. Briquettes:  |                    |             |
| 1. Stott.....    | \$15.36            | \$8.68      |
| 2. Berwind.....  | 16.10              | 8.55        |
| 3. Standard..... | 15.40              | 8.20        |

This Amendment No. 39 to Order G-16 shall become effective immediately.

Issued this 16th day of July 1945.

RAE E. WALTERS,  
Regional Administrator.

[F. R. Doc. 45-13662; Filed, July 25, 1945; 2:22 p. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 40]

SOLID FUELS IN SUPERIOR, WIS., AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122, as amended, is amended in the following respects:

In Appendix No. 8, which covers the Superior, Wisconsin, Area, paragraph (b), VII of the Price schedule, is amended to read as follows:

|                     | Delivered          |                      | At yard            |                      | Dealer at yard     |                      |
|---------------------|--------------------|----------------------|--------------------|----------------------|--------------------|----------------------|
|                     | Domestic (per ton) | Commercial (per ton) | Domestic (per ton) | Commercial (per ton) | Domestic (per ton) | Commercial (per ton) |
| VII. Briquettes:    |                    |                      |                    |                      |                    |                      |
| 1. Glen Rogers..... | \$12.45            | \$11.55              | \$9.45             |                      |                    |                      |
| 2. Berwind.....     | 12.35              | 11.35                | 9.25               |                      |                    |                      |
| 3. Stott.....       | 12.36              | 11.46                | 9.36               |                      |                    |                      |

This Amendment No. 40 to Order No. G-16 shall become effective immediately.

Issued this 16th day of July 1945.

RAE E. WALTERS,  
Regional Administrator.

[F. R. Doc. 45-13663; Filed, July 25, 1945; 2:22 p. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 41]

SOLID FUELS IN CHIPPEWA FALLS AND EAU CLAIRE, WIS., AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

In Appendix No. 17, which covers the Chippewa Falls and Eau Claire, Wisconsin area, paragraph (b), VII, 2, Price schedule, is amended to read as follows:

VII. Briquettes:

|                                   | Delivered per ton |
|-----------------------------------|-------------------|
| 2. Stott briquettes:              |                   |
| a. In Chippewa Falls.....         | \$14.11           |
| b. In Eau Claire and Altoona..... | 13.36             |

This Amendment No. 41 to Order No. G-16 shall become effective immediately.

Issued this 16th day of July 1945.

RAE E. WALTERS,  
Regional Administrator.

[F. R. Doc. 45-13664; Filed, July 25, 1945; 2:21 p. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 42]

SOLID FUELS IN OMAHA, NEBR., AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

1. In Appendix No. 9, which covers the Omaha, Nebraska, area, paragraph (b), subparagraphs IV, C, 2 and 3, as amended by Amendment No. 28, are amended to read as follows:

|   | Domestic delivered (per ton) | Domestic delivered (per 1/2 ton) | Domestic at yard (per ton) | Commercial delivered (per ton) |
|---|------------------------------|----------------------------------|----------------------------|--------------------------------|
| C. Production Group Nos. 5, 5A, and 5B (includes all mines in Sebastian County Ark.):   |                              |                                  |                            |                                |
| 2. Production group No. 5A (underground mines machine cut) mine index Nos. 13 and 121:  |                              |                                  |                            |                                |
| a. Size group Nos. 4, 6, 7, and 8: mine index No. 13.....   | \$15.10                      | \$8.05                           | \$14.10                    |                                |
| Mine index No. 121.....   | 15.45                        | 8.23                             | 14.45                      |                                |
| b. Size group No. 5:  |                              |                                  |                            |                                |
| Mine index No. 13.....  | 14.98                        | 7.98                             | 13.95                      |                                |
| Mine index No. 121.....   | 15.30                        | 8.15                             | 14.30                      |                                |
| c. Size group No. 14:   |                              |                                  |                            |                                |
| Mine index No. 13.....  | 9.50                         | 5.25                             | 8.50                       | \$8.25                         |
| 3. Production group No. 5B (underground mines solid shot) mine index Nos. 56, 79, 80, 170, 182, 198, 329, 336, 340, 349, 603, 611 and 1011 only): |                              |                                  |                            |                                |
| a. Size group Nos. 3A, 6, 7, and 8.....   | 14.20                        | 7.60                             | 13.20                      |                                |
| b. Size group No. 3.....  | 14.05                        | 7.53                             | 13.05                      |                                |
| c. Size group No. 14.....   | 9.55                         | 5.28                             | 8.55                       | 8.80                           |

2. In the last sentence of page 1 of Amendment No. 28 to Order No. G-16 the word "delting" is corrected to read "deleting."

This Amendment No. 42 to Order No. G-16 shall become effective immediately.

Issued this 16th day of July 1945.

RAE E. WALTERS,  
Regional Administrator.

[F. R. Doc. 45-13665; Filed, July 25, 1945; 2:20 p. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 43]

SOLID FUELS IN SIOUX FALLS, S. DAK., AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

Appendix No. 1, which covers the Sioux Falls, South Dakota, area, paragraph (b), Price schedule, is amended as follows:

1. In Subparagraph V, B, 1 the mine index numbers "40, 53" are deleted.

2. Subparagraph VIII is amended to read as follows:

|  | Domestic delivered |               |
|--|--------------------|---------------|
|  | (Per 1 ton)        | (Per 1/2 ton) |
| VIII. Briquettes:  |                    |               |
| 1. Standard.....   | \$15.15            | \$7.85        |
| 2. Low volatile (made from district No. 7 low volatile coal and anthracite): |                    |               |
| a. Glen Rogers.....  | 15.55              | 8.03          |
| b. Berwind.....  | 15.35              | 7.93          |
| c. Stott.....  | 15.44              | 7.97          |

This Amendment No. 43 to Order No. G-16 shall become effective immediately.

Issued this 16th day of July 1945.

RAE E. WALTERS,  
Regional Administrator.

[F. R. Doc. 45-13666; Filed, July 25, 1945; 2:20 p. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 44]

SOLID FUELS IN FARGO-MOOREHEAD AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

Appendix No. 22, which covers the Fargo-Moorehead Area, paragraph (b), VII, is amended to read as follows:

|                     | 1 ton (per ton) | Carload (per ton) | 50-ton user (per ton) |
|---------------------|-----------------|-------------------|-----------------------|
| VII. Briquettes:    |                 |                   |                       |
| 1. Glen Rogers..... | \$15.55         | \$13.80           | \$14.55               |
| 2. Berwind.....     | 15.35           | 13.60             | 14.35                 |
| 3. Stott.....       | 15.46           | 13.71             | 14.46                 |
| 4. Lignite.....     | 14.50           | 12.50             | 13.25                 |

This Amendment No. 44 to Order No. G-16 shall become effective immediately.

Issued this 16th day of July 1945.

RAE E. WALTERS,  
Regional Administrator.

[F. R. Doc. 45-13667; Filed, July 25, 1945; 2:20 p. m.]

[Region VII Order G-26 Under RMPR 122, Amdt. 37]

**SOLID FUELS IN DENVER REGION**

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1340.259 (a) and 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the accompanying opinion, this Amendment No. 37 is issued.

1. *What this Amendment No. 37 does.* This Amendment No. 37 relates only to Appendix XXIII, Logan Trade Area, of paragraph (q) of Order No. G-26 which is redesignated "Revised Appendix XXIII, Cache Valley Trade Area"; such Revised Appendix XXIII incorporates all price changes made by Amendment No. 35 and Order No. G-28 under Revised Maximum Price Regulation No. 122; extends the geographical coverage to include all that area locally known as the Cache Valley; insures the preservation of the long established and normal prewar distribution facilities and eliminates a threatened local shortage of coal throughout the area covered; but it does not reflect or in any manner compensate for applicable price increases, if any, authorized by Order No. G-24 under Revised Maximum Price Regulation No. 122.

2. Appendix XXIII, Logan Trade Area, of paragraph (q) of Order No. G-26 is hereby redesignated Revised Appendix

XXIII, Cache Valley Trade Area, and amended and rewritten to read as follows:

**REVISED APPENDIX XXIII—CACHE VALLEY TRADE AREA**

(1) *To what sales this Revised Appendix XXIII applies.* This Revised Appendix XXIII applies only to sales made by dealers in the Cache Valley Trade Area of the State of Utah, which means all of that area bounded on the north by the Utah-Idaho state line, on the east by the Cache National Forest, on the west by Box Elder County, and on the south by a line running east and west through a point three miles south of the Town of Paradise in Cache County.

(2) *Relation to other orders.* This Order No. G-26 and this Revised Appendix XXIII thereto supersede Order No. G-14 and Amendments Nos. 1, 2, 3, and 4 thereto, insofar as the same apply to the Cache Valley Trade Area, and incorporate the price changes made by Amendment No. 35 and Order No. G-28 under Revised Maximum Price Regulation No. 122; but the prices set forth in this Revised Appendix XXIII do not reflect or in any manner compensate for applicable price increases, if any, authorized by Order No. G-24 under Revised Maximum Price Regulation No. 122.

(3) *Specific maximum prices.* If you are a dealer and sell in the Cache Valley Trade Area of the State of Utah, either f. o. b. your yard, or delivered by truck direct from the mine or from your yard, any one or more of the kinds and sizes of coal named in this Revised Appendix XXIII, your maximum prices therefor are those set forth in Parts 1 and 2 of the following:

TABLE OF MAXIMUM PRICES

| Kind and letter designation              | Size                    | Part 1<br>Delivered prices<br>(per ton) | Part 2<br>Yard prices   |                        |
|--|-------------------------|---|-------------------------|------------------------|
|  |                         |   | To dealers<br>(per ton) | To others<br>(per ton) |
| Bituminous coal produced in district 20: |                         |   |                         |                        |
| Sub-district 1, Castlegate:              |                         |   |                         |                        |
| (A).....                                 | #2-10" lump.....        | \$9.45                                  | \$8.45                  | \$8.95                 |
| (B).....                                 | #3-10" x 3" stove.....  | 9.00                                    | 8.00                    | 8.50                   |
| (C).....                                 | #7-3" x 1 1/2" nut..... | 8.65                                    | 7.65                    | 8.15                   |
| (D).....                                 | #8-1 1/2" x 1" pea:     |   |                         |                        |
|  | Treated.....            | 7.80                                    | 6.80                    | 7.30                   |
|  | Untreated.....          | 7.70                                    | 6.70                    | 7.20                   |
| (E).....                                 | #10-1 1/2" x 0" slack:  |   |                         |                        |
|  | Treated.....            | 7.05                                    | 6.05                    | 6.55                   |
|  | Untreated.....          | 6.80                                    | 5.90                    | 6.30                   |
| (F).....                                 | #11-1" x 0" slack:      |   |                         |                        |
|  | Treated.....            | 7.05                                    | 6.05                    | 6.55                   |
|  | Untreated.....          | 6.80                                    | 5.90                    | 6.30                   |

(4) *Letter designation.* For record-keeping purposes, the letter designation hereinabove set forth may be used to show the kind of solid fuel sold.

(5) *Special service charges.* If, in connection with the sale and delivery of coal made by you in the Cache Valley Trade Area, you, at the request of the purchaser, perform any one or more of the special services set forth below, the maximum prices which you may charge for such services are as follows:

|                                   | Per ton | Per 1/2 ton |
|-----------------------------------|---------|-------------|
| "Wheel-in".....                   | \$1.00  | \$0.50      |
| "Pull-back" or "trimming".....    | .25     | .15         |
| "Carrying up or down stairs"..... | 1.00    | .50         |

3. *Effective date.* This Amendment No. 37 shall become effective on the 14th day of July 1945.

Issued this 14th day of July 1945.

RICHARD Y. BATTERTON,  
Regional Administrator.

[F. R. Doc. 45-13660; Filed, July 25, 1945; 2:19 p. m.]

fications set forth in the respective applications of said manufacturer now on file in this Regional Office as a part of the record in this case, shall be as follows:

(1) When sold by the manufacturer, f. o. b. shipping point, to a jobber or a wholesaler:

|                  | Each   |
|------------------|--------|
| Bench.....       | \$2.40 |
| Lawn chair.....  | 3.60   |
| Lawn settee..... | 5.00   |

(2) When sold by the manufacturer, a jobber or a wholesaler, f. o. b. shipping point, to a retailer:

|                  | Each   |
|------------------|--------|
| Bench.....       | \$3.00 |
| Lawn chair.....  | 4.50   |
| Lawn settee..... | 6.25   |

(3) When sold by any seller to an ultimate consumer or user:

|                  | Each   |
|------------------|--------|
| Bench.....       | \$4.50 |
| Lawn chair.....  | 6.95   |
| Lawn settee..... | 9.50   |

NOTE: (1) The maximum prices authorized by the above paragraphs (1) and (2) are subject to a discount of 2% for payment within 10 days from date of invoice.

(2) The prices above specified for sales f. o. b. shipping point include all costs incident to wrapping, packing, boxing and carting.

(c) *Notice to be given purchasers for resale.* When the manufacturer or any other seller makes a first sale under this Order No. G-36 to a person who purchases for resale, he must show upon the invoice or on a separate slip or rider attached thereto the applicable portions of the following provisions:

By virtue of Order No. G-36 under Maximum Price Regulation No. 188, the OPA authorized maximum resale prices for this Bench, Lawn Chair, and Lawn Settee are:

(1) When sold by the manufacturer, a jobber or a wholesaler, f. o. b. shipping point, to a retailer:

|                  | Each   |
|------------------|--------|
| Bench.....       | \$3.00 |
| Lawn chair.....  | 4.50   |
| Lawn settee..... | 6.25   |

(2) When sold by any seller to an ultimate consumer or user:

|                  | Each   |
|------------------|--------|
| Bench.....       | \$4.50 |
| Lawn chair.....  | 6.95   |
| Lawn settee..... | 9.50   |

(d) *Applicability of other regulations.* The pricing provisions of the General Maximum Price Regulation have no application to the prices established by this Order No. G-36 for sales by the manufacturer or any other seller.

(e) *Geographical applicability.* The maximum prices authorized by this Order No. G-36 for resellers are applicable only to sales made within this Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A

[Region VII Order G-36 Under MPR 188]

**BATTEN FURNITURE AND CABINET WORKS ET AL.**

**AUTHORIZATION OF MAXIMUM PRICES**

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1499.158 and 1499.158a of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G-36 is issued.

(a) *What this order does.* This Order No. G-36 establishes maximum prices for a bench, a lawn chair, and a lawn settee manufactured by T. J. Batten, doing business as Batten Furniture and Cabinet Works, of Denver, Colorado, when sold at the specified levels.

(b) *Authorized maximum prices.* Upon and after the effective date of this Order No. G-36, the maximum prices for the bench, lawn chair, and lawn settee manufactured by T. J. Batten, doing business as Batten Furniture and Cabinet Works, of 463 South Broadway, Denver, Colorado, in accordance with the speci-

person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

*Effective date.* This Order No. G-36 shall become effective on the 13th day of July 1945.

Issued this 13th day of July 1945.

RICHARD Y. BATTERTON,  
Regional Administrator.

[F. R. Doc. 45-13661; Filed, July 25, 1945; 2:20 p. m.]

[Region III Order G-13 Under RMPR 122, Corr. to Amtd. 8]

SOLID FUELS IN TOLEDO, OHIO, AREA

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered, That Amendment 8 to Order No. G-13 under Revised Maximum Price Regulation No. 122 be corrected to read as follows:

(e) *Schedule of service charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales under paragraph (c). These charges may be made only if the buyer requests such services of the dealer and only when the dealer renders the services. Every service charge shall be separately stated in the dealer's invoice.

Per ton

|  |        |
|--|--------|
| Carry in from curb—coal.....   | \$1.10 |
| Carry in from curb—coke.....   | 1.45   |
| Wheel in from curb—coke.....   | 1.10   |
| Wheel in from curb—coal.....   | .85    |
| Carry up or down each flight of stairs.....  | .25    |
| Additional charge for any coal listed in Part III of the price schedule set forth in paragraph (e) (1)—Low Volatile Bituminous Coal from Producing District No. 7 (Pocahontas)—when such coal is forked..... | 1.25   |

This correction of Amendment No. 8 to Order No. G-13 under Revised Maximum Price Regulation No. 122 shall become effective July 10, 1945.

Issued: July 10, 1945.

CLIFFORD J. HOUSER,  
Acting Regional Administrator.

[F. R. Doc. 45-13783; Filed, July 26, 1945; 12:33 p. m.]

[Region III, Order G-23 Under RMPR 122]

SOLID FUELS IN MARION, IND., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This order establishes maximum prices for sales of specified solid fuels made within the area described as all the territory within the corporate limits of the City of Marion, Indiana. These are the highest prices that any dealer may charge when he delivers such fuel at or to a point in the said area. They are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) *What this order prohibits.* Regardless of any obligation, no person shall:

(1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this Order No. G-23; but less than maximum prices may at any time be charged, paid or offered;

(2) Obtain a higher than ceiling price by:

(i) Charging a price higher than the scheduled price for a service or making a charge for a service not authorized by this order,

(ii) Using any other device by which a higher than maximum price is obtained directly or indirectly,

(iii) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him except that a dealer may comply with requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(c) *Schedule for sales of coal—(1) Price schedule.* This schedule sets forth maximum prices for sales of specified sizes, kinds and quantities of solid fuels. Column I describes the coal for which prices are established and Column II lists the maximum prices for delivered cash or credit sales to consumers at any point in the above described area.

SCHEDULE I—MARION, INDIANA

|   | Column I | Column II |
|---|----------|-----------|
| I. High volatile bituminous coals from producing district No. 8 (eastern Kentucky, southern West Virginia, western Virginia, and northeastern Tennessee) <sup>1,2</sup> excepting mine index Nos. 124, 126, 127, 207 and 225: |          |           |
| A. Lump, size group Nos. 1 and 2 (bottom size larger than 3"):  |          |           |
| 1. Mine price classifications D through H.....  |          | \$9.35    |
| 2. Mine price classifications J through N.....  |          | 9.10      |
| 3. Mine price classification O.....   |          | 8.80      |
| B. Egg:   |          |           |
| 1. Size group No. 6 (top size larger than 5" but not exceeding 6" x bottom size 2" and smaller; top size 3" but not exceeding 5" x bottom size larger than 2" but not exceeding 3"):  |          |           |
| (a) Mine price classifications E and F.....   |          | 8.75      |
| (b) Mine price classifications G through L.....   |          | 8.60      |
| 2. Size group No. 7 (top size larger than 3" but not exceeding 5" x bottom size 2" and smaller):  |          |           |
| (a) Mine price classification A.....  |          | 8.60      |
| (b) Mine price classifications B through N.....   |          | 8.55      |

SCHEDULE I—MARION, INDIANA—CON.

|  | Column I | Column II |
|--|----------|-----------|
| I. High volatile bituminous coals from producing district No. 8 excepting mine index Nos. 134, 126, 127, 207 and 225—Continued.  |          |           |
| C. Stove, size group No. 8 (top size larger than 2" but not exceeding 3" x bottom size 2" and smaller):  |          |           |
| 1. Mine price classifications B through G.....   |          | \$8.45    |
| D. Stoker, size group No. 10 (top size 1 1/4" and smaller by bottom size 1/2" and larger):   |          |           |
| 1. Mine price classifications B through E.....   |          | 8.85      |
| 2. Mine price classifications F through M.....   |          | 8.55      |
| E. To the prices stated in sections A, B, C, and D of part I may be added \$0.15 per ton provided the coal is mined in subdistrict 6 of producing district No. 8 and provided it is separately weighed and billed by the dealer. Subdistrict 6 includes that portion of district No. 8 which is in northern Tennessee and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Ousley, Pulaski, Rock Castle, Wayne, and Whitley. |          |           |
| II. Low volatile bituminous coals from producing district No. 7 (southeastern West Virginia and northwestern Virginia): <sup>1,2</sup>   |          |           |
| A. Lump, size group No. 1 (all lump, bottom size 3/8"):  |          |           |
| 1. Mine price classification 9.....  |          | 10.21     |
| 2. Mine price classifications B and C.....   |          | 9.71      |
| B. Egg, size group No. 2 (top size larger than 3" x bottom size no limit):   |          |           |
| 1. Mine price classification A.....  |          | 10.31     |
| C. Stoker, size group No. 5 (top size not exceeding 3/4" x bottom size smaller than 3/4"); 1. Mine price classification A.....   |          | 8.91      |
| III. Briquettes, made from low volatile bituminous coals from producing district No. 7.....  |          | 11.10     |
| IV. Pennsylvania anthracite, egg, stove and nut.....   |          | 14.35     |
| V. Byproduct coke—egg, stove and nut size.....   |          | 12.10     |

<sup>1</sup>\$0.10 per ton may be added to the prices of these coals if the coal has been subjected to an oil or calcium chloride treatment by the producer to allay dust or prevent freezing.

<sup>2</sup>These prices include all increases authorized by regional supplementary order No. 7 which reflects the adjustment granted in amendment 137 to MPR 120 issued May 1, 1945.

(2) *Discounts.* A discount of not less than 50 cents per ton shall be given to all dealers purchasing at the yard for resale.

(3) *Descriptive terms.* The definitions of price groups, classifications, size groups, mine index numbers, producing sub-districts, etc., contained in Maximum Price Regulation No. 120 as the same now reads or may be amended, are hereby incorporated by reference into this order and shall, wherever applicable, be the controlling definitions of all such terms used herein.

(d) *Sales not covered by Order No. G-23.* The maximum prices for all sales by dealers of solid fuel not provided for by this Order No. G-23 shall be the maxi-

imum prices established by Revised Maximum Price Regulation No. 122.

(e) *Schedule of service charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales of solid fuels, either under paragraph (c) hereof or under Revised Maximum Price Regulation No. 122. These charges may be made only if the buyer requests such service of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

Carry in from curb..... \$0.75 per ton.  
Wheel in from curb..... \$0.40 per ton.  
Carry up or down stairs... \$1 per ton (per flight).  
Service charge for deliveries \$0.10.  
in quantities of ½ ton.

(f) *The transportation tax.* The transportation tax imposed by section No. 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set by this order, provided the dealer states it separately from the price on his invoice or statement. However, such tax need not be so separately stated on sales to the United States or any agency thereof, the District of Columbia, any state Government or any political subdivision thereof.

(g) *Addition of increase in suppliers' prices prohibited.* The maximum prices set by this order may not be increased by a dealer to reflect increases in purchase costs or in supplier's maximum prices occurring after the effective date hereon; but increases in the maximum prices set hereby to reflect such increases are within the discretion of the Regional Administrator.

(h) *Petitions for amendment.* Any person seeking an amendment of any provisions of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

(i) *Applicability of other regulations.* Every dealer subject to this order is governed by the licensing provisions of Supplementary Order No. 72, effective October 1, 1943.

(j) *Right of amendment or revocation.* The Regional Administrator or Price Administrator may amend, revoke, or rescind this order, or any provision thereof, at any time.

(k) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, showing: the date, the name and address of the buyer, if known, the per net ton price charged and the type and kind of solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also separately state each service rendered and the charge made for it.

(l) *Posting of maximum prices, sales slips.* (1) Each dealer subject to this order shall post all the maximum prices set by it for all his types of sales. He shall post his prices in his place of business in a manner plainly visible to and

understandable by the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuel. No report of the maximum prices established by this order need be made by any dealer under § 1340.262 (c) of Revised Maximum Price Regulation No. 122.

(2) Every dealer selling solid fuels subject to this order shall, either at the time of, or within thirty days after the date of, a sale or delivery of solid fuels governed by this order, give to his purchaser an invoice, sales slip or receipt, and shall keep an exact copy thereof for so long as this order is in effect or for so long as the Emergency Price Control Act of 1942, as amended, shall permit, whichever period is longer, showing the following information:

The name and address of the seller and the purchaser; the kind, size and quantity of the solid fuels sold, the date of the sale or delivery and the price charged. In addition, he shall separately state on each such invoice, sales slip or receipt, the amount, if any, of the required discount, authorized service charges and taxes which must be deducted from or which may be added to the established maximum prices: *Provided*, That a dealer who is authorized to make a special service charge for chemical or oil treatment of coal need not separately state the amount of such service charge if he clearly indicates on the invoice that such coal is so treated; *And further provided*, That the provisions of this paragraph (2) shall not apply to sales of solid fuels in less than quarter ton lots unless requested by the purchaser.

(m) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Indianapolis District Office of the Office of Price Administration.

(n) *Definitions and explanations.* (1) "Person" includes an individual, corporation, partnership association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer and deliver, and contracts and offers to do any of the foregoing. The terms "sale," "selling," "sold," "seller," "buy," "purchase," and "purchaser," shall be construed accordingly.

(3) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct delivery" means dumping, shoveling or chuting the fuel from the seller's truck directly into the buyer's bin or storage; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at

a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

(5) Except as otherwise provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122, as amended, shall apply to terms used herein, and in full force and effect.

(o) *Applicability of this order.* To the extent applicable, the provisions of this order supersede Revised Maximum Price Regulation No. 122.

*NOTE:* The reporting and record keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Order No. G-23 under Revised Maximum Price Regulation No. 122 shall become effective July 16, 1945.

Issued: July 2, 1945.

BIRKETT L. WILLIAMS,  
Regional Administrator.

[F. R. Doc. 45-13785; Filed, July 26, 1945; 12:32 p. m.]

[Region III Order G-58 Under RMPR 122]

SOLID FUELS IN KALAMAZOO, MICH., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This order establishes maximum prices for sales of specified solid fuels made within the area described as all of the territory within a circle the radius of which is six miles and the center of which is the Court House located at the intersection of Michigan and Rose Avenues in the City of Kalamazoo, Michigan. These are the highest prices that any dealer may charge when he delivers such fuel at or to a point in the said area. They are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) *What this order prohibits.* Regardless of any obligation, no person shall:

(1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this Order No. G-58; but less than maximum prices may at any time be charged, paid or offered;

(2) Obtain a higher than ceiling price by:

(i) Charging a price higher than the scheduled price for a service or making a charge for a service not authorized by this order,

(ii) Using any other device by which a higher than maximum price is obtained directly or indirectly,

(iii) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him except that a dealer may comply with requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(c) *Schedule for sales of coal*—(1) *Price schedule.* This schedule sets forth maximum prices for sales of specified sizes, kinds and quantities of solid fuels. Column I describes the coal for which prices are established, Column II lists the maximum prices for delivered cash sales to consumers at any point in the above described area, and Column III

lists the maximum prices for delivered credit sales. Credit terms are 30 days net, with a cash discount of 50 cents per ton on the credit price for payment within 15 days after date of delivery. A discount of not less than 2% shall be allowed from the cash price on purchases of over 15 tons for payment within 15 days of the date of delivery.

Trimming coal in bin..... \$0.75 per hour  
Forking or screening low volatile coals..... \$0.75 per ton  
Service charge for deliveries in ¼ tons..... \$0.25

(f) *The transportation tax.* The transportation tax imposed by section No. 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set by this order, provided the dealer states it separately from the price on his invoice or statement. However, such tax need not be so separately stated on sales to the United States or any agency thereof, the District of Columbia, any state Government or any political subdivision thereof.

(g) *Addition of increase in suppliers' prices prohibited.* The maximum prices set by this order may not be increased by a dealer to reflect increases in purchase costs or in supplier's maximum prices occurring after the effective date hereon; but increases in the maximum prices set hereby to reflect such increases are within the discretion of the Regional Administrator.

(h) *Petitions for amendment.* Any person seeking an amendment of any provisions of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

(i) *Applicability of other regulations.* Every dealer subject to this order is governed by the licensing provisions of Supplementary Order No. 72, effective October 1, 1943.

(j) *Right of amendment or revocation.* The Regional Administrator or Price Administrator may amend, revoke, or rescind this order, or any provision thereof, at any time.

(k) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, showing: the date, the name and address of the buyer, if known, the per net ton price charged and the type and kind of solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also separately state each service rendered and the charge made for it.

(1) *Posting of maximum prices, sales slips.* (1) Each dealer subject to this order shall post all the maximum prices set by it for all his types of sales. He shall post his prices in his place of business in a manner plainly visible to and understandable by the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuel. No report of the maximum prices established by this order need be made by any dealer under § 1340.262 (c) of Revised Maximum Price Regulation No. 122.

(2) Every dealer selling solid fuels subject to this order shall, either at the time of, or within thirty days after the date of, a sale or delivery of solid fuels governed by this order, give to his purchaser an invoice, sales slip or receipt, and shall keep an exact copy thereof for so long as

SCHEDULE I—KALAMAZOO, MICHIGAN

| Column I  | Column II | Column III |
|---|-----------|------------|
| <b>I. High volatile bituminous coals from producing district No. 8 (eastern Kentucky, southern West Virginia, western Virginia, and northeastern Tennessee),<sup>1 2</sup> excepting mine index No. 5:</b>  |           |            |
| <b>A. Lump:</b>   |           |            |
| 1. Size group No. 1 (bottom size larger than 5''):  |           |            |
| (a) Mine price classifications H through K.....   | \$9.90    | \$10.40    |
| (b) Mine price classification O.....  | 9.25      | 9.75       |
| 2. Size group No. 2 (bottom size larger than 3' but not exceeding 5''):   |           |            |
| (a) Mine price classification A.....  | 10.15     | 10.65      |
| (b) Mine price classifications E through K.....   | 9.55      | 10.05      |
| (c) Mine price classifications L and lower.....   | 9.40      | 9.90       |
| <b>B. Egg:</b>  |           |            |
| 1. Size group No. 4 (top size larger than 6'', bottom size larger than 2' but not exceeding 3''): (a) Mine price classifications E and F.....   | 9.45      | 9.95       |
| 2. Size group No. 5 (top size larger than 2' but not exceeding 3'', and top size larger than 6'' and bottom size 2'' and smaller): (a) Mine price classifications B through K.....  | 9.45      | 9.95       |
| 3. Size group No. 6 (top size larger than 5'' but not exceeding 6'' x bottom size 2'' and smaller; top size 3'' and larger but not exceeding 5'' x bottom size larger than 2'' but not exceeding 3''): (a) Mine price classification E through L.....   | 9.25      | 9.75       |
| 4. Size group No. 7 (top size larger than 3'' but not exceeding 5'' x bottom size 2'' and smaller): (a) Mine price classifications B through M.....   | 9.05      | 9.55       |
| <b>C. Stoker:</b>   |           |            |
| 1. Size group No. 10 (top size 1¼'' and smaller x bottom size ¾'' and larger): (a) Mine price classifications B through E.....  | 9.60      | 10.10      |
| <b>D. To the prices stated in sections A, B, and C of part I may be added \$.15 per ton provided the coal is mined in subdistrict 6 of producing district 8 and provided it is separately weighed and billed by the dealer. Subdistrict 6 includes that portion of district 8 which is in northern Tennessee and the following counties in Kentucky, Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rock Castle, Wayne, and Whitley.</b> |           |            |
| <b>II. High volatile bituminous coals from producing district No. 4<sup>2</sup> (Ohio) from subdistrict 5 (Hocking):</b>  |           |            |
| <b>A. Lump and egg:</b>   |           |            |
| 1. Size group No. 2 (all single screened lump coals, bottom size larger than 2'' but not exceeding 5''); all double screened coals bottom size larger than 2'').....  | 9.01      | 9.51       |
| 2. Size group Nos. 3 and 3A (bottom size larger than 1¼'' but not exceeding 2'').....   | 8.56      | 9.06       |
| <b>III. Low volatile bituminous coals from producing district No. 7 (southeastern West Virginia and northwestern Virginia)<sup>1 2</sup> excluding mine index Nos. 37 and 73:</b>   |           |            |
| <b>A. Lump:</b>   |           |            |
| 1. Size group No. 1 (all lump, bottom size ¾''): (a) Mine price classifications A and B.....  | 11.01     | 11.51      |
| <b>B. Egg:</b>  |           |            |
| 1. Size group No. 2 (egg, top size larger than 3'', bottom size no limit):  |           |            |
| (a) Mine price classification A.....  | 11.16     | 11.66      |
| (b) Mine price classifications B through D.....   | 10.86     | 11.36      |
| <b>C. Stove or dedusted screenings:</b>   |           |            |
| 1. Size group No. 3 (top size larger than 1¼'' but not exceeding 3'' x bottom size smaller than 3''): (a) Mine price classifications A through C.....   | 10.86     | 11.36      |
| <b>D. Pea or dedusted screenings:</b>   |           |            |
| 1. Size group No. 5 (top size not exceeding ¾'', bottom size smaller than ¾''): (a) Mine price classification A.....  | 9.76      | 10.26      |
| (a) Mine price classification A.....  | 11.75     | 12.25      |
| V. Pennsylvania Anthracite, Egg, Stove and Nut.....   | 16.20     | 16.70      |
| <b>VI. Coke:</b>  |           |            |
| A. Shipped from Terre Haute, Ind., and from Milwaukee, Wis.....   | 14.20     | 14.70      |
| B. Shipped from Detroit, Mich., or Indianapolis, Ind.....   | 13.70     | 14.20      |

<sup>1</sup> \$0.10 per ton may be added to the prices of these coals if the coal has been subjected to an oil or calcium chloride treatment by the producer to slay dust or to prevent freezing.

<sup>2</sup> These prices include all increases authorized by regional supplementary order No. 7 which reflects the adjustment granted in amendment 137 to MPR 120 issued May 1, 1945.

(2) *Discounts.* A discount of not less than \$1.00 per ton shall be given to all consumers who purchase coal at the yard in quantities of 500 pounds or more. A discount of not less than \$1.25 per ton shall be given all dealers purchasing at the yard for resale.

(3) *Descriptive terms.* The definitions of price groups, classifications, size groups, mine index numbers, producing sub-districts, etc., contained in Maximum Price Regulation No. 120 as the same now reads or may be amended, are hereby incorporated by reference into this order and shall, wherever applicable, be the controlling definitions of all such terms used herein.

(d) *Sales not covered by Order No. G-58.* The maximum prices for all sales by dealers of solid fuel not provided for

by this Order No. G-58 shall be the maximum prices established by Revised Maximum Price Regulation No. 122.

(e) *Schedule of service charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales of Solid Fuels, either under paragraph (c) hereof or under Revised Maximum Price Regulation No. 122. These charges may be made only if the buyer requests such service of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

Wheel or carry in from curb..... \$0.75 per ton  
Wheel or carry in from curb..... \$0.40 per ½ ton  
Wheel or carry in from curb..... \$0.25 per ¼ ton  
Carry up or down stairs each flight..... \$0.25 per ton

this order is in effect or for so long as the Emergency Price Control Act of 1942, as amended, shall permit, whichever period is longer, showing the following information:

The name and address of the seller and the purchaser; the kind, size and quantity of the solid fuels sold, the date of the sale or delivery and the price charged. In addition, he shall separately state on each such invoice, sales slip or receipt, the amount, if any, of the required discount, authorized service charges and taxes which must be deducted from or which may be added to the established maximum prices: *Provided*, That a dealer who is authorized to make a special service charge for chemical or oil treatment of coal need not separately state the amount of such service charge if he clearly indicates on the invoice that such coal is so treated; and *Further provided*, That the provisions of this paragraph (2) shall not apply to sales of solid fuels in less than quarter ton lots unless requested by the purchaser.

(m) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Grand Rapids District Office of the Office of Price Administration.

(n) *Definitions and explanations.* (1) "Person" includes an individual, corporation, partnership association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser", shall be construed accordingly.

(3) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct delivery" means dumping, shoveling or chuting the fuel from the seller's truck directly into the buyer's bin or storage; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

(5) Except as otherwise provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122, as amended, shall apply to terms used herein, and in full force and effect.

(6) *Applicability of this order.* To the extent applicable, the provisions of this

order supersede Revised Maximum Price Regulation No. 122.

*NOTE:* The reporting and record keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Order No. G-58 under Revised Maximum Price Regulation No. 122 shall become effective July 17, 1945.

Issued: July 3, 1945.

BIRKETT L. WILLIAMS,  
Regional Administrator.

[F. R. Doc. 45-13787; Filed, July 26, 1945; 12:32 p. m.]

[Region IV Rev. Order G-22 Under RMPR 122, Amdt. 1]

SOLID FUELS IN WILSON, N. C.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, subparagraph (e) (1) of Revised Order No. G-22 under Revised Maximum Price Regulation No. 122 issued by this office on June 4, 1945, is hereby amended to read as follows:

(1) LOW VOLATILE BITUMINOUS COAL FROM DISTRICTS No. 7 & 8

| Size   | Per ton (2,000 lbs.) | Per ½ ton (1,000 lbs.) | Per ¼ ton (500 lbs.) |
|--|----------------------|------------------------|----------------------|
| Egg; top size larger than 3", bottom size no limit, in price classifications A and B.....          | \$11.66              | \$6.08                 | \$3.42               |
| Egg, from mine index 391, the No. 2 Mine of Raven Red Ash Coal Co., in district No. 8.....         | 11.55                | 6.03                   | 3.39                 |
| Stove; top size 3" to larger than 1¼", bottom size smaller than 3", in price classification A..... | 10.56                | 5.68                   | 3.22                 |
| Stoker pea; top size not exceeding ¾", bottom size smaller than ¾", in price classification A..... | 9.31                 | 4.90                   | 2.83                 |
| Screened run-of-mine in price classifications A-D, inclusive..                                     | 9.37                 | 4.94                   | 2.84                 |

*Effective date.* This amendment shall become effective July 21, 1945.

Issued July 16, 1945.

ALEXANDER HARRIS,  
Regional Administrator.

[F. R. Doc. 45-13784; Filed, July 26, 1945; 12:32 p. m.]

[Region IV Order G-43 Under RMPR 122, Amdt. 1]

SOLID FUELS IN WAYNESBORO, VA.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, subparagraph (e) (1) of Order No. G-43 under Revised Maximum Price Regulation No. 122 issued by this office on May 26, 1945, is hereby amended to read as follows:

(1) LOW VOLATILE BITUMINOUS COAL FROM DISTRICTS No. 7 and 8

| Size                           | Per ton (2,000 lbs.) | Per ½ ton (1,000 lbs.) | Per ¼ ton (500 lbs.) |
|--------------------------------|----------------------|------------------------|----------------------|
| Treated:                       |                      |                        |                      |
| Egg from district No. 7.....   | \$9.25               | \$4.88                 | \$2.56               |
| Egg from district No. 8.....   | 9.15                 | 4.83                   | 2.54                 |
| Stove from district No. 7..... | 9.00                 | 4.75                   | 2.50                 |
| Stove from district No. 8..... | 8.90                 | 4.70                   | 2.48                 |
| Nut.....                       | 8.30                 | 4.40                   | 2.33                 |
| Stoker pea.....                | 8.15                 | 4.33                   | 2.29                 |

*Effective date.* This amendment shall become effective as of July 9, 1945.

Issued: July 16, 1945.

ALEXANDER HARRIS,  
Regional Administrator.

[F. R. Doc. 45-13786; Filed, July 26, 1945; 12:32 p. m.]

[Charlotte Order G-3 Under Gen. Order 50]

MALT AND CEREAL BEVERAGES IN CHARLOTTE, N. C., DISTRICT

For the reasons set forth in the accompanying opinion, and under the authority vested in the District Director of the Charlotte, North Carolina District Office of Region IV of the Office of Price Administration by General Order No. 50, issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order No. 17, issued May 5, 1944, it is hereby ordered:

**SECTION 1. Purpose of order.** Order No. G-1 under General Order 50 issued by the District Director of the Charlotte District Office of the Office of Price Administration on the 30th day of June 1944, was issued for the purpose of establishing specific maximum prices for malt and cereal beverages, including those commonly known as ale, beer and near-beer, either in containers or on draught when sold or offered for sale at retail by any eating or drinking establishment, either for consumption on the premises or when carried away. Order No. G-1 under General Order No. 50 was thereafter redesignated Order No. G-2 under General Order 50 and revised and amended for the purpose of clarifying and strengthening the Order. Order No. G-2 under General Order 50 is redesignated Order No. 3 under General Order 50, and is revised and amended as herein set forth and issued for the same purpose except that specific maximum prices are established only for on-premise sale, and for the further purpose of clarifying and strengthening the Order. Maximum prices for off-premise sales of domestic malt beverages are controlled by Revised Maximum Price Regulation No. 259.

**SEC. 2. Geographical applicability.** The provisions of this order extend to all eating and drinking places or establishments located within the limits of the following named counties in the State of North Carolina: Alexander, Alleghany, Anson, Ashe, Avery, Buncombe, Burke, Cabarrus, Caldwell, Ca-

tawba, Cherokee, Clay, Cleveland, Davidson, Davie, Forsyth, Gaston, Graham, Guilford, Haywood, Henderson, Iredell, Jackson, Lincoln, Macon, Madison, McDowell, Mecklenburg, Mitchell, Montgomery, Polk, Randolph, Richmond, Rockingham, Rowan, Rutherford, Stanly, Stokes, Surry, Swain, Transylvania, Union, Watauga, Wilkes, Yadkin, and Yancey.

**SEC. 3. Ceiling prices.** (a) On and after July 10, 1944, if you operate an eating or drinking establishment, you may not sell or offer for sale any beverage subject to this order at prices higher than the applicable ceiling prices listed in the appendices hereof. You may, of course, charge lower prices at any time.

(b) If you sell any beverage subject to this order which is not specifically listed herein, and if you believe that the maximum price specified herein for such beverage is not appropriate to such beverage, you may make application to the Charlotte District Office of the Office of Price Administration requesting that such beverage be specifically included in the appendices hereof. With or without such application, the Charlotte District Office of the Office of Price Administration may, at any time, and from time to time, add new or unlisted beverages, brands, types or sizes together with maximum prices for same to the lists set forth in the appendices hereof.

(c) You may not add any taxes to your ceiling prices set forth in the appendices hereof except those specifically provided therein, as all other taxes were taken into consideration in establishing the ceiling prices for each group of sellers.

**SEC. 4. How to figure your ceiling prices.**

(a) This order divides eating and drinking establishments into three different groups and gives each group a different ceiling price. The group to which you belong depends on your legal ceiling prices in effect during the base period of April 4-10, 1943. You must figure the group to which you belong on the basis of your correct legal ceiling prices for that period.

(b) The group to which you belong depends on your legal ceiling prices for the beverages subject to this order in effect during the base period of April 4-10, 1943. If your legal ceiling prices for various brands and types of beverages subject to this order vary so that your ceiling prices on some brands or types seem to place you in on particular group and ceiling prices on others seem to classify you into a different group, you must classify yourself into the particular group representative of the prices at which the greater number of your sales were made. For the purpose of determining your classification as herein provided, no consideration may be given to sales of beverages listed in appendices other than Appendix A hereof. You must figure the group to which you belong as follows:

(1) **Group 1-B.** Your establishment belongs to Group 1-B if, during the base period of April 4-10, 1943, your legally established ceiling prices for beverages subject to this order were the same as,

or more than, the prices listed in Appendix A hereof for Group 1-B establishments.

(2) **Group 2-B.** Your establishment belongs to Group 2-B if, during the base period of April 4-10, 1943, your legally established ceiling prices for beverages subject to this order were the same as, or more than, the prices listed in Appendix A hereof for Group 2-B establishments, but were less than those provided in Appendix A for Group 1-B establishments.

(3) **Group 3-B.** Your establishment belongs to Group 3-B if, during the base period of April 4-10, 1943, your legally established ceiling prices for beverages subject to this order were less than the prices listed in Appendix A hereof for Group 2-B establishments. All establishments not in operation during the base period of April 4-10, 1943, and all establishments which begin operating after the effective date of this order also belong to Group 3-B.

(c) If your eating or drinking establishment was not in operation during the base period of April 4-10, 1943, but was in operation prior to the effective date of this order, and, if the nearest similar eating or drinking establishment of the same type is one which is properly classified in Group 1-B or Group 2-B, you may, but not later than the first day of October 1944, file an application with the Charlotte District Office of the Office of Price Administration, requesting that your establishment be reclassified into the same group to which its nearest similar eating or drinking establishment of the same type belongs. Until your application is acted upon, and unless your establishment is reclassified, it must retain the classification of a Group 3-B seller, and must observe the ceiling prices as provided for that group in the appendices hereof. All such applications for reclassification must contain the following information:

1. Name and address of the establishment and of its owner or owners.
2. A description of the establishment showing its type (such as night club, hotel, restaurant, tavern) and the date it began operating.
3. The selling prices by brand name of all beverages sold since the beginning of its operation.
4. The name of the three nearest eating and drinking establishments of the same type and their group number as determined under this order.
5. Any other information pertinent to such application or which may be requested by the Office of Price Administration.

(d) If your eating and drinking establishment begins operation after the effective date of this order, you are classified as a Group 3-B seller and may not sell or offer for sale beverages subject to this order at prices higher than those set forth for Group 3-B sellers in the appendices hereof. However, if your nearest eating and drinking establishment of the same type is one which is properly classified as a Group 1-B or Group 2-B seller, you may, within and not later than 30 days from the time you begin operating, file an application with the Charlotte District Office, requesting that your establishment be re-

classified into the same group in which its nearest eating and drinking establishment of the same type belongs. Until your application is acted upon and unless your establishment is reclassified, it must retain the classification of Group 3-B and must observe the ceiling prices as provided for that group in the appendices hereof. All such applications for reclassification must contain the same information required by paragraph (c) of this section.

(e) After you have figured your proper group number under this section and have filed the required statement with your War Price and Rationing Board as provided in Section 5, you may not change your group classification except as otherwise provided by this order.

**SEC. 5. Filing with War Price and Rationing Board.** (a) When you have figured your proper group under section 4 above, you must, on or before September 15, 1944, file with your War Price and Rationing Board a signed statement with the name and address of your establishment, its type (such as night club, hotel, restaurant, tavern) and the group to which it belongs. Thereupon the War Price and Rationing Board will send you a card bearing your group number. If you begin operating your establishment after the effective date of this order, you must likewise file said signed statement in this manner as soon as you begin operating.

(b) If you are now in operation and have not filed the signed statement showing the group number to which you belong as provided in paragraph (a) above, you must do so immediately. If you have failed to file said signed statement as herein required, you are hereby classified as a Group 3-B seller and you may not sell or offer for sale any beverage subject to this order at prices higher than the applicable ceiling prices listed for Group 3-B sellers in the appendices hereof. Failure to file said signed statement as herein provided is a violation of this order and also subjects you to the other penalties herein provided.

**SEC. 6. Modification of prices.** After you have determined your group and have put into effect the ceiling prices provided in this order for that group, the Office of Price Administration District Director for the District in which your establishment is located may direct you to charge lower ceiling prices:

(a) If, on the basis of your April 4-10, 1943 legal ceiling prices, this order, properly applied, required you to be placed into a group with lower ceiling prices.

(b) If, as a result of speculative, unwarranted, or abnormal increases, contrary to the purposes of the Emergency Price Control Act, as amended, your legal ceiling prices on April 4-10, 1943 were excessive in relation to the legal ceiling prices of other comparable establishments in the District.

**SEC. 7. Exempt sales.** The following sales are exempt from the operation of this order. However, unless they are otherwise exempt from price control, they shall remain subject to the appropriate maximum price regulation or order:

(a) Sales by persons on board common carriers (when operated as such), including railroad dining cars, club cars, bar cars, and buffet cars, or sales otherwise governed by Restaurant Maximum Price Regulation 1 (Dining Car Regulation).

(b) Sales by public and private hospitals insofar as they serve to patients.

(c) Sales by eating cooperatives formed by members of the Armed Forces (as, for example, officers' mess) operated as a non-profit cooperative (where no part of the net earnings inures to the benefit of any individual) which sells food items or meals on a cost basis (or as near thereto as reasonable accounting methods will permit), and substantially all sales of which are made to members of the Armed Forces who are members of the cooperative.

(d) Sales where the beverages subject to this order are included in, and sold as part of, a meal and where the price of such beverage is included in the price of the meal. (Such sales remain under Restaurant Maximum Price Regulation 2).

(e) Sales by the War Department or the Department of Navy of the United States through such Departments' sales stores, including commissaries, ships' stores ashore, and by stores operated as army canteens, post exchanges, or ships' activities.

(f) Bona fide private clubs insofar as such clubs sell only to members or bona fide guests of members. Whenever such clubs sell to persons other than members or bona fide guests of members, such clubs shall be considered for all sales an eating or drinking establishment and subject to this order. No club shall be considered to be exempt as a private club, within the meaning of this subparagraph, unless such club is a non-profit organization and is recognized as such by the Bureau of Internal Revenue and unless its members pay dues (more than merely nominal in amount), are elected to membership by a governing board, membership committee or other body, and unless it is otherwise operated as a private club.

No club organized after the effective date of this order shall be exempt unless and until it has filed a request for exemption with the District Office of the Office of Price Administration of the area in which it is located, furnishing such information as may be required, and has received a communication from such office authorizing exemption as a private club.

**SEC. 8. Evasion.** If you are an operator of an eating or drinking establishment, you must not evade the ceiling prices established by this order by any type of scheme or device; among other things (this is not an attempt to list all evasive practices) you must not:

(a) Institute any cover, minimum, bread and butter, service, corkage, entertainment, check-room, parking or other special charges which you did not have in effect on any corresponding day during the seven-day period from April 4-10, 1943, or

(b) Increase any cover, minimum, bread and butter, services, corkage, entertainment, check-room, parking or other special charges which you did have in effect on any corresponding day dur-

ing the seven-day period from April 4-10, 1943, or

(c) Require as a condition of sale of a beverage the purchase of other items or meals, except that during the hours from 11:30 a. m. to 1:30 p. m. and the hours from 6:00 p. m. to 8:00 p. m., any eating or drinking establishment which derives not less than 70% of its gross revenue from the sales of prepared food items (not including beverage items) sold for consumption on the premises may refuse to sell beverages subject to this order for consumption on the premises during those hours to persons who do not also purchase food items.

**SEC. 9. Records and menus.** If you are an operator of an eating or drinking establishment subject to this order, you must observe the requirements of General Order 50, as well as Restaurant Maximum Price Regulation No. 2, either as revised and amended or as may be revised and amended, with reference to the filing and keeping of menus and the preservation and keeping of customary and future records. Among other provisions of General Order 50, are the following:

(a) Preserve all existing records relating to prices, cost and sales of food items, meals and beverages;

(b) Continue to prepare and maintain such records as have been ordinarily kept;

(c) Keep for examination by the Office of Price Administration two copies of each menu used by the establishment each day, or a daily record in duplicate of the prices charged for food items, beverages and meals. If the establishment has customarily used menus, it must continue to do so.

**SEC. 10. Posting of prices.** (a) If you own or operate an eating or drinking establishment offering malt beverages subject to this order you must comply with the provisions of Order No. 2 issued under Restaurant Maximum Price Regulation No. 2 on March 10, 1945 and effective the same date, either as heretofore or hereafter revised and amended, which Order provides in part that you must on or before April 16, 1945, show on a poster to be supplied by the Office of Price Administration your lawful ceiling prices for all beer and other malt beverages which you offer for consumption on your premises.

(b) If you begin operating your establishment after April 16, 1945, you must obtain the price poster applicable to your establishment from your local War Price and Rationing Board and post same immediately.

(c) No establishment which fails to comply with the posting requirements or Order No. 2 issued under Restaurant Maximum Price Regulation No. 2 on March 10, 1945, and effective the same date, either as heretofore or hereafter revised and amended, may sell any beverage subject to this order at higher prices than the prices provided for Group 3-B sellers as set forth in the appendices hereof during such time as such establishment is not in compliance with said order.

**SEC. 11. Posting of group number.** (a) If you operate an eating or drinking establishment selling at retail beverages subject to this order, you must post, and keep posted, in the premises a card or cards clearly visible to all purchasers showing the group number of your establishment as classified under this order. The card must read "OPA-1B", "OPA-2B", or "OPA-3B", whichever is applicable. You may use the card or cards furnished you for this purpose by the War Price and Rationing Board.

(b) No establishment which fails to comply with the posting requirements of this section may sell beverages subject to this order at a higher price than provided for Group 3-B sellers in the appendices hereof during such time as such establishment is not in compliance with this section.

**SEC. 12. Receipts and sales slips.** Regardless of whether or not receipts have customarily been issued, upon request by any customer at the time of payment, a receipt containing a full description of the beverage sold and the price of same must be issued. Such receipts must show the date of issue and bear the signature of the person issuing same. If you have customarily issued receipts or sales slips, you may not now discontinue the practice.

**SEC. 13. Operation of several places.** If you own or operate more than one place selling beverages subject to this order, you must do everything required by this regulation for each place separately.

**SEC. 14. Enforcement.** If you violate any provision of this regulation, you are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspensions of licenses, provided for the Emergency Price Control Act of 1942, as amended.

**SEC. 15. Licensing.** The provisions of Licensing Order No. 1 licensing all persons who make sales under price control, are applicable to all sellers subject to this order. If you are a seller subject to this order, your license may be suspended for violation of the license or of the order. If your license is suspended, you may not, during the period of suspension, make any sale for which your license has been suspended.

**SEC. 16. Relation to other maximum price regulations.** This order supersedes the provisions of Maximum Price Regulation No. 259 and the General Maximum Price Regulation insofar as such provisions were applicable to sales at retail by eating and drinking establishments of beverages subject to this order. Sales of beverages subject to this order when sold as part of a meal and when the price of same is included in the price of the meal remain subject to the provisions of Restaurant Maximum Price Regulation No. 2.

**SEC. 17. Definitions.** (a) "Malt beverage" is any malt beverage produced within or without the continental United States, and includes those commonly designated as beer, lager beer, ale, porter and stout.

(b) "Cereal beverage" is any beverage produced from cereals either within or

without the continental United States and commonly known as "near-beer".

(c) "On draught" means dispensed by a seller at retail from any container of 1/8 barrel or larger size.

(d) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(e) "Sale, selling, etc." include the service of beer for a consideration, with a license to consume on the premises.

(f) "Eating or drinking establishments" means any place in which meals, food items or beverages are sold and served primarily for consumption on or off the premises. The term includes, but is not limited to restaurants, hotels, cafes, cafeterias, delicatessens, soda fountains, boarding houses, catering establishments, athletic stadiums, field kitchens, lunch wagons, hot dog carts, etc.

(g) "On-premise sales" means those sales made for consumption by the customer either in, on or about the premises of the seller, or in the immediate vicinity thereof, and includes curb service sales, and sales made to customers served in automobiles located on or about the premises of the seller.

(h) "Other definitions". Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in § 1499.20 of the General Maximum Price Regulation, shall apply to the other terms used herein.

**SEC. 18. Transfers of business or stock in trade.** If the business assets, or stock in trade of any establishment are hereafter sold or otherwise transferred, or have been sold or transferred subsequent to April 10, 1943, and the transferee carries on the business or continues to sell malt beverages covered by this order in the same location, the maximum prices of the transferee shall be the same as those to which its transferor would have been subject if no such transfer had taken place, and its obligations to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available or turn over to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record-keeping requirements of this order. If there is a lapse of business operations in connection with such a transfer for a period of sixty days, selling prices shall be determined as provided in section 4 for a new seller.

**SEC. 19. Changes in location.** If any establishment is hereafter moved to a new location, the establishment shall be considered a new seller under this order and shall determine its ceiling prices under the provisions of section 4.

**SEC. 20. Petitions for amendment.** Any person dissatisfied with any of the provisions of this order may request the

Office of Price Administration to amend the order. Such petition for amendment must be filed in pursuance of the provisions of Revised Procedural Regulation No. 1, except that the petition for amendment shall be directed to, filed with, and acted upon, by the District Director of the Charlotte District Office.

**SEC. 21. Revocation and amendment.** This order may be revoked, amended, or corrected at any time.

**SEC. 22. Effective date.** This order shall become effective the 20th day of July 1945. (The prior orders which this order supersedes were issued and became effective on the following dates: Order G-1 issued June 30, 1944 and effective July 10, 1944; Order G-2 issued August 19, 1944 and effective August 21, 1944.)

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

(56 Stat. 23, 765; 57 Stat. 566, Pub. Law 383, 78th Cong. Pub. Law 108, E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681, G.O. 50, 8 F.R. 4808)

Issued at Charlotte, North Carolina, this July 13, 1945.

L. W. DRISCOLL,  
District Director.

APPENDIX A

PART I—BOTTLED BEERS AND ALES

| Brand or trade name   | Maximum prices per bottle |        |           |        |           |        |
|---|---------------------------|--------|-----------|--------|-----------|--------|
|   | Group 1-B                 |        | Group 2-B |        | Group 3-B |        |
|   | 12-oz.                    | 32-oz. | 12-oz.    | 32-oz. | 12-oz.    | 32-oz. |
| <i>Beer</i>   |                           |        |           |        |           |        |
| Ambassador.....   | \$0.25                    | \$0.50 | \$0.20    | \$0.45 | \$0.18    | \$0.42 |
| Blatz Pilsner.....  | .25                       | .50    | .20       | .45    | .18       | .42    |
| Budweiser.....  | .25                       | .50    | .20       | .45    | .18       | .42    |
| Ehret's Extra.....  | .25                       | .50    | .20       | .45    | .18       | .42    |
| Embassy Club.....   | .25                       | .50    | .20       | .45    | .18       | .42    |
| Loewer's Premium.....   | .25                       | .50    | .20       | .45    | .18       | .42    |
| Miller High Life.....   | .25                       | .50    | .20       | .45    | .18       | .42    |
| Namar.....  | .25                       | .50    | .20       | .45    | .18       | .42    |
| Pabst Blue Ribbon.....  | .25                       | .50    | .20       | .45    | .18       | .42    |
| Peter Hand Extra Pale.....  | .25                       | .50    | .20       | .45    | .18       | .42    |
| Schlitz.....  | .25                       | .50    | .20       | .45    | .18       | .42    |
| Tru-Blu Old-Fashioned Premium.....  | .25                       | .50    | .20       | .45    | .18       | .42    |
| <i>Special ale</i>  |                           |        |           |        |           |        |
| Champ.....  | .30                       |        | .25       |        | .22       |        |
| <i>Ale</i>  |                           |        |           |        |           |        |
| Carling's Red Cap.....  | .25                       | .50    | .20       | .45    | .18       | .42    |
| Loewer's Premium.....   | .25                       | .50    | .20       | .45    | .18       | .42    |
| Triple X (XXX) Ballantine.....  | .25                       | .50    | .20       | .45    | .18       | .42    |
| Tru-Blu Old-Fashioned Premium.....  | .25                       | .50    | .20       | .45    | .18       | .42    |
| Downs India Pale (7-oz. bottle):  |                           |        |           |        |           |        |
| Group 1-B.....  | .20                       | .45    | .15       | .40    | .13       | .37    |
| Group 2-B.....  |                           |        |           |        |           |        |
| Group 3-B.....  |                           |        |           |        |           |        |
| All other brands of domestic or imported beer and ale not listed above and not listed in appendix B hereof, including unlabeled beer and ale..... |                           |        |           |        |           |        |

For all other brands of beer and ale in less than 12 oz. bottles—10 cents per bottle for groups 1-B, 2-B, and 3-B.

PART II—DRAUGHT BEERS

| Brand or trade name and size | Maximum prices for groups |        |        |
|------------------------------|---------------------------|--------|--------|
|                              | 1-B                       | 2-B    | 3-B    |
| All brands:                  |                           |        |        |
| 8-ounce glass.....           | \$0.13                    | \$0.10 | \$0.09 |
| 10-ounce glass.....          | .15                       | .12    | .11    |
| 12-ounce glass.....          | .17                       | .14    | .13    |
| 14-ounce glass.....          | .19                       | .16    | .15    |

All other sizes—1¢ per ounce, for all groups.

**NOTE:** The above prices include all State taxes, sales or otherwise, and all Federal taxes with the exception of the Federal excise tax on cabarets. Sellers who are required to pay the Federal excise tax on cabarets may add the same to the above prices if such tax is separately stated and collected.

APPENDIX B

The brands listed herein are not to be used for the purpose of classification into groups, as provided in section 4 of the order.

| Brand or trade name              | Maximum price per bottle |        |           |        |           |        |
|----------------------------------|--------------------------|--------|-----------|--------|-----------|--------|
|                                  | Group 1-B                |        | Group 2-B |        | Group 3-B |        |
|                                  | 12-oz.                   | 32-oz. | 12-oz.    | 32-oz. | 12-oz.    | 32-oz. |
| <i>Beer</i>                      |                          |        |           |        |           |        |
| Barbarossa.....                  | \$0.20                   | \$0.45 | \$0.18    | \$0.42 | \$0.16    | \$0.40 |
| Bay State.....                   | .20                      | .45    | .18       | .42    | .16       | .40    |
| Berghoff.....                    | .20                      | .45    | .18       | .42    | .16       | .40    |
| Burger Brau.....                 | .20                      | .45    | .18       | .42    | .16       | .40    |
| Doerschuck.....                  | .20                      | .45    | .18       | .42    | .16       | .40    |
| Esslinger's.....                 | .20                      | .45    | .18       | .42    | .16       | .40    |
| Gold Medal Tivoli.....           | .20                      | .45    | .18       | .42    | .16       | .40    |
| Hi-Brau.....                     | .20                      | .45    | .18       | .42    | .16       | .40    |
| Holland Premium.....             | .20                      | .45    | .18       | .42    | .16       | .40    |
| Hornung's.....                   | .20                      | .45    | .18       | .42    | .16       | .40    |
| Koenig's Special.....            | .20                      | .45    | .18       | .42    | .16       | .40    |
| Krueger's Finest.....            | .20                      | .45    | .18       | .42    | .16       | .40    |
| Lion.....                        | .20                      | .45    | .18       | .42    | .16       | .40    |
| Metzger's Pilsener.....          | .20                      | .45    | .18       | .42    | .16       | .40    |
| Morlein.....                     | .20                      | .45    | .18       | .42    | .16       | .40    |
| Oxford.....                      | .20                      | .45    | .18       | .42    | .16       | .40    |
| Peters (1854).....               | .20                      | .45    | .18       | .42    | .16       | .40    |
| P. O. S.....                     | .20                      | .45    | .18       | .42    | .16       | .40    |
| Red Fox.....                     | .20                      | .45    | .18       | .42    | .16       | .40    |
| Supreme.....                     | .20                      | .45    | .18       | .42    | .16       | .40    |
| <i>Ale</i>                       |                          |        |           |        |           |        |
| Bay State.....                   | .20                      | .45    | .18       | .42    | .16       | .40    |
| Cream Ale (Krueger).....         | .20                      | .45    | .18       | .42    | .16       | .40    |
| Esslinger's (Little Man).....    | .20                      | .45    | .18       | .42    | .16       | .40    |
| Gold Medal Tivoli.....           | .20                      | .45    | .18       | .42    | .16       | .40    |
| Graham's Carbonated.....         | .20                      | .45    | .18       | .42    | .16       | .40    |
| Koenig's.....                    | .20                      | .45    | .18       | .42    | .16       | .40    |
| Lion.....                        | .20                      | .45    | .18       | .42    | .16       | .40    |
| Oxford.....                      | .20                      | .45    | .18       | .42    | .16       | .40    |
| Red Top.....                     | .20                      | .45    | .18       | .42    | .16       | .40    |
| Downs India Pale (7-oz. bottle): |                          |        |           |        |           |        |
| Group 1-B.....                   | .20                      | .45    | .15       | .40    | .13       | .37    |
| Group 2-B.....                   |                          |        |           |        |           |        |
| Group 3-B.....                   |                          |        |           |        |           |        |

For all other brands of beer and ale in less than 12-oz. bottles—10¢ per bottle for groups 1-B, 2-B, and 3-B.

**NOTE:** The above prices include all State taxes, sales, or otherwise, and all Federal taxes with the exception of the Federal excise tax on cabarets. Sellers who are required to pay the Federal excise tax on cabarets may add the same to the above prices if such tax is separately stated and collected.

[F. R. Doc. 45-13782; Filed, July 26, 1945; 12:33 p. m.]

[Region VI Order G-110 Under 13 (c)]

BERMAN BROTHERS, INC.

AUTHORIZATION OF MAXIMUM PRICES

Pursuant to the authority vested in the Regional Administrator of Region VI of § 1499.18 (c) of the General Maximum Price Regulation, and for reasons stated

in an opinion issued herewith, it is ordered:

(a) *What this order does.* (1) This order establishes the maximum prices of Berman Bros., Inc. of 1501 South Lavin Street, Chicago, Illinois, for the sale of used marked bottles and used beverage cases to bottlers; and

(2) It establishes maximum prices of second-hand bottle dealers for the sale to Berman Brothers, Inc., of used marked bottles and used beverage cases.

(b) *Geographical applicability.* This order applies to all sales of used marked bottles and used beverage cases made in the city of Chicago, Illinois, to and by Berman Brothers, Inc.

(c) *Maximum prices.* (1) The maximum prices of Berman Brothers, Inc., for the sale to bottlers of used marked bottles and used beverage cases are hereby established as follows:

| Item                        | Maximum price  |
|-----------------------------|----------------|
| 7- and 8-ounce bottles..... | 24¢ per dozen. |
| 12-ounce bottles.....       | 33¢ per dozen. |
| 32-ounce bottles.....       | 56¢ per dozen. |
| Beverage cases.....         | 19¢ each.      |

(2) The maximum prices of second-hand bottle dealers for the sale to Berman Brothers, Inc., of used marked bottles and used beverage cases are hereby established as follows:

| Item                        | Maximum price  |
|-----------------------------|----------------|
| 7- and 8-ounce bottles..... | 12¢ per dozen. |
| 12-ounce bottles.....       | 24¢ per dozen. |
| 32-ounce bottles.....       | 42¢ per dozen. |
| Beverage cases.....         | 15¢ each.      |

(d) *Filing of reports.* Berman Brothers, Inc., shall file with the Regional Office of Region VI of the Office of Price Administration quarterly profit and loss statements for the operation of its bottle exchange covering the periods ending September 30, 1945, December 31, 1945, March 31, 1946, and June 30, 1946, to be filed within 15 days following the end of each quarter.

(e) *Definitions.* (1) The term "used marked bottle" means a bottle stenciled with the trade name of a bottling firm or company and which has previously been used in the distribution and sale of bottled beverages.

(2) The term "second-hand bottle dealers" means persons or companies who obtain used marked bottles from junkmen and bottle pickers, sort them, and resell them for distribution to the bottlers who originally owned them.

(3) Except as otherwise provided herein or as the context may otherwise require, all terms used in this order shall bear the meaning given them in the General Maximum Price Regulation or in the Emergency Price Control Act of 1942; if not therein defined, they shall be given their ordinary and popular trade meaning.

(f) *Effect of order on the General Maximum Price Regulation.* To the extent applicable, the provisions of this order supersede the General Maximum Price Regulation. Insofar as any provision of this order may be inconsistent with any provision of the General Maximum Price Regulation, the provision contained in this order shall be controlling. Except as herein otherwise provided, the provisions of the General Maximum Price

Regulation shall remain in full force and effect.

(g) *Prohibitions.* On and after the effective date of this order, regardless of any contract or other obligation no person shall sell, offer to sell, or deliver and no person shall, in the course of trade or business, buy used marked bottles and beverage cases at prices higher than the maximum prices established by this order, or obtain higher than maximum prices by using any device or method in evasion of the order.

This order shall become effective immediately.

Issued this 16th day of July 1945.

RAE E. WALTERS,  
Regional Administrator.

[F. R. Doc. 45-13781; Filed, July 26, 1945; 12:31 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-998]

ARKANSAS-MISSOURI POWER CORP.

SUPPLEMENTAL ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 25th day of July, A. D., 1945.

Arkansas-Missouri Power Corporation, a registered holding company, and a public utility subsidiary of The Middle West Corporation, also a registered holding company, having filed a declaration and amendments thereto pursuant to sections 6 and 7 of the Public Utility Holding Company Act of 1935, and Rule U-50 promulgated thereunder, regarding the issuance and sale at competitive bidding, of \$2,000,000 principal amount of First Mortgage Bonds, Series A, 3 1/8%, due December 1, 1974, and the application of the net proceeds from the sale of said bonds together with general funds of declarant to the redemption of \$2,000,000 principal amount of its outstanding First Mortgage Bonds, Series A, 4%, due June 1, 1965, at the redemption price of 104 3/4% of the principal amount thereof plus accrued interest to the date of redemption; and

The Commission having by order entered herein under date of July 6, 1945, permitted said declaration, as amended, to become effective subject to the condition that the proposed issuance and sale of securities should not be consummated until the results of competitive bidding pursuant to Rule U-50 shall have been made a matter of record in this proceeding and a further order entered in the light of the record so completed; and

Arkansas-Missouri Power Corporation having filed a further amendment to the declaration, setting forth the action taken to comply with the requirements of Rule U-50 and showing that, pursuant to the invitation for competitive bids, 5 bids on said bonds by 5 agencies, underwriters or groups of underwriters headed by the firms set forth below were received:

| Agency or underwriting group | Commission rate | Price to company <sup>1</sup> (% of principal amount) | Annual cost to company |
|------------------------------|-----------------|---|------------------------|
| Dick & Merle-Smith.....      | 3 3/8           | 102.17449   | Percent 3.01435        |
| Kidder, Peabody & Co.....    | 3 3/8           | 101.895   | .....                  |
| Halsey-Stuart & Co., Inc.... | 3 3/8           | 100.527   | .....                  |
| Harriman Ripley & Co., Inc.  | 3 3/8           | 98.70   | .....                  |
| Blyth & Co., Inc.....        | 3 3/8           | 98.578  | .....                  |

<sup>1</sup> Plus accrued interest from June 1, 1945.

The said amendment having further stated that the Arkansas-Missouri Power Corporation has accepted the bid of Dick & Merle-Smith who, according to the company's information, submitted their proposal as attorneys-in-fact for John Hancock Mutual Life Insurance Company of Boston, Massachusetts, and are to be paid by said insurance company the sum of \$5,000 as compensation for their services and reimbursement for their expenses and also stated that the bonds will not be reoffered for sale to the public; and

The Commission having examined the record in the light of said amendment, and finding no basis for imposing terms and conditions with respect to the price to be paid to the company for said bonds;

It is ordered, That, subject to the terms and conditions contained in Rule U-24, said declaration, as amended, be and the same is hereby permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 45-13623; Filed, July 27, 1945; 11:12 a. m.]

[File Nos. 70-1107 and 70-1109]

NEW YORK POWER AND LIGHT CORP. AND NEW YORK STATE ELECTRIC & GAS CORP.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 25th day of July 1945.

New York Power and Light Corporation, a subsidiary of Niagara Hudson Power Corporation and The United Corporation, a registered holding company, having filed a declaration pursuant to section 12 (d) of the Public Utility Holding Company Act of 1935 and Rule U-44 promulgated thereunder regarding the sale by New York Power and Light Corporation to New York State Electric & Gas Corporation, a subsidiary of NY PA NJ Utilities Company, a registered holding company, of an electric transmission substation, known as the Carmel Substation, located in the Town of Carmel, Putnam County, New York, and appurtenant equipment for a cash consideration of \$200,000 subject to certain closing adjustments; and

New York State Electric & Gas Corporation having filed an application pursuant to section 10 of the act regarding the acquisition of said utility assets; and

The New York Public Service Commission having granted its consent to New York Power and Light Corporation to transfer said utility assets to New York State Electric & Gas Corporation, by reason of which consent there is some question as to whether the acquisition by New York State Electric & Gas Corporation is subject to the provisions of section 10 of the act or is exempt therefrom by virtue of section 9 (b) (1) of the act; and

Said declaration and application having been filed on July 5 and July 10, 1945, respectively, and notice of said filings having been given in the form and manner prescribed by Rule U-23 under said act, and the Commission not having received a request for hearing with respect to said declaration and application within the period specified in such notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding in respect of the declaration of New York Power and Light Corporation that the provisions of section 12 of the act and Rule U-44 promulgated thereunder are satisfied, and that no adverse findings are necessary thereunder; and deeming it appropriate, in the public interest and in the interests of investors and consumers to permit said declaration to become effective; and

The Commission deeming it necessary to resolve the question as to whether the acquisition by New York State Electric & Gas Corporation is exempt from the provisions of section 10 of the act, since, in any event, it is of the opinion that the acquisition by New York State Electric & Gas Corporation will serve the public interest by tending toward the economical and efficient development of an integrated public utility system, and that no adverse findings are necessary under sections 10 (b) and 10 (c) (1) of the act:

*It is hereby ordered*, That, pursuant to Rule U-23 and the applicable provisions of said Act and subject to the terms and conditions prescribed in Rule U-24, the aforesaid declaration be, and hereby is, permitted to become effective and the aforesaid application be, and hereby is, granted forthwith.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 45-13824; Filed, July 27, 1945;  
11:12 a. m.]

#### WAR PRODUCTION BOARD

[C-272, Revocation]

HERBERT L. BATCHELDER

#### CONSENT ORDER

Pursuant to an agreement between the above-named party, the Regional Compliance Manager and the Regional Attorney Consent Order No. C-272 was issued February 27, 1945, in consequence of a violation of Conservation Order L-41. Herbert L. Batchelder has applied for revocation of the Consent Order with

the approval of the Regional Compliance Manager and the Regional Attorney.

Accordingly, the Director of the Compliance Division and the Office of General Counsel have determined that the occasion for *Consent Order No. C-272* no longer exists, and therefore, it is hereby revoked.

Issued this 26th day of July 1945.

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

[F. R. Doc. 45-13722; Filed, July 26, 1945;  
11:30 a. m.]

[C-396]

W. J. NUSS LUMBER & SUPPLY CO.

#### CONSENT ORDER

W. J. Nuss Lumber and Supply Company, located at 155 West McWilliams Street, Fond du Lac, Wisconsin, a Wisconsin corporation, is a wholesale and retail dealer in lumber and building materials and a manufacturer of millwork, interior trim, cabinet work and stairs. The company is charged by the War Production Board with the following violations:

(1) That the company has failed to maintain accurate and adequate records as required by Priorities Regulation No. 1; and

(2) That during the period from January 1, 1943, to December 31, 1943, it extended a preference rating of AA-1 to its suppliers to acquire approximately 200,000 board feet of lumber in excess of the amount of lumber which it delivered on customer orders bearing this preference rating. This constituted a violation of Priorities Regulation No. 3. The said W. J. Nuss Lumber and Supply Company admits the violations as charged and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of W. J. Nuss Lumber and Supply Company; of J. C. Baker, Regional Manager, Compliance Division; of James R. Bryant, Regional Attorney; and upon the approval of Frank T. Boesel, Compliance Commissioner; *It is hereby ordered*, That:

(a) W. J. Nuss Lumber and Supply Company, its successors or assigns, shall install, keep and preserve for a period of not less than two years accurate and complete records as required by Priorities Regulation No. 1.

(b) Lumber may be procured by the W. J. Nuss Lumber and Supply Company under and to the extent of the provisions of paragraphs (c), (1), (2), (3) and (4) of the War Production Board Limitation Order L-335, as amended January 5, 1945, except that under paragraph (c) (1) of said order, as amended aforesaid, the respondent shall deduct rated certificates covering 50,000 board feet of lumber each calendar quarter during the third and fourth calendar quarters of the year 1945 and the first and second calendar quarters of the year 1946 from its available rated certificates, and the

total rated certificates covering 200,000 board feet of lumber, computed as aforesaid, shall not be extended by the respondent at any time hereafter.

(c) Nothing contained in this order shall be deemed to relieve the said W. J. Nuss Lumber and Supply Company, its successors or assigns, from any restriction, prohibition, or provision contained in any order or regulation of the War Production Board, insofar as the same may be inconsistent with the provisions hereof.

Issued this 26th day of July 1945.

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

[F. R. Doc. 45-13723; Filed, July 26, 1945;  
11:30 a. m.]

[C-398]

GALESBURG PRINTING AND PUBLISHING CO.

#### CONSENT ORDER

Galesburg Printing and Publishing Company is a corporation with its principal place of business at Galesburg, Illinois. During the fourth calendar quarter of 1943 and the first, second, third and fourth calendar quarters of 1944 it used or caused to be used in the publication of The Daily Register Mail print paper in excess of its quota established by Limitation Order L-240 amounting to 52,924 tons. Galesburg Printing and Publishing Company admits such excess usage of print paper and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Galesburg Printing and Publishing Company, the Regional Compliance Chief, the Regional Attorney and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) The Daily Register Mail, its successors and assigns, shall reduce its consumption of print paper during each of the second, third and fourth quarters of 1945, and the first quarter of 1946 so that its total usage for each of such quarters shall be 6,334 tons, 17,666 tons, 12,500 tons and 16,424 tons, respectively, less than it would otherwise be permitted to use during each of those quarters under the provisions of Limitation Order L-240, unless otherwise authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Galesburg Printing and Publishing Company, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except, insofar as the same may be inconsistent with the provisions hereof.

Issued this 26th day of July 1945.

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

[F. R. Doc. 45-13724; Filed, July 26, 1945;  
11:30 a. m.]