

# FEDERAL REGISTER



VOLUME 10

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## Regulations

### TITLE 7—AGRICULTURE

#### Chapter VIII—Sugar Agency

##### PART 802—SUGAR DETERMINATIONS

DETERMINATION OF FAIR AND REASONABLE WAGE RATES FOR PERSONS EMPLOYED IN HARVESTING SUGARCANE IN LOUISIANA DURING SEPT. 1, 1945, TO JUNE 30, 1946

Pursuant to section 301 (b) of the Sugar Act of 1937, as amended, the following determination is hereby issued:

§ 802.24u *Fair and reasonable wage rates for harvesting of sugarcane in Louisiana during the period September 1, 1945, to June 30, 1946.* The requirements of section 301 (b) of the Sugar Act of 1937, as amended, shall be deemed to have been met with respect to the harvesting of sugarcane in Louisiana during the period from September 1, 1945, to June 30, 1946, if all persons employed on the farm during that period in the harvesting of sugarcane shall have been paid in full for all such work and shall have been paid wages in cash therefor at rates as follows:

(a) The wage rates agreed upon between the producer and the laborer but in no case less than the rates prescribed under paragraphs (b), (c), and (d).

(b) *Time rates for adult males and adult females.*

	Per day of 9 hours
(1) Cutting, topping, stripping:	
Adult males.....	\$2.85
Adult females.....	2.30
(2) Loading.....	3.45
(3) Cutting and loading.....	3.05
(4) Tractor drivers and truck drivers.....	3.55
(5) Teamsters.....	3.35
(6) Hoist Operators.....	3.05
(7) Any other harvesting operations not connected with mechanical loading or mechanical harvesting:	
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(11) Scrappers and other operations connected with mechanical loading or mechanical harvesting..... \$2.85

For a working day longer or shorter than 9 hours the rate shall be in proportion to the applicable rate prescribed above.

(c) *Time rates for workers 14 to 16 years of age.*

For workers between the ages of 14 and 16 years, the rate per day of 8 hours (maximum hours per day for such workers) shall be not less than three-fourths of the applicable rate established under paragraph (b) for adult male workers for a 9 hour day. For a working day shorter than 8 hours, the rate shall be in proportion.

(d) *Piece rates for adult males, adult females, or workers 14 to 16 years of age.*

Operations	Rate per ton	
	Large barrel varieties <sup>1</sup>	Small barrel varieties
(1) Cutting top and bottom and stripping.....	\$1.24	\$1.44
(2) Cutting top and bottom.....	.96	1.05
(3) Loading.....	.29	.38
(4) (1) and (3) combined.....	1.53	1.82
(5) (2) and (3) combined.....	1.25	1.43

(e) The piece rate for any operation not specified above shall be that agreed upon between the producer and the laborer; *provided, however, that the earnings for the time involved shall not be less than the applicable time rate specified in paragraphs (b) or (c); and, provided further, that such minimum earnings shall not apply to prisoners of war but they shall be paid at the same piece rates as other laborers.*

<sup>1</sup> Large barrel varieties: CO 290; CP 29-103; CP 29-116; 31-291; 33-243.

(e) *General provisions.*

(1) In addition to the foregoing the producer shall furnish to the laborer without charge the customary perquisites, such as a habitable house, medical attention, and other customary incidentals.

(2) The producer shall not, through any subterfuge or device whatsoever, reduce the wage rates to laborers below those determined herein.

(Section 301, 50 Stat. 909; 7 U.S.C. 1131)

Issued this 13th day of August 1945.  
[SEAL] CLINTON P. ANDERSON,  
Secretary of Agriculture.

[F. R. Doc. 45-14915; Filed, Aug. 13, 1945;  
11:08 a. m.]

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PART 1410—LIVESTOCK AND MEATS	
BEEF REQUIRED TO BE SET ASIDE	
War Food Order No. 75-2, as amended (10 F.R. 6496, 7787, 8805, 9421), is further amended to read as follows:	
§ 1410.18 Beef required to be set aside.	
(a) Definitions.	
(1) "Governmental agency" means the Army, Navy, Marine Corps, or Coast Guard of the United States (excluding for the purposes of this order, United States Army post exchanges, United States Navy ships' service departments, United States Marine	
<sup>1</sup> Appears under War Manpower Commission in Notices section.	

Corps post exchanges, and similar organizations, United States Department of Agriculture (including but not restricted to any corporate agency thereof), the War Shipping Administration, and the Veterans Administration.

(2) "Army-style beef" means (i) dressed steer carcasses of "U. S. Choice", "U. S. Good", or "U. S. Commercial" grade weighing between 350 and 1,100 pounds; (ii) dressed heifer carcasses of "U. S. Choice", "U. S. Good", or "U. S. Commercial" grade weighing between 300 and 1,100 pounds; and (iii) dressed cow carcasses of "U. S. Good" or "U. S. Commercial" grade weighing between 350 and 1,100 pounds.

(3) "Federally inspected slaughterer" means any slaughterer whose establishment is operated under Federal inspection.

(4) "Federal inspection" means inspection under the provisions of the act of March 4, 1907 (34 Stat. 1260), as amended, 21 U.S.C. 71, and as extended by Public Law 602, 77th Congress, approved June 10, 1942 (56 Stat. 351), and the rules and regulations promulgated thereunder.

(5) "Certified slaughterer" means any slaughterer of livestock who has been certified by the Secretary of Agriculture under War Food Order No. 139, as amended (10 F.R. 8806).

(6) "Certified slaughtering plant" means any establishment or facility for the slaughter of livestock which has been certified by the Secretary of Agriculture under War Food Order No. 139, as amended, *supra*.

(7) "Authorized purchaser" means:

(i) Any person who is under contract to sell or deliver set aside beef, or products prepared in whole or part therefrom, to a governmental agency;

(ii) Any person who has delivered set aside beef, or products prepared in whole or part therefrom, to a governmental agency, and has not replaced the set aside beef so delivered, or contained in the products so delivered, by a purchase of set aside beef under this order;

(iii) Any person who is authorized by the Director to purchase set aside beef.

(8) "Contract school", "marine hospital", or "maritime academy" means any person defined as such in War Food Order No. 73, as amended (9 F.R. 10036, 10927, 13741).

(9) "Ship supplier" means any person defined as such in War Food Order No. 74, as amended (10 F.R. 5759), who holds a license under that order.

(10) "Set aside beef" means beef of the type and grade required to be set aside, reserved, and held under this order.

(11) "Base period" means that period of the year 1944 established by the Director and published in Appendix A, attached hereto and made a part hereof.

(12) "Current rate of slaughter" means the total dressed weight of cattle slaughtered during a current week divided by the average weekly slaughter (dressed weight) during the base period. Current rate of slaughter shall be stated in terms of percentage.

(13) "Northern Area of Zone 9" includes the following:

(i) Maine, New Hampshire, Vermont, Massachusetts, Connecticut, and Rhode Island;

(ii) All that portion of New York east of and including the counties of Saint Lawrence, Jefferson, Lewis, and Herkimer, and east and southeast of and including the counties of Otsego, Delaware, Sullivan, Orange, Rockland, Westchester, New York, Bronx, Kings, and Richmond;

(iii) All that portion of Pennsylvania east of and including the counties of Tioga, Lycoming, Union, Mifflin, Juniata, Perry, and Franklin;

(iv) New Jersey and Delaware;

(v) All that portion of Maryland east and southeast of and including the counties of Washington, Frederick, Montgomery, Prince Georges, Charles, and Saint Marys; and

(vi) The District of Columbia.

(14) "Zone 9 Kosher slaughterer" means any slaughterer of kosher beef located in the Northern Area of Zone 9, who has registered with the Office of Price Administration as required by paragraph (d) of § 1364.407 of Maximum Price Regulation 169, as amended.

(15) "Conversion weight" means the dressed weight equivalent of the meat derived from the slaughter of cattle, determined as prescribed in paragraph (g) hereof.

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

(17) "Director" means the Director of Marketing Services, United States Department of Agriculture.

(18) Any term not specifically defined herein shall have the meaning set forth for such term in War Food Order No. 75, as amended (10 F.R. 4649).

(b) *Purpose of this order.* This order is intended to provide for the procurement by governmental agencies, authorized purchasers, contract schools, marine hospitals, maritime academies, and ship suppliers, of an amount of beef of the indicated grades equal to the following percentages of the aggregate total of all beef of such grades produced by slaughterers subject to the provisions of this order:

Percent

Army-style beef	20
Utility (Grade C) and cutter and canner (Grade D) beef	55

(c) *Army-style beef; slaughterers affected.* The provisions of this paragraph (c) shall apply to the following slaughterers:

All federally inspected slaughterers; Every slaughterer whose cattle are slaughtered in an establishment operated under Federal inspection;

Every slaughterer who, in any calendar week, slaughters more than 51 head of cattle producing Army-style beef;

Every slaughterer whose cattle are slaughtered in an establishment in which, during any calendar week, there are slaughtered more than 51 head of cattle producing Army-style beef;

Every certified slaughterer who is notified of the applicability of this paragraph (c) by the Order Administrator;

Every owner or operator of a certified slaughtering plant who is notified of the applicability of this paragraph (c) by the Order Administrator.

(1) No slaughterer subject to the provisions of this paragraph (c) shall deliver meat unless he shall set aside, reserve, and hold for delivery to governmental agencies, authorized purchasers, contract schools, marine hospitals, maritime academies, and ship suppliers, such percentages, as the Director may determine in accordance with the provisions of paragraph (e) hereof, of the conversion weight of each week's production of beef graded "U. S. Choice", "U. S. Good", and "U. S. Commercial", obtained from steers, heifers, and cows whose carcasses produce Army-style beef.

(2) No slaughterer subject to the provisions of this paragraph (c) shall deliver meat unless he shall bone, in accordance with Army-specifications for frozen boneless beef, not less than 90 percent of each grade of Army-style beef set aside, reserved, and held by such slaughterer: *Provided, however,* That the Order Administrator may wholly or partially exempt any slaughterer from this requirement upon a proper showing that said slaughterer (i) does not have adequate facilities for boning; (ii) does not have, or is unable to obtain, sufficient personnel to bone said beef, or (iii) is unable to comply with this requirement for any reason which appears to the Order Administrator to warrant such exemption.

(d) *Utility grade cutter and canner beef; slaughterers affected.* The provisions of this paragraph (d) shall apply to the following slaughterers:

All federally inspected slaughterers;

Every slaughterer whose cattle are slaughtered in an establishment operated under Federal inspection;

Every certified slaughterer who is notified of the applicability of this paragraph (d) by the Order Administrator;

Every owner or operator of a certified slaughtering plant who is notified of the applicability of this paragraph (d) by the Order Administrator.

No slaughterer subject to the provisions of this paragraph (d) shall deliver meat unless he shall set aside, reserve, and hold for delivery to governmental agencies, authorized purchasers, contract schools, marine hospitals, maritime academies, and ship suppliers, such percentages, as the Director may determine in accordance with the provisions of paragraph (e) hereof, of the conversion weight of each week's production of beef obtained from steers, heifers, cows, stags, and bulls of U. S. Utility grade (Grade C beef) and cutter and canner grade (Grade D beef).

(e) *Determination of percentages.* The specific percentage of each grade of beef which any slaughterer shall be required to set aside under this order shall be proportional to and graduated in accordance with the current rate of slaughter of such slaughterer, with the result that a greater proportion of Government requirements will be drawn from those slaughterers who are slaughtering more, with reference to the base

period, than their normal volume of cattle. Determination of such percentages will be made by the Director at periodic intervals and published in Appendix A hereof.

(f) *Federal inspection.* (1) No slaughterer who is or who becomes subject to paragraph (c) of this order by virtue of slaughtering, in any calendar week, more than 51 head of cattle producing Army-style beef shall deliver meat unless he shall apply and qualify under the Meat Inspection Act (21 U. S. C. 71 et seq.) and the regulations applicable thereto, for Federal meat inspection of all Army-style carcasses and beef required to be set aside by him under this order. No such slaughterer who fails to apply or qualify for Federal inspection as herein provided shall thereafter slaughter, in any calendar week, more than 51 head of cattle producing Army-style beef.

(2) No owner or operator of slaughtering facilities, other than a farmer, shall slaughter or permit such facilities to be used for the slaughter, in any calendar week, of more than 51 head of cattle producing Army-style beef, unless he has qualified or shall hereafter apply and qualify under the Meat Inspection Act (21 U.S.C. 71 et seq.) and the regulations applicable thereto for Federal meat inspection of all Army-style carcasses and beef required to be set aside under this order.

(g) *Conversion weight.* (1) The conversion weight of all deliveries of beef, and the conversion weight of carcasses and of cuts and trimmings derived therefrom, and of beef products produced therefrom shall be determined by multiplying the weight thereof by the appropriate conversion factor set forth below:

Type and description of product:	Conversion factor (multiplier)
Dressed carcasses and cuts, not boned, fresh (chilled) or frozen	1.00
Boned beef and trimmings, fresh (chilled) or frozen	1.41
Cured other than dried—not boned	.95
Cured other than dried—boned	1.34
Dried (including smoked)	2.20
Boneless beef derived from cutter and canner grade steers, heifers, cows, stags, and bulls (Grade D beef)	1.45
Canned beef and gravy	2.00

The term "boned" describes cuts from which 50 percent or more of the bone, by weight, has been removed by the process of boning, and the term "not boned" describes cuts from which none or less than 50 percent of the bone, by weight, has been removed, and primal cuts which contain no bone.

(2) The conversion weight of beef of any type used in the preparation of sausage or in the preparation of canned meat, or any other beef product not specified above, shall be computed by determining, on the basis of the manufacturing formula, the net weight of the beef in such processing, and multiplying such net weight by the applicable conversion factor set forth above for such type of beef. The net weight of beef which is cooked and used in the prepara-

tion of canned meat not specified above shall be the weight thereof before cooking.

(3) The Director may, upon written application, revise any conversion weight factor where it is shown that such factor is working an undue hardship in the preparation of certain products.

(h) *Credits allowed on deliveries.* Subject to paragraph (i) hereof, any set-aside beef delivered to a governmental agency, authorized purchaser, contract school, marine hospital, maritime academy, or ship supplier may be credited against the requirements of paragraphs (c) and (d) hereof for beef of the type and grade so delivered.

(i) *Certificates.* No set-aside beef shall be delivered to any authorized purchaser, and no credit shall be allowed for any such delivery unless, within 10 days after delivery, the slaughterer obtains a certificate signed by the authorized purchaser, acknowledging receipt of the beef and containing the following: the name and address of both parties and the date of delivery; the contract number of the contract between the authorized purchaser and the governmental agency; and a statement by the authorized purchaser that the set-aside beef so delivered, or an equivalent amount of set-aside beef, will be or has been used in the fulfillment of such contract. The slaughterer shall endorse on such certificate the conversion weight of such beef, together with a description permitting conversion in accordance with paragraph (g) hereof. The slaughterer and the authorized purchaser shall each retain an original of such certificate for at least two years and shall submit the same to the Director upon request. All statements contained in or accompanying such certificates shall be deemed representations to an agency of the United States. No person shall be entitled to rely upon any such certificate if he knows or has reasonable cause to believe it to be false.

(j) *Storage; packaging.* All Army-style beef set aside and reserved under this order shall be stored in such manner as to maintain the quality thereof, and shall be prepared and packaged in accordance with Army specifications.

(k) *Authorized purchasers required to redeliver.* Each authorized purchaser who receives set-aside beef under the provisions of this order shall deliver all such beef, or an equivalent amount of set-aside beef, to a governmental agency, contract school, marine hospital, maritime academy, or ship supplier.

(l) *Allocation.* The Director may, by general order or written notice to individual slaughterers, order the allocation of beef set aside under this order to or among specific governmental agencies, authorized purchasers, contract schools, marine hospitals, maritime academies, or ship suppliers. In the absence of such allocation, slaughterers may, subject to paragraph (i) hereof, sell beef so set aside to any such person or agency.

(m) *Existing contracts.* The provisions of this order shall not be construed as reducing the amount of meat which any slaughterer is required to offer

or to deliver under any existing contract with a governmental agency, as defined herein, or with the United States Maritime Commission.

(n) *Reports.* Every slaughterer subject to paragraph (c) hereof shall report to the Director concerning his production of and transactions in beef. Such reports shall be made at such times and upon such forms as the Director may require, and shall be subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(o) *Audits and inspections.* The Director shall be entitled to make such audits and inspections of the books, records and other writings, premises, supplies of livestock or stocks of meat 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.

(p) *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.

(q) *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 livestock, meat, meat products, or animal fats. Any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(r) *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. 75-2, Livestock and Meats Branch, Office of Marketing Services, United States Department of Agriculture, 5 South Wabash Avenue, Chicago 3, Illinois.

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

(t) *Effective date.* This amendment shall become effective at 12:01 a. m. e. w. t., August 12, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 75-2, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper

suit action, or other proceeding with respect to any such violation, right, liability, or appeal.

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; WFO 75, 10 F.R. 4649)

Issued this 10th day of August 1945.

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

**APPENDIX A—SCHEDULE OF GOVERNMENT BEEF PURCHASED AND SET ASIDE PERCENTAGES UNDER WAR FOOD ORDER NO. 75-2**

*Base period.* The month of August 1944 is hereby established as the base period.

*Current rate of slaughter.* Current rate of slaughter is determined by dividing the dressed weight of cattle slaughtered during a current week by the average weekly slaughter of cattle (dressed weight) during the base period (August 1944).

*Government purchase and set aside percentages.* In accordance with the standard set forth in paragraph (e), the following schedule of percentages is hereby established. The quantity of each grade of Army-style beef which the persons or agencies designated in paragraph (c) (1) may purchase is determined by applying the appropriate percentage to the total weekly production (dressed weight) of each of such grades of Army-style beef, and the quantities of Utility grade (Grade C) beef and of Canner and Cutter grade (Grade D) beef which are required to be set aside by any slaughterer are determined by applying the appropriate percentage to the total weekly production (dressed weight) of Utility grade beef and Canner and Cutter grade beef, respectively. All Army-style beef required to be set aside or made available for purchase by Zone 9 kosher slaughterers shall be in the form of hindquarters.

Current rate of slaughter (percent of August 1944 weekly average)	Percentage of beef production (dressed weight of slaughter)		
	Army-style	Utility and Canner and Cutter grades	
Less than 60.1	5.5	46.8	
60.1-65.0	8.6	48.6	
65.1-70.0	11.2	50.0	
70.1-75.0	13.4	51.3	
75.1-80.0	15.4	52.4	
80.1-85.0	17.1	53.4	
85.1-90.0	18.7	54.2	
90.1-110.0	20.0	55.0	
110.1-115.0	21.1	55.6	
115.1-120.0	22.0	56.1	
120.1-125.0	22.9	56.7	
125.1-130.0	23.8	57.1	
130.1-135.0	24.5	57.5	
135.1-140.0	25.2	57.9	
140.1-145.0	25.9	58.3	
145.1-150.0	26.5	58.6	
150.1-175.0	28.1	59.6	
175.1-200.0	30.2	60.7	
Over 200.0	31.8	61.7	
Slaughterers without August 1944 slaughter history	31.8	61.7	

[F. R. Doc. 45-14851; Filed, Aug. 11, 1945; 11:08 a.m.]

[WFO 75-3, Amdt. 20]

**PART 1410—LIVESTOCK AND MEATS**

**PORK SET ASIDE REDUCTION**

War Food Order No. 75-3, as amended (10 F.R. 6499, 7789, 8949, 9422), is further amended as follows:

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

*Percentage of live weight of hogs purchased for slaughter*

Type of dressed pork cut or pork product:	
Hams	5.0
Loins	4.5
Shoulders and manufacturing pork	5.5
Lard	4.0

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

Current rate of slaughter (percent of weekly average August 1944)	Percentages of live weight of slaughter			
	Loins	Hams	Shoulders and manufacturing pork	Total
Less than 50.1	3.1	3.5	3.8	10.4
50.1-55.0	3.5	4.0	4.4	11.9
55.1-60.0	3.9	4.4	4.8	13.1
60.1-65.0	4.2	4.7	5.2	14.1
65.1-80.0	4.5	5.0	5.5	15.0
80.1-85.0	4.7	5.2	5.8	15.7
85.1-90.0	4.9	5.4	6.0	16.3
90.1-95.0	5.0	5.6	6.2	16.8
95.1-100.0	5.2	5.7	6.3	17.2
Over 100.0	5.3	5.9	6.5	17.7
Slaughterers without August 1944 slaughter history	5.3	5.9	6.5	17.7

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

Not less than 10 percent of all hams set aside shall be processed into overseas hams requiring 96 hours' smoke, and not less than 30 percent of all hams set aside shall be processed into Army hams requiring 48 hours' smoke.

This amendment shall become effective at 12:01 a. m., e. w. t., August 12, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 75-3, 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 75, 10 F.R. 4649)

Issued this 9th day of August 1945.

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

[F. R. Doc. 45-14800; Filed, Aug. 10, 1945; 12:10 p. m.]

[WFO 75-3, Amdt. 21]

**PART 1410—LIVESTOCK AND MEATS**

**PORK REQUIRED TO BE SET ASIDE BY CERTIFIED SLAUGHTERERS AND OWNERS OR OPERATORS OF CERTIFIED SLAUGHTERING PLANTS**

War Food Order No. 75-3, as amended (10 F.R. 6499, 7789, 8949, 9422), is further amended as follows:

1. By adding immediately after paragraph (a) (15) the following new paragraphs:

(16) "Certified slaughterer" means any slaughterer of livestock who has been certified by the Secretary of Agriculture under the provisions of War Food Order No. 139, as amended (10 F.R. 8806).

(17) "Certified slaughtering plant" means any establishment or facility for the slaughter of livestock which has been certified by the Secretary of Agriculture under the provisions of War Food Order No. 139, as amended *supra*.

2. By deleting paragraph (c) and substituting in lieu thereof the following:

(c) *Set aside requirements; slaughterers affected.* The provisions of this order shall apply to the following slaughterers:

All federally inspected slaughterers;

Every slaughterer whose hogs are slaughtered in an establishment operated under Federal inspection.

Every certified slaughterer who is notified of the applicability of this paragraph (c) by the Order Administrator;

Every owner or operator of a certified slaughtering plant who is notified of the applicability of this paragraph (c) by the Order Administrator.

No slaughterer subject to the provisions of this order shall deliver meat unless he shall set aside, reserve, and hold for delivery to governmental agencies, authorized purchasers, contract schools, marine hospitals, maritime academies, and ship suppliers, in the form of dressed pork and pork products, such percentages as the Director may determine, in accordance with the provisions of paragraph (d) hereof, of the total live weight of each week's slaughter of hogs.

3. By inserting the following title at the beginning of paragraph (d): "Determination of percentages."

4. By deleting paragraph (1) and substituting in lieu thereof the following:

(1) *Records and reports.* (1) Every slaughterer subject to the provisions of this order, as specified in paragraph (c), shall report to the Director concerning his production of and transactions in pork and pork products, including lard. Such reports shall be made at such times and upon such forms as the Director may require, and shall be subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(2) Every slaughterer subject to the provisions of this order, as specified in paragraph (c), shall keep such records with respect to inter- or intra-plant transactions as may be required by the Order Administrator.

5. By deleting the paragraph immediately after the table which appears in Appendix A and substituting in lieu thereof the following:

*Lard set aside.* In addition to the above, each slaughterer subject to the provisions of this order shall set aside a quantity of lard, the total weight of which shall be not less than 4 percent of the total live weight of each week's slaughter of hogs; *Provided, however,* That until further order of the Director, this requirement shall not be applicable to slaughterers located in the States of

Alabama, Arkansas, California, Connecticut, Delaware, Florida, Georgia, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Utah, Vermont, Virginia, Washington, and West Virginia.

This amendment shall become effective at 12:01 a. m., e. w. t., August 12, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 75-3, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

NOTE: All reporting and record-keeping requirements of this order have been approved by 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; WFO 75, 10 F.R. 4649)

Issued this 10th day of August 1945.

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

[F. R. Doc. 45-14853; Filed, Aug. 11, 1945;  
11:08 a. m.]

[WFO 75-4, Amdt. 2]

PART 1410—LIVESTOCK AND MEATS

VEAL REQUIRED TO BE SET ASIDE BY CERTIFIED SLAUGHTERERS AND OWNERS OR OPERATORS OF CERTIFIED SLAUGHTERING PLANTS

War Food Order No. 75-4, as amended (10 F.R. 4654, 7789), is further amended as follows:

1. By adding immediately after paragraph (a) (11) the following new paragraphs:

(12) "Certified slaughterer" means any slaughterer of livestock who has been certified by the Secretary of Agriculture under the provisions of War Food Order No. 139, as amended (10 F.R. 8806).

(13) "Certified slaughtering plant" means any establishment or facility for the slaughter of livestock which has been certified by the Secretary of Agriculture under the provisions of War Food Order No. 139, as amended, *supra*.

2. By deleting paragraph (b) and substituting in lieu thereof the following:

(b) *Set aside requirements; slaughterers affected.* The provisions of this order shall apply to the following slaughterers:

All federally inspected slaughterers; Every slaughterer whose calves are slaughtered in an establishment operated under Federal inspection;

Every certified slaughterer who is notified of the applicability of this paragraph (b) by the Order Administrator;

Every owner or operator of a certified slaughtering plant who is notified of the applicability of this paragraph (b) by the Order Administrator.

No slaughterer subject to the provisions of this paragraph (b) shall deliver meat

unless he shall set aside, reserve, and hold for delivery to governmental agencies, authorized purchasers, contract schools, marine hospitals, maritime academies, and ship suppliers, 30 percent of the conversion weight of each week's production of veal graded "U. S. Choice", "U. S. Good", and "U. S. Commercial", obtained from calves whose carcasses weigh, with the hide off, from 60 to 275 pounds, both inclusive.

5. By deleting paragraph (j) and substituting in lieu thereof the following:

(j) *Reports.* Every slaughterer subject to the provisions of paragraph (b) of this order shall report to the Director concerning his production of and transactions in veal. Such reports shall be made upon such forms as the Director may require, and shall be subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This amendment shall become effective at 12:01 a. m., e. w. t., August 12, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 75-4, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

NOTE: All reporting 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; WFO 75, 10 F.R. 4649)

Issued this 10th day of August 1945.

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

[F. R. Doc. 45-14852; Filed, Aug. 11, 1945;  
11:08 a. m.]

[WFO 139, Amdt. 1]

PART 1410—LIVESTOCK AND MEATS

CERTIFICATION UNDER PUBLIC LAW 108, 79TH CONGRESS

War Food Order No. 139 (10 F.R. 8806) is hereby amended to read as follows:

§ 1410.28 Certification under Public Law 108, 79th Congress, approved June 30, 1945—(a) *Definitions.* (1) "Meat" means the carcasses of livestock, including beef, veal, lamb, mutton, or pork derived therefrom, and any processed or unprocessed edible part, cut, or trimming, regardless of how prepared or packaged; excluding, however, scrapple, soupe, and other similar products, offal, oils, rendering fats, raw leaf, casings, by-products not ordinarily used for human consumption, and skins of swine when prepared for use in leather, glue, or gelatin.

(2) "Certified slaughtering plant" means any establishment or facility for the slaughter of livestock which has been certified by the Secretary of Agriculture under the provisions of this order.

(3) "Certified slaughterer" means any owner of livestock who has been certified by the Secretary of Agriculture under the provisions of this order.

(4) "Certification" means certification by the Secretary of Agriculture pursuant to Section 3A of the Stabilization Act of 1942, as amended, as follows:

(i) With respect to a slaughtering plant, that such plant is operated under sanitary conditions as herein defined and that the meat, meat products, and animal fats produced therein have been inspected and found to be clean, wholesome, and suitable for human consumption;

(ii) With respect to an owner of livestock, that such owner is entitled to have such livestock custom slaughtered in a designated certified slaughtering plant without charge against any quota or other slaughtering limitation, except as may be imposed as a condition of certification under this order.

(5) "Federal inspection" means inspection pursuant to the provisions of the act of March 4, 1907 (34 Stat. 1260), as amended, 21 U.S.C. 71, and as extended by Public Law 602, 77th Congress, approved June 10, 1942 (56 Stat. 351), and the rules and regulations promulgated thereunder.

(6) "Sanitary condition", with respect to the certification of a slaughtering plant, means that such plant:

(i) Has a well-constructed building in a good state of repair, with an adequate drainage system and a supply of clean hot and cold water sufficient to maintain the facilities, plant and products produced therein in a sanitary condition;

(ii) Has lighting and ventilation sufficient for all slaughtering and processing operations;

(iii) Is protected against flies and rodents and is located a reasonable distance from any stable, barnyard, hog lot, refuse heap, privy, or other source of fly breeding or contamination;

(iv) Has all necessary equipment and facilities, so arranged as to permit the handling of animals and carcasses in a clean and sanitary manner;

(v) Has adequate facilities, apart and separate from slaughtering and processing operations, for the segregation and disposal of condemned carcasses and for the handling and disposal of inedible by-products and offal;

(vi) Has adequate facilities for cooling, chilling, and holding carcasses and edible byproducts until moved into distribution channels or adequate facilities for cooling, chilling, and holding are available in the immediate vicinity.

(7) "Governmental agency" means the Army, Navy, Marine Corps, or Coast Guard of the United States (excluding, for the purposes of this order, United States Army post exchanges, United States Navy ships' service departments, United States Marine Corps post exchanges, and similar organizations), United States Department of Agriculture (including any corporate agency thereof), the War Shipping Administration, and the Veterans' Administration.

(8) "Person" means any individual, partnership, association, business trust,

corporation, or any organized group of persons whether incorporated or not.

(9) "Director" means the Director of Marketing Services, United States Department of Agriculture.

(b) *Exemptions from slaughtering quota restrictions.* Subject to the provisions of this order, no quota or other slaughtering limitation shall be imposed upon or shall be operative against any certified slaughterer or any certified slaughtering plant, to the extent that the slaughtering operations on behalf of such certified slaughterer or in such certified slaughtering plant are conducted in accordance with the requirements for certification herein contained.

(c) *Eligibility for certification.* Eligibility for certification under this order shall be limited to:

(1) Slaughtering plants, the owners or operators of which are registered and have been assigned quotas under the provisions of Control Order 1 of the Office of Price Administration.

(2) Owners of livestock who have such livestock slaughtered on a custom basis, who are registered and have been assigned quotas under the provisions of Control Order 1 of the Office of Price Administration, and who, between January 1, 1945, and July 31, 1945, had livestock custom slaughtered in a slaughtering plant to which certification is granted under this order.

(3) Slaughtering plants which operate solely on a custom slaughter basis and at which slaughter performed is for owners of livestock who have registered and been assigned quotas under Control Order 1 of the Office of Price Administration.

(d) *Applications for certification.* Any eligible owner or operator of a slaughtering plant and any eligible owner of livestock who desires to obtain certification under this order may file an application with the Secretary of Agriculture. Application forms will be furnished upon request to the Livestock and Meats Branch, Office of Marketing Services, United States Department of Agriculture, Washington 25, D. C. All applications shall be properly executed and shall contain all the information therein requested. If the applicant is an owner or operator of a slaughtering plant or facility, an examination of such plant or facility will be made to determine whether the same is operated under sanitary conditions. An investigation of all facts disclosed in the application, including facts concerning compliance with Office of Price Administration regulations and war food orders, will be made to determine whether certification is justified. All applications shall contain a statement by the applicant that he agrees to comply with the provisions of this order and with any rules, regulations, or orders that may be issued thereunder. The applicant shall also agree that any certification issued to him shall be contingent upon compliance with such provisions.

(e) *Certification of designated parts of slaughtering plants.* Certification may be had with respect to a designated part only of any slaughtering plant. The pro-

visions of this order shall apply only to meat, meat products, or animal fats produced in such designated part of such plant.

(f) *Examination of slaughtering plants and inspection of meat.* Certification with respect to any slaughtering plant shall be based upon an examination of such plant to determine whether the same is operated under sanitary conditions as defined herein, and an inspection of the meat, meat products, or animal fats produced therein to determine whether the same are clean, wholesome, and suitable for human consumption. Inspection of meat, meat products, and animal fats shall be made by inspectors under the supervision of veterinarians, both duly qualified under the laws of the State, city, or county in which the affected plant is located, or by inspectors approved by the Director. Inspection of the meat, meat products, or animal fats produced in any slaughtering plant shall include ante mortem inspection immediately prior to slaughter, and post mortem inspection immediately after slaughter and during the processing of the carcasses or meat.

(g) *Supervision of inspection.* All slaughtering operations and all inspections authorized hereunder shall be subject to approval by the Director and to supervision by authorized representatives of the Department of Agriculture, and shall be conducted in accordance with such instructions and requirements as the Director may prescribe.

(h) *Compliance with set aside requirements.* (1) Any certification granted pursuant to this order is expressly conditioned upon compliance, by the person concerned, with all applicable orders requiring the setting aside, reserving, holding, processing, and packaging of meat, meat products, and animal fats for procurement by the armed services of the United States or by other governmental agencies; and with any requirement of the Director, addressed to the owner or operator of the plant or to the owner of the livestock, with respect to the making available of meat, meat products, or animal fats to the armed services of the United States or to other governmental agencies. Any violation of such orders or requirements shall be cause for refusal to grant certification or for the termination or revocation of any certification theretofore granted.

(2) Procurement officers of the armed services of the United States or of other governmental agencies may require additional inspection of animals or of the carcasses, meat, meat products, or animal fats derived therefrom which are required to be set aside or made available for procurement by the armed services of the United States or other governmental agencies.

(i) *Markings required.* Each accessible wholesale cut of meat which has been inspected and passed pursuant to this order, whether in the entire carcass or detached therefrom, shall be stamped by the inspector with the legend "Certificate No.", followed by the certificate number assigned to such plant by the Secretary of Agriculture. Such legend

shall be contained in a rectangular design. Such marking shall be in addition to any mark or number assigned by the State, city, or local authorities and commonly used by such plant.

(j) *Movement in interstate or foreign commerce.* Meat produced in accordance with the requirements for certification as specified in this order, including any rules, regulations, or orders issued pursuant thereto, and which is properly marked as required in paragraph (i) hereof shall have the same status for purposes of transportation in interstate or foreign commerce as meat produced in plants operated under Federal inspection.

(k) *Refusal, suspension, termination, and revocation of certifications.* The Director may refuse to grant certification or may suspend, terminate, or revoke any certification theretofore granted if he determines that:

(1) The slaughtering plant concerned does not have or has failed to maintain sanitary conditions as herein defined.

(2) To meat, meat products, or animal fats produced in such slaughtering plant will not be or are not being disposed of in legitimate trade channels in accordance with law.

(3) The owner or operator of such slaughtering plant or the owner of the livestock has failed to comply in full with orders requiring the setting aside, reserving, holding, processing, and packaging of meat, meat products, and animal fats for procurement by the armed services of the United States or other governmental agencies, or with requirements of the Director with respect to the making available of meat, meat products, or animal fats for the armed services of the United States or other governmental agencies.

(4) The owner or operator of such slaughtering plant or the owner of the livestock has failed to comply with any other provision of this order or with the requirements of any other War Food Order with respect to meat.

(5) Certification has been erroneously granted or is based upon false or erroneous information.

(l) *Records and reports.* (1) Every owner or operator of a slaughtering plant and every owner of livestock to whom certification is granted under this order shall keep accurate records showing the number of all animals purchased, slaughtered, and condemned, together with the reason for condemnation in each case, the quantity of meat, meat products, or animal fats sold in interstate commerce and the quantity of such products sold in intrastate commerce. Such records shall be kept separate for each species of livestock slaughtered.

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

(m) *Audits and inspections.* The Director shall be entitled to make such audits or inspections of the books, records, and other writings, premises, livestock, meat, meat products, or animal fats 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.

(n) *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 a 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.

(o) *Violations.* (1) If the Director has reason to believe that any owner or operator of a slaughtering plant is violating any provision of this order which deals with sanitary or inspection requirements, and the Director is accordingly unable to certify that the meat, meat products, or animal fats produced in such plant are clean, wholesome, and suitable for human consumption, he may, without prior notice or hearing, suspend the certification theretofore granted to the owner or operator of such plant: *Provided, however,* That such owner or operator shall, within 10 days, be given an opportunity to appear and be heard on the question of whether such suspension shall be vacated or shall be made permanent by way of termination or revocation of the certification. Such appearance and hearing shall be before an authorized representative of the Department of Agriculture and in accordance with the procedure established by the Director. Any certified slaughterer and any owner or operator of a certified slaughtering plant who violates any other provision of this order shall likewise be liable to suspension, termination, or revocation of any certification theretofore granted: *Provided, however,* That suspension, termination, or revocation of any certification for the violation of any provision of this order other than sanitary or inspection requirements shall be subject to the procedural regulations set forth in War Food Order No. 78-1, as amended (9 F.R. 6202, 9943).

(2) Any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(p) *Delegation of authority.* (1) The administration of this order and the powers vested in the Secretary of Agricul-

ture, 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.

(2) The Director is authorized to establish such rules and regulations as he may deem necessary or appropriate in order to provide for the inspection of slaughtering plants seeking certification hereunder, and of meat, meat products, or animal fats produced therein.

(q) *Communications.* All reports required to be filed hereunder, all applications for certification under this order, and all communications concerning this order shall, unless otherwise provided, be addressed to the Livestock and Meats Branch, Office of Marketing Services, Department of Agriculture, Washington 25, D.C.

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

(s) *Effective date.* This amendment shall become effective at 12:01 a. m., c. w. t., August 12, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 139, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

**NOTE:** All 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; Pub. Law 108, 79th Cong.)

Issued this 10th day of August 1945.

[SEAL] **J. B. HUTSON,**  
*Under Secretary of Agriculture.*

[F. R. Doc. 45-14850; Filed, Aug. 11, 1945;  
11:08 a. m.]

## TITLE 16—COMMERCIAL PRACTICES

### Chapter I—Federal Trade Commission

[Docket No. 5265]

### PART 3—DIGEST OF CEASE AND DESIST ORDERS

#### SHIELDS OF FAITH CO.

§ 3.6 (m) 10) *Advertising falsely or misleadingly—Manufacture or preparation:* § 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service.* In connection with the offering for sale, sale, and distribution of respondents' metal-covered books in commerce, representing directly or by implication; (1) that said books afford effective protection against bullets, shrapnel, or other projectiles, or against bayonet thrusts; or (2) that the inscriptions on said books are engraved, prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U. S. C., sec. 45b) [Cease and desist order, Shields of Faith Company, Docket 5265, July 27, 1945]

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

*In the Matter of A. J. England, M. S. England, M. K. England and A. E. Wildberg, Individuals and Copartners Trading as Shields of Faith Company*

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of the respondents, and a stipulation of facts entered into at a hearing before a trial examiner of the Commission theretofore duly designated by it (report of the trial examiner, the filing of briefs, and oral argument having been waived); and the Commission having made its findings as to the facts and its conclusion that the respondents have violated the provisions of the Federal Trade Commission Act.

*It is ordered.* That the respondents, A. J. England, M. S. England, M. K. England, and A. E. Wildberg, individually and as copartners trading as Shields of Faith Company, and their representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of respondents' metal-covered books in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing, directly or by implication:

1. That said books afford effective protection against bullets, shrapnel, or other projectiles, or against bayonet thrusts.
2. That the inscriptions on said books are engraved.

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

By the Commission.

[SEAL] **OTIS B. JOHNSON,**  
*Secretary.*

[F. R. Doc. 45-14848; Filed, Aug. 11, 1945;  
11:02 a. m.]

## TITLE 19—CUSTOMS DUTIES

### Chapter I—Bureau of Customs

[T. D. 51270]

### PART 24—CUSTOMS FINANCIAL AND ACCOUNTING PROCEDURE

#### AUTHORITY TO INCUR EXPENSES

JULY 9, 1945.

Limitation for purchase of articles or services without obtaining authorization and without soliciting competitive bids increased from \$50 to \$100 during the fiscal year 1946.

Section 205 of Public Law 49, 79th Congress provides:

Section 3709, Revised Statutes (41 U. S. C. 5), shall not apply to any purchase by or service rendered to any executive department or independent establishment during the

## FEDERAL REGISTER, Tuesday, August 14, 1945

fiscal year 1946 when the aggregate amount involved does not exceed \$100, but this section shall not be construed as affecting any provision of law authorizing purchases or services without regard to said section 3709 in amounts greater than \$100.

In view of the above provision of law, the limitation of \$50 on the amount of expenses which may be incurred without the prior authorization of the Bureau, as set forth in paragraphs (b) (2) and (3), (d) (2), and (f) of section 24.31, Customs Regulations of 1943 (19 CFR, Cum. Supp., 24.31 (b) (2) and (3), (d) (2) and (f)), is hereby suspended as to purchases made or services rendered during the fiscal year 1946 and a limitation of \$100 is substituted in lieu thereof during said fiscal year.

(R.S. 161, 251, sec. 624, 46 Stat. 759; R.S. 3709, 54 Stat. 1109; 5 U.S.C. 22, 19 U.S.C. 66, 1624; 41 U.S.C. 5, 6. Sec. 205, Pub. Law 49, 79th Cong.)

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

Approved: July 9, 1945.

HERBERT E. GASTON,  
Acting Secretary of the Treasury.

[F. R. Doc. 45-14842; Filed, Aug. 11, 1945;  
10:15 a.m.]

## TITLE 20—EMPLOYEES' BENEFITS

### Chapter I—United States Employees' Compensation Commission

Subchapter E—Extension of the Longshoremen's and Harbor Workers' Compensation Act to Persons Engaged in Employment at Military, Air and Naval Bases, Upon Lands Occupied and Used for Military or Naval Purposes, or Under Public Works Contracts, Outside Continental United States

#### PART 51—GENERAL ADMINISTRATIVE PROVISIONS

##### ESTABLISHMENT OF COMPENSATION DISTRICTS

Pursuant to the authority conferred by section 39 of the Longshoremen's and Harbor Workers' Compensation Act (Act of March 4, 1927, 44 Stat. 1442; 33 U.S.C. 939), as extended to employments at military, air and naval bases, and other places, outside the United States, by the Act of August 16, 1941, as amended (55 Stat. 622, as amended by 56 Stat. 1035; 42 U.S.C. 1651), section 51.2, Part 51, Subchapter E of Chapter I of the regulations of this Commission (20 CFR 51.2) is hereby amended, effective August 1, 1945, so as to redefine the geographic limits of the compensation district established as Pacific District, and to establish a new compensation district under said Act to be known as Western Pacific District. The designations for said districts in § 51.2 of said regulations shall read as follows:

##### § 51.2 Establishment of compensation districts. (a) \* \* \*

(2) *Pacific District.* This district comprises all areas in the Pacific Ocean south of the 45th degree north latitude, except Australia, New Guinea, New Zealand, Japanese Islands and any area be-

tween the 60th degree east longitude and the 135th degree east longitude, with headquarters at Honolulu, T. H.

\* \* \* \* \*

(8) *Western Pacific District.* This district comprises all areas between the 60th degree east longitude and the 135th degree east longitude, Australia, New Guinea, New Zealand, and Japanese Islands, with headquarters at Manila, P. I.

Amendment to regulation issued August 1, 1945.

JEWELL W. SWOFFORD,  
Chairman.  
ALBERT H. LADNER, Jr.,  
Commissioner.  
HATTIE W. CARAWAY,  
Commissioner.

[F. R. Doc. 45-14908; Filed, Aug. 13, 1945;  
9:50 a. m.]

### Chapter III—Social Security Board, Federal Security Agency

[Regs. 3, Further Amended]

#### PART 403—FEDERAL OLD-AGE AND SURVIVORS' INSURANCE

##### HEARINGS ON CLAIMS BASED IN WHOLE OR PART UPON SERVICES PERFORMED AS WARTIME MARITIME EMPLOYEES OF U. S.

Regulations No. 3, as amended (20 CFR, Cum. Sup., 403.1 et seq.), are further amended as follows:

1. Section 403.702 is amended by adding at the end of paragraph (a) the following subparagraph:

§ 403.702 Supporting evidence as to right to receive benefits and lump sums. \* \* \*

##### (a) Evidence as to wages. \* \* \*

Amounts of remuneration paid an individual for wartime maritime services constituting employment in the employ of the United States (see § 403.827 (c)), and the periods in which and for which such remuneration was paid, will be conclusively evidenced by the determinations of the Administrator, War Shipping Administration, or his designated agents, or entries in the wage records of the Board based upon such determinations. Whether any portion of such remuneration will be excluded from wages will be determined by application of § 403.828.

2. The statutory provisions preceding § 403.702 are amended by adding at the end thereof the following:

##### SECTION 209 (o) (2), (3), AND (4) OF THE ACT

(2) The Social Security Board shall not make determinations as to whether an individual has performed services which are employment by reason of [paragraph 1 of] this subsection, or the periods of such services, or the amounts of remuneration for such services, or the periods in which or for which such remuneration was paid, but shall accept the determinations with respect thereto of the Administrator, War Shipping Administration, and such agents as he may designate, as evidenced by returns filed by such Administrator as an employer pursuant to section 1426 (1) of the Internal Revenue Code and certifications made pursuant to this subsection. Such determinations shall be final and conclusive.

istrator as an employer pursuant to section 1426 (1) of the Internal Revenue Code and certifications made pursuant to this subsection. Such determinations shall be final and conclusive.

(3) The Administrator, War Shipping Administration, is authorized and directed, upon written request of the Social Security Board, to make certification to it with respect to any matter determinable for the Board by the War Shipping Administrator under this subsection, which the Board finds necessary in administering this title.

(4) This subsection shall be effective as of September 30, 1941. (As retroactively added by section 1 (b) (2) of the act of March 24, 1943, 57 Stat. 47, as amended by the act approved April 4, 1944, 58 Stat. 188.)

3. Section 403.703 is amended by adding at the end thereof a new paragraph (c), as follows:

##### § 403.703 Wage records. \* \* \*

(c) *Revision of wage records for wartime maritime services in the employ of the United States.* There shall be no revision of wage records based upon wartime maritime services constituting employment in the employ of the United States (see § 403.803 (d)) except as such revision is necessitated by a determination of the Administrator, War Shipping Administration, or his designated agents (see §§ 403.702 (a), 403.706 (a) (6), and 403.711a), or by application of § 403.828.

4. The statutory provisions preceding § 403.706 are amended by inserting at the end thereof the following:

##### SECTION 209 (o) (2), (3), AND (4) OF THE ACT

(2) The Social Security Board shall not make determinations as to whether an individual has performed services which are employment by reason of [paragraph 1 of] this subsection, or the periods of such services, or the amounts of remuneration for such services, or the periods in which or for which such remuneration was paid, but shall accept the determinations with respect thereto of the Administrator, War Shipping Administration, and such agents as he may designate, as evidenced by returns filed by such Administrator as an employer pursuant to section 1426 (1) of the Internal Revenue Code and certifications made pursuant to this subsection. Such determinations shall be final and conclusive.

(3) The Administrator, War Shipping Administration, is authorized and directed, upon written request of the Social Security Board, to make certification to it with respect to any matter determinable for the Board by the War Shipping Administrator under this subsection, which the Board finds necessary in administering this title.

(4) This subsection shall be effective as of September 30, 1941. (As retroactively added by section 1 (b) (2) of the act of March 24, 1943, 57 Stat. 47, as amended by the act approved April 4, 1944, 58 Stat. 188.)

5. Section 403.706 is amended by adding at the end of paragraph (a) a new subparagraph (6), as follows:

§ 403.706 Initial determination—(a) Determinations affecting benefits, lump sums, and wage records. \* \* \*

(6) *Claims or proceedings involving wartime maritime services in the employ of the United States.* The determination

of the Administrator, War Shipping Administration, or his designated agents, as to whether an individual has performed services which constitute employment as defined by section 209 (o) of the act as amended (see § 403.803 (d)), as to the periods of such services, as to the amounts of remuneration for such services, and as to the periods in which or for which such remuneration was paid (see § 403.827 (c)), shall be final and conclusive upon the Bureau as to the matters so determined. The Bureau shall make no independent determinations concerning any matter determinable by the Administrator, War Shipping Administration, but shall accept the determinations of the Administrator or his designated agents with respect thereto as evidenced either by tax returns filed pursuant to section 1426 (i) of the Internal Revenue Code or by certifications. In any case in which information necessary to the disposition of a claim or proceeding shall be lacking as to any matter determinable by the Administrator, War Shipping Administration, or in which information set forth in such tax returns appears to be incomplete or questionable, the Bureau shall request the Administrator, War Shipping Administration, or his appropriate designated agent to make certification to it in writing of such missing, incomplete, or questionable information.

6. Section 403.708 is amended by adding at the end of paragraph (e) a new subparagraph as follows:

**§ 403.708 Reconsideration. \* \* \***  
**(e) Reconsidered determination. \* \* \***

Where reconsideration involves any matters determinable by the Administrator, War Shipping Administration (see §§ 403.803 (d), 403.827 (c)), the Bureau shall comply with the procedure established by § 403.706 (a) (6) as to such matters.

7. Section 403.709 is amended by adding at the end of paragraph (a) the following sentence:

**§ 403.709 Hearing—(a) Right to hearing. \* \* \*** (Special provisions concerning hearings with respect to matters determinable by the Administrator, War Shipping Administration (see § 403.706 (a) (6)), are contained in § 403.711a.)

8. Section 403.710 is amended by adding a new paragraph (f), as follows:

**§ 403.710 Appeals Council proceedings on certification and review. \* \* \***

**(f) Procedure in cases involving wartime maritime services in the employ of the United States.** Special provisions concerning reviews of decisions with respect to matters determinable by the Administrator, War Shipping Administration (see § 403.706 (a) (6)), are contained in § 403.711a.

9. A new § 403.711a, as follows, is inserted after § 403.711:

**§ 403.711a Hearing and review in cases involving wartime maritime services in the employ of the United States.** The provisions of this section shall govern hearings and reviews in all cases in which issues appear or are presented in-

volving wartime maritime services constituting employment in the employ of the United States (see § 403.803 (d)).

The Appeals Council, its members and referees, and the Territorial Directors of the Board for the Territories of Alaska and Hawaii, in matters determinable by the Administrator, War Shipping Administration, pursuant to section 209 (o) of the Social Security Act (see §§ 403.803 (d) and 403.827 (c)) and involved in or presented at hearings conducted pursuant to section 205 (b) of the Social Security Act, as amended, will make determinations of such matters under their designation as agents of the Administrator, War Shipping Administration. Such designation is set out in General Order No. 50 of that Administrator. When hearing or reviewing a case involving such wartime maritime service, the Appeals Council, its members and referees and the Territorial Directors of the Board for the Territories of Alaska and Hawaii will function in a dual capacity, on the one hand as designated agents of the Administrator, War Shipping Administration, and on the other as referee or Appeals Council, as the case may be, of the Board. All issues involved in such a case may be disposed of at a single hearing or review and by a single decision.

**(a) Right to hearing.** Any party designated in § 403.709 (c) shall be entitled to a hearing with respect to any matter designated in § 403.706 (a) after an initial determination has been made by the Bureau, if such party files, as provided in § 403.709 (b), a written request for such hearing.

**(b) Parties to hearing.** The parties to a hearing shall be those specified in § 403.709 (c) together with the General Agent of the War Shipping Administration who shall have filed the tax return or made the certification referred to in § 403.706 (a) (6), or, in the event that there is no such General Agent, the Administrator, War Shipping Administration.

**(c) Conduct of hearing.** The hearing shall be conducted in accordance with § 403.709 (d) (e) (f) (g) (h) (i) and (j), except as hereinafter set forth. Evidence shall be received from any party as to the performance of services claimed to be wartime maritime services constituting employment in the employ of the United States (see § 403.803 (d)), the period of performance of such services, the remuneration therefor, and the periods in which and for which such remuneration was paid (see § 403.827 (c)).

**(d) Referee's decision or certification to Appeals Council.** As soon as practicable after the close of a hearing, the referee shall make a decision in the case or certify the case to the Appeals Council for decision. The referee shall not remand to the Bureau for revision any case heard pursuant to the provisions of this section.

The referee's decision shall be based upon the evidence adduced at the hearing. The decision shall be made in writing and be divided into two parts. The first part shall consist of a determination relative to the question of wartime

maritime service constituting employment in the employ of the United States as defined by section 209 (o) (1) of the act, specifically whether the performance of the services in question constitute such employment, the period of such employment, the remuneration therefor, and the periods in which and for which such remuneration was paid. The determination shall contain findings of fact and a statement of reasons. Such determination shall be made by the referee as agent for the Administrator, War Shipping Administration, and shall be so subscribed by him. In reaching and making such determinations as designated agent, the referee shall follow the provisions of section 209 (o) of the act as amended (see §§ 403.803 (d) and 403.827 (c)) and the regulations or orders issued pursuant thereto from time to time by the Administrator, War Shipping Administration. The second part of the decision shall consist of the referee's findings and statements of reasons upon all matters not determinable by the Administrator, War Shipping Administration, together with his decision in the entire case, based upon both his determination as designated agent of that Administrator and his findings as referee of the Board. In reaching the conclusions required by the second part of the decision he shall be governed by all rules and regulations of the Board.

A copy of the decision shall be mailed to the parties at their last known addresses.

**(e) Procedure before Appeals Council on certified case.** The procedure before the Appeals Council when a case has been certified to it by a referee without decision shall be as set forth in § 403.710 (a), except that the decision of the Appeals Council shall be in the form prescribed in paragraph (d) above.

**(f) Procedure before Appeals Council on review of referee's decision.** The decision of a referee made as provided in subsection (d) above shall be subject to review by the Appeals Council in the manner provided by § 403.710 (b). The procedure before the Appeals Council on such review shall be as provided in § 403.710 (c), and a case may be remanded to a referee as provided in § 403.710 (d). The decision of the Appeals Council, where the case is not remanded, shall be in the form and mailed as prescribed by § 403.710 (d) except that it shall be divided into two parts in the form prescribed in paragraph (d) hereof.

**(g) Extension of time and revision.** The provisions for extensions of time, revision, and extensions of time for commencing a civil action in a district court of the United States, set forth in § 403.711, shall be applicable to proceedings under this section.

**(h) Effect of decisions.** Decisions of the Appeals Council and decisions of referees not reviewed by the Appeals Council, rendered under this section, shall be final and binding upon all parties to the hearing, subject only to review by a civil action filed in a district court of the United States as provided by section 205 (g) of the Act as amended, or as provided in paragraph (g) above.

That portion of the final decision which represents the determination of the Administrator, War Shipping Administration, by his designated agent, shall supersede all previous determinations and certifications of such Administrator or his designated agents as to the matters involved in such factor of the final decision.

In pursuance of sections 205 (a) (53 Stat. 1368; 42 U.S.C. 405 (a)) and 1102 (49 Stat. 647; 42 U.S.C. 1302) of the Social Security Act as amended, the foregoing regulations adopted by the Board are hereby prescribed this 1st day of August 1945.

[SEAL] SOCIAL SECURITY BOARD,  
A. J. ALTMAYER,  
Chairman.

Approved: August 8, 1945.

WATSON B. MILLER,  
Acting Federal Security  
Administrator.

Approved and prescribed by the undersigned as designated agent of the Administrator, War Shipping Administration.

APPEALS COUNCIL OF THE  
SOCIAL SECURITY BOARD,  
JOSEPH E. McELVAIN,  
Chairman.

[F. R. Doc. 45-14911; Filed, Aug. 13, 1945;  
10:46 a. m.]

Issued: Aug. 9, 1945.

For the Acting Secretary of State:

[SEAL] J. C. HOLMES,  
Assistant Secretary.

[F. R. Doc. 45-14804; Filed, Aug. 10, 1945;  
2:40 p. m.]

## TITLE 29—LABOR

### Chapter VI—National War Labor Board

#### PART 803—GENERAL ORDERS

##### WAGE ADJUSTMENTS, HIRING RATES AND BONUSES

By virtue of and pursuant to the authority conferred on it by General Order No. 36 of the National War Labor Board, the Territorial War Labor Board for Hawaii has adopted the following resolutions:

##### § 803.36 General Order 36. \* \* \*

General Resolution No. 11. (a) An employer who does not have a wage or salary rate schedule under the provisions set forth in General Resolution 3 and who wishes to make individual wage or salary adjustments based on individual merit, length of service, or operation of an apprentice or trainee program in excess of the amount of such increases allowed under the provisions of paragraph (b) (1) of General Order No. 36, and General Resolution No. 8, must submit his proposed wage or salary rate schedule to the Territorial War Labor Board for Hawaii for approval. Such proposed schedule shall include (1) job classification wage or salary rates or rate ranges, (2) a plan for making individual adjustments within and between such wage or salary rates or rate ranges. Such plans shall include the average amount of increase per employee to be given during any year for all employees covered by the plan and the maximum amount of the increase to be given during a given year to any employee.

(b) Apprenticeship programs approved by the Apprenticeship Council of the Territorial Department of Labor and Industrial Relations, or other appropriate Federal or Territorial Agencies do not require prior approval of the Board. All such adjustments, however, shall be subject to the right of the Board to review and to order the discontinuance of further payments of all or part thereof. (Adopted October 20, 1944.)

General Resolution No. 12. Employers who wish to make promotions or reclassifications may do so without Board approval under the following plan:

(a) When promoted or reclassified to a single rate job bearing a higher rate, an employee (subject to National War Labor Board jurisdiction) may receive the rate established for the new job;

(b) When promoted or reclassified to a job classification bearing a rate range established under the provisions of General Resolution 3 or General Resolution 11, an employee (subject to National War Labor Board jurisdiction) may receive a rate not in excess of 15% above his rate for the new job, which ever is higher: *Provided, however, That when an employee has special ability and experience he may be paid a rate within the appropriate range corresponding to such ability and experience: And provided further, That an employee may not receive a rate above the maximum established for the classification to which he is promoted.* (Adopted October 20, 1944.)

General Resolution No. 13. (a) An employer shall hire employees at the minimum of the rate range for a given job classification properly established under the provisions of General Resolution No. 3 or General Resolution No. 11: *Provided, however, That an employee who has special ability and experience may be hired at a rate within the range corresponding to such ability and experience. An employer may not within a given year hire more than 25% of all the employees hired in his establishment for job classifications for which rate ranges have been established) at rates in excess of the minima of such rate range for such job classifications.*

(b) An employer who does not have a wage or salary rate schedule properly established under the provisions of General Resolution No. 3 or General Resolution 11 shall hire employees at (1) the minimum rate which he has paid for a given job classification since June 7, 1943, or (2) 20% below the highest rate paid for such job classification since June 7, 1943: *Provided, however, That an employee who has special ability and experience may be hired at a higher rate corresponding to such ability and experience, but not more than 25% of all employees hired in the establishment within a given year may be hired at such higher rate, and such rate shall not exceed the highest legal rate paid for such job classification since June 7, 1943.*

(c) It is expected that in both established and new plants or departments, new hires above minimum rates will normally be distributed over the various job classifications in accordance with the employment in each such classification or general group of classifications.

(d) The Territorial War Labor Board reserves the right to review all adjustments made under this order. (Adopted October 25, 1944; revised March 12, 1945.)

General Resolution No. 14. Notwithstanding the provisions of Section (b) (5) of General Order No. 36, an employer may pay to each of his employees without approval of the National War Labor Board, a Christmas or year-end bonus in an amount not exceeding the sum of \$25.00. (Adopted October 25, 1944.)

(E.O. 9250, Oct. 3, 1942, 7 F.R. 7871; as amended by E.O. 9381, Sept. 25, 1943,

§ 120.3 *Services for distressed American citizens abroad.* Officers of the Foreign Service shall extend every possible aid and assistance within their power to distressed American citizens within their districts, but they shall not expend the funds nor pledge the credit of the Government of the United States for this purpose, except in the case of American seamen, or except as authorized by the Department of State.

Foreign Service Regulation, S-3 dated March 27, 1945 (10 F.R. 3359) is hereby revoked.

This regulation shall become effective immediately upon registration in the Division of the Federal Register.

8 F.R. 13083; E.O. 9328, Apr. 8, 1943, 8 F.R. 4681; Act of Oct. 2, 1942, C 578, 56 Stat. 765, Pub. Law 729, 77th Cong.)

THEODORE W. KHEEL,  
Executive Director.

[F. R. Doc. 45-14909; Filed, Aug. 13, 1945;  
9:50 a. m.]

Chapter IX—Agriculture Department  
(Agricultural Labor)

[Supp. 65]

PART 1103—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF TEXAS  
WORKERS ENGAGED IN PICKING AMERICAN UPLAND COTTON IN CERTAIN COUNTIES OF TEXAS

§ 1103.1 *Wages of workers engaged in picking American Upland cotton in the Counties of Wharton, Fort Bend, Brazoria, Jackson, Colorado, Calhoun, Matagorda, Victoria, and Refugio, State of Texas.* Pursuant to § 4001.7 of the regulations of the Economic Stabilization Director relating to salaries and wages issued August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547, 10 F.R. 9478, 9628) and to the regulations of the War Food Administrator issued March 23, 1945 (10 F.R. 3177) entitled "Specific Wage Ceiling Regulations" and based upon a certification of the Texas USDA Wage Board that a majority of the producers of American Upland cotton grown in the area affected participating in hearings conducted for such purpose have requested the intervention of the Secretary of Agriculture and based upon relevant facts submitted by the Texas USDA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops and classes of workers.* Persons engaged in picking American Upland cotton in Wharton, Fort Bend, Brazoria, Jackson, Colorado, Calhoun, Matagorda, Victoria, and Refugio Counties, State of Texas, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Economic Stabilization Director issued on August 28, 1943, as amended (8 F.R. 11960, 12139, 16702, 9 F.R. 6035, 14547, 10 F.R. 9478, 9628).

(b) *Maximum wage rates for picking American Upland cotton.* (1) For picking American Upland cotton—\$1.75 per 100 pounds of well picked, clean seed cotton.

(c) *Administration.* The Texas USDA Wage Board, located at College Station, Texas, will have charge of the administration of this Supplement No. 65 in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator on March 23, 1945 (10 F.R. 3177).

(d) *Applicability of Specific Wage Ceiling Regulations.* This section shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator on March 23, 1945 (10 F.R. 3177) and the provisions of such regulations shall be applicable to this section and any violation of this

section shall constitute a violation of such specific wage ceiling regulations.

*Effective date.* This Supplement No. 65 shall become effective at 12:01 a. m., Central War Time, August 11, 1945.

(56 Stat. 765 (1942), 50 U.S.C. App. 961 et seq. (Supp. IV); 57 Stat. 63 (1943); 50 U.S.C. 964 (Supp. IV); 58 Stat. 632 (1944); Pub. Law 108, 79th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; E.O. 9577, 10 F.R. 8087; regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035, 14547, 10 F.R. 9478, 9628; regulations of the War Food Administrator, 9 F.R. 655, 12117, 12611, 10 F.R. 7609, 9581; 9 F.R. 831, 12807, 14206, 10 F.R. 3177)

Issued this 10th day of August 1945.

[SEAL] HOWARD A. PRESTON,  
Acting Director of Labor,  
U. S. Department of Agriculture.

[F. R. Doc. 45-14913; Filed, Aug. 13, 1945;  
11:08 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

[SFAW Reg. 28, Amdt. 1]

PART 602—GENERAL ORDERS AND DIRECTIVES

DISTRIBUTION OF PENNSYLVANIA ANTHRACITE

SFAW Regulation No. 28 (9 F.R. 2919) is hereby amended in the following respects:

1. Paragraph (u) of § 602.751 is amended by adding the following:

Shipments of maximum lawful tonnage are subject to the Notices of Direction to All Persons Distributing Anthracite issued on May 29, 1945, and July 14, 1945, and to any notices of direction reducing or increasing maximum lawful shipments, hereafter issued.

2. Section 602.758 is amended to read as follows:

§ 602.758, *Distribution by producers or wholesalers to domestic consumers (except mine employees).* A producer or wholesaler may distribute anthracite to a domestic consumer (except a mine employee) who customarily purchases anthracite from a producer or wholesaler in amounts limited to what such consumer may receive from a retail dealer pursuant to the provisions of SFAW Regulation No. 26, as amended: *Provided, however,* That the restrictions of § 602.657 (c) of that regulation shall not apply to rail shipments to domestic consumers whose normal annual requirements amount to only one railroad car and who customarily receive anthracite in a railroad car lot. Each producer or wholesaler who distributes anthracite to a domestic consumer shall obtain from such consumer a consumer declaration upon the form prescribed by SFAW Regulation No. 26, as amended,

and in accordance with the provisions thereof.

3. Paragraph (b) of § 602.763 is amended to read as follows:

(b) If in any calendar month during this fuel year an unequipped retail dealer fails to send trucks to the yard of the equipped retail dealer with whom he has an established base period tonnage to receive his proportionate share of the tonnage of said equipped retail dealer, such equipped retail dealer may distribute to other unequipped retail dealers with whom he has an established base period tonnage, or to consumers, a tonnage equivalent to such undelivered tonnage. An unequipped retail dealer who receives uncalled-for tonnage of other unequipped dealers is permitted to receive in any calendar month tonnage in excess of one-twelfth of the maximum lawful tonnage but is not on a cumulative basis permitted to receive in excess of the maximum lawful tonnage.

This amendment shall become effective immediately.

(E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 176 and 58 Stat. 827)

Issued this 10th day of August 1945.

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

[F. R. Doc. 45-14876; Filed, Aug. 11, 1945;  
11:38 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 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 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-317, Direction 20]

PRIORITIES ASSISTANCE FOR COTTON YARNS FOR THE PRODUCTION OF CLOSURE TAPES, 3D QUARTER 1945

The following direction is issued pursuant to Conservation Order M-317:

Manufacturers of salvage closure tapes may apply on Form WPB-2842 for priorities assistance to obtain cotton yarns to be used for the manufacture of button and button-hole tape, hook and eye tape, snap fastener tape and slide fastener tape. Applications must be filed with the War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., not later than August 25, 1945. Priorities assistance will be granted only for carded weaving yarns, 15's 2-ply and finer. Yarns for which priorities assistance is given must be purchased for delivery not later than September 30, 1945 and must be consumed in the production of salvage closure tape prior to October 31, 1945. No person whose application is granted may accept delivery, during the period beginning on the date his application is granted and ending

September 30, 1945, of any cotton yarn to be used for the production of closure tapes, except upon a rated order.

The total amount of cotton yarn for which priorities assistance will be granted under this program is limited. If the applications received exceed the total quantity of yarn allotted to this program, applications will be granted pro rata.

This direction shall expire on October 31, 1945, unless previously extended.

Issued this 13th day of August 1945.

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

[F. R. Doc. 45-14926; Filed, Aug. 13, 1945;  
11:17 a. m.]

#### PART 1075—CONSTRUCTION

[Conservation Order L-41-e as Amended Aug.  
11, 1945]

##### PUBLIC HIGHWAYS AND STREET CONSTRUCTION

§ 1075.14 Conservation Order L-41-e  
(a) *What this order does.* The basic order, Conservation Order L-41, limits all types of construction work. This order, L-41-e, is a special adaptation written to apply specifically to public highway and street construction in attaining the objective of the basic order L-41; namely, the conservation of materials, construction equipment, labor and transportation. The governmental agency responsible for the proposed construction must get permission from the War Production Board to begin the work, unless it is of a kind which does not require permission, as described below in paragraphs (c) and (d). This permission, generally known as an "authorization to begin construction", should not be confused with preference ratings or priorities. If a road project is allowed, either because it is not of the kind restricted by this order or because permission has been obtained, it may still be necessary to get preference ratings and allotments for certain materials which will be required. On the other hand, if preference ratings have been obtained or if materials are on hand, it may still be necessary to get permission to begin construction of the project.

(b) *What is meant by the construction of a public highway or street.* A public highway or street is one which is open to the public and which is constructed and maintained by any Federal, State, territorial, county, city, district or other governmental agency. Construction of a highway or street includes the grading, draining and surfacing of the highway or street; erecting of bridges, grade separation structures, culverts, storm drains and similar structures; installing safety and control devices; and constructing curbs, gutters, sidewalks and other appurtenances. The expression "public highway or street" does not include boardwalks, footpaths, footbridges or other passageways primarily for pedestrians, except where they are part of a highway or street like a sidewalk or traffic island.

(c) *Maintenance or repair of highways or streets does not require authorization.* It is not necessary to get permission from the War Production Board

to perform maintenance and repair work on highways and streets. The kind of work which may be classed as maintenance and repair is as follows:

(1) Maintenance includes only the usual operations necessary from time to time to keep surfaces, shoulders, embankments, slopes, structures, rights-of-way and all appurtenances of a public highway or street in a safe and serviceable condition, such as blading and shaping surfaces and shoulders, cleaning ditches and waterways, patching, and the like.

(2) Repair consists of work necessary to make serviceable a damaged or deteriorated portion of a highway or structure or to restore it to its original condition or the equivalent. Repair does not include work which represents an improvement or departure from original types of construction. Examples of work which may be classed as repair include the replacement of damaged members or parts of highway bridges or grade separation structures; reinforcement or rehabilitation of deteriorated foundation or base on existing line and grade; rehabilitation of deteriorated surfaces including resurfacing on existing line and grade; widening of surfaces and bases where necessary to reduce serious traffic hazard or excessive shoulder maintenance when such widening does not provide additional traffic lanes. Examples of work which may not be classed as repair include changes in line or grade; widening for the purpose of providing additional traffic lanes; reconstruction or replacement of bridges destroyed by fire or flood or other cause.

Maintenance and repair are to be considered in terms of the kind of work to be done and not in terms of the method of doing it or of financing it. For example, the repair of a bridge floor is a repair operation even though it is done by a contractor and financed from the construction budget. On the other hand, the replacement of a bridge with a new one is construction, not repair, even though the work is done with regular maintenance forces and is financed with maintenance funds.

(d) *Size and kind of highway and street construction which does not require authorization.* Highway and street construction may be started without specific War Production Board project authorization if the work consists of one or more of the following classes:

- (1) [Deleted Aug. 11, 1945]
- (2) A project costing \$100,000 or less.
- (3) [Deleted Aug. 11, 1945]

(4) Highway construction owned by the United States Army, Navy, Maritime Commission, War Shipping Administration, Coast Guard, Marine Corps, Civilian Aeronautics Authority, Coast and Geodetic Survey, or Panama Canal.

(5) Grading, ditch-digging or similar earth-moving operations, if no lumber or other building materials are perma-

nently installed, except drainage pipe and culverts including headwalls therefor.

(e) *All other public highway and street construction forbidden without War Production Board permission.* No person shall do any construction on a public highway or street which has not been permitted by the War Production Board, unless it is of a kind described in paragraphs (c) or (d) above. This prohibition applies to a Governmental Agency which does its own construction work, to one who gets others to do the work for it, and to any contractor or subcontractor who works on the job or gets others to work on it. It also applies to any supplier who furnishes material for the job if he knows or has reason to know that the construction has not been permitted.

(f) *How to apply for authorization.* The governmental agency responsible for the construction should file an application through the State Highway Department. This application also covers the matter of preference ratings and controlled materials allotments if these are required for the construction. The form is called "Application for Authority to Construct Public Highway or Street, Form PR.1-PA", and copies are obtainable from the State Highway Department or the U. S. Public Roads Administration. Authorizations for road construction will be made on Form GA-1456.

(g) *How to figure cost.* (1) For the purpose of determining whether construction may be started on a highway or street without permission of the War Production Board, cost means the cost of the whole job as estimated at the time of beginning construction, except that the cost of used materials or used fixtures may be disregarded.

(2) If any materials or fixtures which have not been used are obtained without buying them their value must be included as part of the cost.

(3) The cost of labor must be included, but if labor is unpaid its value need not be included. Contractors' fees also must be included, but architects' and engineers' fees need not be, nor need the cost of administration.

(4) The cost of the right-of-way, that is, the amount paid for the land, whether by purchase or condemnation, need not be included.

(5) All construction on the same project must be included. The word "project" includes all contiguous construction. It also includes all jobs on a street or highway between principal intersecting highways or streets. No project may be split into a number of projects to avoid the provisions of this order.

(h) *Revocation of certain stop construction and revocation orders.* All specific orders previously issued by the War Production Board (other than "suspension orders" or "consent orders" issued on the basis of a violation of War Production Board orders or regulations) which directed individual builders to stop construction on public highway or street projects are revoked if the cost of completion of the project (not including the cost of work done before the issuance of

the stop construction or revocation order) is within the amount now or subsequently provided in paragraph (d) of this order or if the completion of the project would be permissible under this or any subsequent amendment of L-41-e. Provisions of orders revoked by this paragraph which forbid delivery of materials for the project are also revoked. However, this paragraph does not reinstate priorities assistance previously assigned for such projects nor does it permit the continuance of construction on such projects unless the entire cost of completion is within the modified cost limits of L-41-e or unless the completion of the job is permissible under the modified provisions of L-41-e.

Issued this 11th day of August 1945.

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

[F. R. Doc. 45-14881; Filed, Aug. 11, 1945;  
11:53 a. m.]

Type of M-203 product	Designa-tion	Applicable forms columns			
		1 Operations report	2 Shipping schedule	3 Application and authorization	4 Calendar month frozen <sup>1</sup>
(1) Fibrous glass textiles, including cloth, tape, cord, sleeving, thread, yarn, sliver, M. Q. webbing and other products fabricated wholly from textile type glass fibers.	Undesig-nated...		4040		1

<sup>1</sup> For an explanation of the calendar months frozen, see paragraph (m) of M-293.

(b) A manufacturer's intra-company deliveries of fibrous glass textiles shall be treated in the same way as shipments to his customers. Company requisitions must be treated and scheduled as purchase orders. In reporting company requisitions on Form WPB-4040, the applicable preference rating is the rating assigned to the purchase order for the products into which the fibrous glass textiles will go.

(c) This table took effect April 1, 1944, with respect to fibrous glass textiles.

Issued this 11th day of August 1945.

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

[F. R. Doc. 45-14886; Filed, Aug. 11, 1945;  
11:54 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS  
[Order L-335, as Amended July 19, 1945,  
Amdt. 1]

Section 3285.121 General Conservation Order L-335 is amended in the following respects:

(1) Amend paragraph (r) by inserting as subparagraph (3) the following:  
(3) No person who has an MRO rating for maintenance, repair and operating supplies may use it to get lumber for use in forms for construction except for

PART 1075—CONSTRUCTION  
[Conservation Order L-41-e, Revocation of Interpretation 1]

BOARDWALKS AND OTHER PASSAGEWAYS FOR PEDESTRAINS

Interpretation 1 to conservation order L-41-e is hereby revoked as the substance of the interpretation is incorporated in L-41-e, as amended August 11, 1945.

Issued this 11th day of August 1945.

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

[F. R. Doc. 45-14882; Filed, Aug. 11, 1945;  
11:53 a. m.]

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M-293, Table 13,  
as Amended Aug. 11, 1945]

CORK, ASBESTOS AND FIBROUS GLASS DIVISION

§ 3208.14 Table for Cork, Asbestos and Fibrous Glass Division. (a) The following amended table is issued pursuant to the provisions of General Scheduling Order M-293:

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Supplementary Order M-317A, as Amended July 12, 1945, Amdt. 2]

COTTON FABRIC PREFERENCE RATINGS AND RESTRICTIONS

Section 3290.116 (Supplementary Order M-317A, As Amended July 12, 1945) is further amended in the following respects:

1. Add a new paragraph to be numbered (c) (5) reading as follows:

(5) During any calendar quarter fabrics and uses may be added to the Preference Rating Schedules of this order. Persons desiring to file applications for priorities assistance for the additional fabrics or uses may do so within 15 days after the date the fabrics are added to the schedule. To secure ratings for the additional fabrics or uses, separate applications must be filed for each quarter.

2. In subparagraph (d) (2) add the following sentence: "In cases where applications are filed for fabrics or uses added to the Preference Rating Schedules after August 1, 1945, Form WPB-2842 must be filed by the date specified in paragraph (c) (5)."

3. In Preference Rating Schedules make the following changes:

a. In Group AUTO-1: In Column II insert on a separate line between "(16a) Drill" and "(13a) Sheeting, Coarse, Class A" the words, "(12) Osnaburg"; in Column III, last line, change "L-1-E" to "L-158".

b. In Group CHEM-1, delete all of Column III and insert the following:

Apparel binding, bias binding, welting.  
Baby baths.  
Baby carriages.  
Belts.  
Bicycle saddles.  
Book cloths, including loose leaf binders.  
Busses, trolley busses, electric railway cars—new and repair.  
Crib mattresses.  
Crib sheeting.  
Dress shields, including sanitary napkin shields.  
Exports.  
Electric heating pads.  
Footwear.  
Fuel pump diaphragms.  
Hat sweat pads.  
High chair pads.  
Hospital equipment.  
Hospital sheeting.  
Industrial safety clothing.  
Industrial work aprons.  
Infants' pants.  
Instrument and optical cases.  
Luggage.  
Medical and diagnosis instruments.  
Mending tape.  
Military (specify end use and contract number).  
Non-allergic mattress and pillow cases.  
Oilcloth.  
Oilskin raincoats.  
Play pen pads.  
Railroad equipment.  
Rain capes.  
Rain coats.  
Rubber Hollands.  
Seats for places of public assembly.  
Trucks—new and replacement.  
Upholstery repair (restaurants, hotels, etc.).  
Varnished cambrie (electrical insulation).  
Varnished cambrie (rubber separator).  
Weather-proof jackets.  
Window shades.

Issued this 11th day of August 1945.

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

[F. R. Doc. 45-14883; Filed, Aug. 11, 1945;  
11:53 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Preference Order M-166,  
Revocation]

FLAGS

Section 3290.84 Order M-166 is revoked. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board under the order. The manufacture, use and delivery of flags remain subject to all other applicable orders and regulations of the War Production Board.

Issued this 11th day of August 1945.

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

[F. R. Doc. 45-14884; Filed, Aug. 11, 1945;  
11:53 a. m.]

c. In Group TEXT-2: In Column 1 add, on a separate line after "Processor (10,000 yards)": "Combiner (zero [0] yards) (a combiner means any person or persons engaged in the business of laminating cotton fabrics to other materials

[leather and/or fabric] by means of adhesive on machinery owned or operated by him.)"

d. Insert a new Group after TEXT-6 as follows:

Group	Column I	Column II	Column III	Column IV
TEXT-7...	Processor (600 yards.)	(82b) Bunting, flag..... (176) Print cloth, less than 64 sley.	Flags (official flags of governmental units [including foreign countries], religious, signal and service flags only).	AA-3

4. In Distribution Schedule 1—Fine Cotton Goods, Ref. No. 1, Column VI, first line, change "must" to "may" and insert "only" after the word "delivered."

5. In Distribution Schedule 2, Ref. Nos. 29 through 31, Column VI, paragraph (2), second line, delete the words "must be delivered" and substitute therefor the words "may be delivered only".

6. In Ref. No. 50 of Distribution Schedule 2 (as amended by item 14 of Amendment 1 to M-317A) change the word "percentages" in Column VI, paragraph (2), fourth line, to "production", and in the last line of paragraph (3), change the word "produced" to "produce".

Issued this 11th day of August 1945.

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

[F. R. Doc. 45-14889; Filed, Aug. 11, 1945;  
11:53 a. m.]

PART 3291—CONSUMERS DURABLE GOODS  
[Limitation Order L-5-c as Amended Aug. 11, 1945]

DOMESTIC MECHANICAL REFRIGERATORS

§ 3291.6 Limitation Order L-5-c—(a) Definitions. For the purpose of this order:

(1) "Domestic mechanical refrigerator" means any refrigerator for household use which operates either by compression or absorption and which has a net capacity (N. E. M. A. rating) of 16 cubic feet or less, except the following:

(i) A low temperature mechanical refrigerator designed for storage of frozen foods or for quick freezing food whose low temperature compartment customarily operates at a temperature not higher than 15 degrees above zero (Fahrenheit) and contains 50% or more of total refrigerating space in the refrigerator.

(ii) A refrigerator built to meet specifications of the Army, Navy, or the Maritime Commission for use on vessels built or operated by either of those agencies.

(2) "Manufacturer" means any person in the business of making or assembling domestic mechanical refrigerators.

(b) Restrictions on production. (1) No manufacturer shall make or assemble new domestic mechanical refrigerators except as specifically authorized by the War Production Board in writing. Application should be made by filing Form WPB-3700 (and Form WPB-3820 when required by the instructions) with the Field Office of the War Production Board for the district in which the plant where the domestic mechanical refrigerators are to be made or assembled, is located.

(2) Production authorizations under paragraph (b) (1) will be assigned within the approved War Production Board program, on an equitable basis among the applicants. Wherever practicable each applicant will receive a pro rata share of his capacity to produce, based on his facilities and the availability of manpower. Authorizations will not be dependent upon the applicant's having been engaged in the production of domestic mechanical refrigerators at some previous time. In general, smaller manufacturers will be authorized under paragraph (b) (1) to produce a greater percentage of their capacity than larger ones.

(c) Repair parts. There are no restrictions on the quantity of parts which may be made for use in servicing or repairing used domestic mechanical refrigerators. In order to insure the proper servicing of used domestic mechanical refrigerators, the War Production Board will give priorities assistance in the form of allotments of controlled materials and preference ratings for the acquisition of other materials and components to be used in the repairing or servicing of used domestic mechanical refrigerators. Applications for such assistance should be made by filing Form CMP-4b according to the instructions for filing that Form. No person shall use any materials which he has obtained with such assistance in the production or assembly of any new domestic mechanical refrigerator.

(d) Distribution. This order does not restrict the sale or transfer of domestic mechanical refrigerators. Limitation Order L-5-d, however, controls the sale, transfer and delivery of all new domestic mechanical refrigerators. Any manufacturer who wishes to transfer, sell or deliver any such refrigerator, is referred to Order L-5-d.

(e) Additional production without priorities assistance. In addition to the production authorized under paragraph (b), manufacturers may be authorized to make or assemble domestic mechanical refrigerators without priorities assistance as explained in Priorities Regulation 25. Such additional production will be authorized on applications filed on Form WPB-3700 (and Form WPB-3820 when required by instructions) with the field office of the War Production Board for the district in which the plant where the domestic mechanical refrigerators are to be made or assembled, is located. Such applications should not be filed on Form WPB-4000. The number of do-

mestic mechanical refrigerators which may be authorized under this paragraph is limited. Production authorizations will be assigned according to applicants' productive capacity based on the same standards used in assigning authorization under the approved program pursuant to paragraph (b) of this order.

(f) Reports. Any manufacturer making any new domestic mechanical refrigerators either as authorized under paragraph (b) (1) of this order or pursuant to Priorities Regulation 25, must file Form WPB-1600 with the War Production Board according to the instructions for filing that form.

(g) Violations. Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes a 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.

(h) Communications. All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25 D. C., Ref.: L-5-c.

NOTE: The application forms and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 11th day of August 1945.

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

[F. R. Doc. 45-14879; Filed, Aug. 11, 1945;  
11:53 a. m.]

PART 3291—CONSUMERS DURABLE GOODS  
[Limitation Order L-13-b as Amended Aug. 11, 1945]

USE OF STEEL IN FURNITURE AND FIXTURES

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials and facilities used in the production of furniture and fixtures 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:

§ 3291.51 Limitation Order L-13-b—  
(a) What this order does. This order governs your use of steel in making furniture and fixtures for civilian purposes. It no longer restricts the use of any other metal. In addition, certain items formerly controlled by this order are no longer controlled by it. The order has an exemption if you make less than \$50,000 worth of furniture and fixtures in any quarter. Thus this order does not prevent you from using the rights granted

under Priorities Regulation 27 if you otherwise qualify under its terms. Finally a ceiling has been placed on the use of steel based on a rate of 25% of the amount used in the twelve months ending June 30, 1941. It is not the policy of the War Production Board to grant you further priorities assistance. Thus the War Production Board cannot undertake to assure you that you will be able to get the materials needed for production up to the ceiling established in this order. If you want to exceed this amount, you should apply under Priorities Regulation 25.

(b) *Definitions.* For the purposes of this order: (1) "Furniture and fixtures" means all articles shown on List I, and all other articles commonly known as furniture. "Furniture and fixtures" do not include any products on List II.

(2) "Preferred order" means any purchase order or contract calling for delivery to or for the account of the Army or Navy of the United States, the Veterans Administration, the United States Maritime Commission or the War Shipping Administration, including an order for furniture or fixtures which will be incorporated into a product or building to be delivered to one of those agencies.

(c) *How much steel you may use.* Unless you are covered by paragraphs (d) or (e) below, you may not use more steel in making and assembling new furniture and fixtures in any calendar quarter than the amount you use to fill preferred orders actually on hand plus 6 1/4% of the amount of steel you used in making and assembling furniture and fixtures in the twelve months ending June 30, 1941. To use steel under this order means to cut or process it for use in the production of furniture and fixtures, or to assemble in the completed product purchased parts containing steel (except the parts listed in paragraph (d) (2) below).

(d) *Exemption for small manufacturers and for small amounts of steel.* (1) In any event you may make up to \$50,000 worth of furniture and fixtures (manufacturer's sales price) in any quarter in addition to whatever preferred orders you may fill, without regard to the ceiling in paragraph (c). (2) The ceiling in paragraph (c) does not include steel contained in swivel irons, casters, upholstery springs and joining hardware, or in any furniture or fixtures containing 5% or less of steel by weight in addition to those parts mentioned above. Similarly in computing your base period use of steel you should not include what you used for such purposes.

(e) *Steel may be substituted for wood under certain conditions.* You may substitute steel parts for wooden ones in the furniture and fixtures you are currently making if this substitution does not cause an increase in your total pro-

duction of furniture and fixtures in any calendar quarter by dollar value over the amount of furniture and fixtures you made in the previous quarter.

NOTE: Paragraphs (f) to (k), inclusive, formerly paragraphs (d) to (i), inclusive, redesignated Aug. 11, 1945.

(f) *Spot authorizations under Priorities Regulation 25—(1) Applications and authorizations under this amended order.* If you want to use more steel in making furniture and fixtures than you are permitted to use under paragraphs (c) or (d), or if you want to substitute steel parts for wooden ones and increase your production of furniture and fixtures beyond the amount permitted in paragraph (e) you may apply for permission to do so as explained in Priorities Regulation 25. If you are authorized on or after August 11, 1945 under that regulation to make furniture and fixtures, you may use steel to make the furniture and fixtures authorized in addition to the amounts permitted under paragraphs (c) through (e).

(2) *Effect of spot authorizations granted before this order was amended.* If you were authorized before August 11, 1945 under Priorities Regulation 25 to make furniture and fixtures, you may use steel to make the furniture and fixtures authorized instead of, but not in addition to, the amounts permitted under paragraphs (c) through (e). Thus if your "spot authorization" granted before August 11, 1945 itself permits you to make more furniture and fixtures than this order does, it will be advantageous for you to operate under the "spot authorization". On the other hand, if you may make more furniture and fixtures under paragraphs (c) through (e) than under your "spot authorization", then that authorization no longer helps you.

(g) *Reuse of steel or steel parts is not restricted.* This order does not restrict the reuse in making or assembling furniture or fixtures of any steel parts which have once been used in any completed article of furniture or fixtures.

(h) *Finished item deliveries.* No person shall deliver, offer for sale, or accept delivery of any furniture or fixtures which he knows or has reason to believe were made or assembled in violation of this order.

(i) *Applicability of other orders and regulations.* This order and all transactions affected by it are subject to all applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the manufacture of furniture and fixtures to a greater extent than this order does, the other order governs.

(j) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprison-

ment. 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.

(k) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref.: L-13-b.

Issued this 11th day of August 1945.

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

#### LIST I

1. Household furniture.
2. Porch and lawn furniture including swings and gliders except juvenile.
3. Camp furniture.
4. Barber shop and beauty shop furniture except barber chairs.
5. Public building furniture, including furniture for theatres, assembly halls, churches, libraries and hospitals, but excluding furniture specifically designed for schools.
6. Restaurant furniture.
7. Folding furniture such as chairs, tables.
8. Storage chests and cabinets, including but not limited to broom cabinets, kitchen cabinets and cupboards, medicine cabinets, utility cabinets and undersink cabinets, but not including heavy duty kitchen cabinets specifically designed for commercial or institutional use.
9. Office furniture, including counters.
10. Filing cabinets, except insulated.
11. Lockers, including wire gymnasium baskets.
12. Shelving, including all types of bins and racks except those specifically exempted on List II.
13. Show cases.

#### LIST II

1. Beds, cots, studio couches, sofa beds, bunks, berths, mattresses and bed springs.
2. Waste paper baskets.
3. Filing cabinets with metal only in essential operating steel hardware and joining hardware.
4. Office chairs with metal only in swivel irons, upholstery springs, casters and joining hardware.
5. Typewriter desks with metal only in typewriter mechanisms and joining hardware.
6. Office machine stands which are integral parts of the machines they support.
7. Time card racks.
8. Hospital, medical and surgical furniture and related equipment.
9. Dental equipment.
10. Laboratory equipment.
11. Refrigerators.
12. Drafting equipment.
13. Engineering drawing units designed primarily for engineering drawings and tracings and sometimes known as plan files.
14. Printing trades machinery.
15. Steel seating equipment designed for use at a switchboard, work bench, production machine or assembly line.
16. Steel work benches.
17. Steel foremen's desks.
18. Shop boxes.
19. Stacking boxes.
20. Cases, racks or shelving inserts specifically designed to store or hold tools.
21. Racks specifically designed to store or hold rods or bars.

[F. R. Doc. 45-14880; Filed, Aug. 11, 1945;  
11:54 a. m.]

## PART 3293—CHEMICALS

[General Allocation Order M-300, Revocation of Schedule 46]

## ARSENIC

Section 3293.1046. *Schedule 46 to General Allocation Order M-300* and all authorizations and directions issued under that section, are hereby revoked. This revocation does not affect any liabilities incurred for violation of the section or of actions taken by the War Production Board under the section.

Issued this 11th day of August 1945.

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

[F. R. Doc. 45-14887; Filed, Aug. 11, 1945;  
11:54 a. m.]

## PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 116]

## WHITE AMMONIUM CHLORIDE

§ 3293.1116 *Schedule 116 to General Allocation Order M-300*—(a) *Definition.* "White ammonium chloride" means the commercial material (technical, USP and CP) containing not less than 98% ammonium chloride by weight and free from lead chloride.

(b) *General provisions.* "White ammonium chloride" is subject to allocation under General Allocation Order M-300 as an Appendix A material. The initial allocation date is September 1, 1945. The allocation period is the calendar month and the small order exemption is 200 pounds per person per month.

(c) *Suppliers' applications on WPB-2946.* Each supplier seeking authorization to deliver shall file application on Form WPB-2946 (formerly PD-601). Filing date is the 20th day of the month before the requested allocation month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-116. The unit of measure is pounds. An aggregate quantity may be requested, without specifying customers' names, for delivery on exempt small orders. Fill in Table II.

(d) *Customers' applications on Form WPB-2945.* Each person seeking authorization to use or accept delivery shall file application on Form WPB-2945 (formerly PD-600). Filing date is the 15th day of the month before the requested allocation month. File separate sets of forms for each supplier. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-116, and one copy (reverse side blank) to the supplier. The unit of measure is pounds. Fill in Column 3 in terms of the following:

Adhesives.  
Batteries (dry cell).  
Catalyst.  
Dyes.  
Explosives.  
Fluxes.  
Galvanizing and soldering.  
Metal forging and smelting.  
Pharmaceuticals.

Smoke bombs.

Tanners bate.

Yeast.

Zinc ammonium chloride.

Other primary product (specify).

Export (in original form).

Inventory (in original form).

Resale (in original form).

Specify end use in Column 4 as required by paragraph (11-a) of Appendix E of Order M-300, indicating as far as possible whether for direct or indirect Army, Navy or Lend-Lease orders, if the Army or Navy specification or contract numbers or the Lend-Lease requisition and contract numbers cannot be obtained. Fill in other columns of Table I, and fill in Tables II and III as indicated. Leave Tables IV and V blank.

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

(f) *Communications to War Production Board.* Communications concerning this schedule shall be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-116.

Issued this 11th day of August 1945.

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

[F. R. Doc. 45-14888; Filed, Aug. 11, 1945;  
11:53 a. m.]

## PART 3301—CORK, ASBESTOS AND FIBROUS GLASS

[Conservation Order M-283, as Amended Aug. 11, 1945]

## ASBESTOS TEXTILES

## § 3301.16 Conservation Order M-283—

(a) *Definitions.* (1) "Asbestos textiles" means any material initially produced from the mineral asbestos by means of a carding operation and includes all such material in the following forms subsequent to the carding operation, including scrap:

Carded fiber.

Plain roving (underwriter's and commercial).

Plain roving (above underwriter's grade).

Reinforced roving.

Cable filler.

Lapps.

Yarn—single.

Yarn—plied.

Yarn—metallic.

Cloth— $1\frac{1}{4}$  pounds per square yard and lighter, all weaves.

Cloth—heavier than  $1\frac{1}{4}$  pounds per square yard, non-metallic, plain weave.

Cloth—heavier than  $1\frac{1}{4}$  pounds per square yard, metallic, plain weave.

Cloth—all weights, metallic and non-metallic other than plain weave.

Tape—.010 to .025" thick.

Tape— $1/32$ " thick and up.

Cord—Plain or treated.

Tubing—woven or braided.

(2) "Supplier" means any person who produces asbestos textiles from the mineral asbestos by means of a carding operation.

(3) "Consumer" means any person who purchases or accepts delivery of asbestos textiles from a supplier for re-

sale, or for use in the manufacture of other forms of asbestos textiles or of articles made in whole or in part of asbestos textiles, or for any other use. A supplier, who uses asbestos textiles which he has produced in the manufacture of any product which is not itself an asbestos textile as defined in paragraph (a) (1), shall be deemed also to be a consumer.

(4) "Implements of war" means combat end products, complete for tactical operations (including, but not limited to, aircraft, ammunition, armament, weapons, ships, tanks and military vehicles), and any parts, assemblies and materials to be incorporated in any of the foregoing items being produced for the Army or the Navy of the United States, the Maritime Commission, the War Shipping Administration, Veterans Administration, or for any foreign government pursuant to the act approved March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), where the use of any asbestos textiles to the extent employed is required by the latest issue of government specifications (including performance specifications, unless otherwise directed by the War Production Board) applicable to the contract, subcontract, or purchase order. The term does not include facilities or equipment used to manufacture the foregoing items.

(b) *Restrictions on delivery and use.* (1) No supplier shall deliver or use asbestos textiles and no person shall accept delivery of asbestos textiles from a supplier, except as specifically authorized in writing by War Production Board, upon application pursuant to paragraph (d). Even though asbestos textiles have been allocated by the War Production Board for incorporation into friction materials for new civilian passenger cars and trucks, they may not be used for that purpose if to do so will interfere with the production of implements of war or with the filling of rated orders for which asbestos textiles have been allocated by the War Production Board.

(2) War Production Board may from time to time issue special directions to any person with respect to his use, processing to final product, delivery, acceptance of delivery, or placing of orders, of asbestos textiles, notwithstanding the provision of paragraph (c), or special directions to any supplier with respect to the kinds of asbestos textiles which he may or must manufacture, and the grades and types of asbestos fiber which he may or must use in the production of asbestos textiles.

(3) No supplier shall deliver any asbestos textiles to any person if he knows or has reason to believe that such person would receive or use it in violation of the terms hereof, nor may any person deliver or accept delivery of any item which he knows or has reason to believe was manufactured in violation of the terms hereof.

(4) Each supplier shall notify the War Production Board of his inability to make authorized delivery, or of cancellation by a consumer of any authorized delivery,

within 5 days after he has notice of such fact.

(c) *Small order exemption.* Specific authorization shall not be required for:

(1) Any person to accept delivery of 500 pounds or less of asbestos textiles in the aggregate from all sources during any calendar month, provided that he has not been specifically authorized to accept delivery of any quantity of asbestos textiles during such month; and

(2) Any supplier to deliver 500 pounds or less of asbestos textiles to any person in any calendar month, provided that:

(i) No supplier shall deliver in the aggregate in any calendar month, pursuant to this paragraph (c), an amount in excess of 5 per cent by weight of his actual shipment of asbestos textiles for the preceding month;

(ii) No supplier shall make deliveries during any calendar month, pursuant to this paragraph (c), if such deliveries will prevent completion of any deliveries which have been specifically authorized for such month.

(3) For the purposes of paragraphs (c) (1) and (c) (2) above, the term "person" means usual purchasing unit, whether plant, distributing agency, corporation or other legal entity.

(d) *Applications and reports.*—(1) *Consumers.* Each consumer seeking authorization to accept delivery of asbestos textiles during any calendar month shall file application on Form WPB-2137 as prescribed in that form.

(2) *Suppliers.* Suppliers shall seek authorization to deliver asbestos textiles only to consumers who have filed with them WPB-2137 as prescribed in that form.

(3) Applications for allocations of plain roving, reinforced roving, cable filler, and lapps for incorporation into Navy cable shall be made on a calendar quarterly basis on Form WPB-2137.2 as prescribed therein, beginning with the first quarter of 1945.

(4) War Production Board may from time to time issue special instructions with respect to the method or time of filing or content of WPB Form 2137.

(e) *Separation of functions.* Each supplier who consumes all or part of his production of asbestos textiles in the manufacture of any product which is not itself an asbestos textile, as defined in paragraph (a) (1), shall treat the production and consumption parts of his operations as separate divisions, and delivery to himself for consumption shall be deemed delivery, requiring authorization within the meaning of paragraph (b) (1). Each such supplier in his separate capacity as a consumer and as a supplier shall file all the applications and reports required by paragraphs (d) (1), (d) (2) and (d) (3). A supplier who consumes all or any part of his production of asbestos textiles in the manufacture of products which are not asbestos textiles as defined in paragraph (a) (1) must request allocation only for that type of asbestos textile that immediately precedes the manufacturing process which changes its form beyond

that shown in the list of asbestos textiles in paragraph (a) (1).

(f) *Restrictions on manufacture of List A products.* No person shall use any asbestos textile in the manufacture of any item, or part for an item, on List A.

(g) *Restrictions on manufacture of List B products.* On and after the governing date specified in List B, no person in the manufacture of any item on List B shall use any asbestos textile which is either of a grade (in terms of percentage of asbestos content) higher than the grade specified in List B, or is of a cut finer than the cut specified in List B.

(h) [Revoked Jan. 4, 1945.]

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

(2) *Forms.* Forms WPB-2137 and WPB-2137.2, referred to in paragraph (d), have been approved by the Bureau of the Budget in accordance with Federal Reports Act of 1942.

(3) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States government, 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.

(4) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Cork, Asbestos & Fibrous Glass Division, Washington 25, D. C. Ref: M-283.

(5) *Appeals.* Any appeal from the provisions of this order must be made by letter in triplicate addressed to the War Production Board, Cork, Asbestos and Fibrous Glass Division, Washington 25, D. C., Ref: M-283, referring to the particular provision appealed from, stating fully the grounds of the appeal and setting forth the necessary supporting information. The supporting information shall include:

1. The List A or B product for which the asbestos textiles will be used.
2. The period of time, not exceeding one calendar quarter, for which relief is requested;
3. The monthly schedule of the amount of asbestos textiles which would be required in the production of the List A or B product;
4. The type of asbestos textile to be used and the grade and cut.

Ordinarily consideration will be given only to those appeals where compliance by the appellant or another would work an exceptional and unreasonable hard-

ship on the manufacturer or user of the List A or B product which is not suffered generally by others in the same industry or activity.

Issued this 11th day of August 1945.

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

RESTRICTED USES OF ASBESTOS TEXTILES UNDER  
CONSERVATION ORDER M-283, AS AMENDED  
AUGUST 11, 1945

LIST A

416	621	637	736A
506	621A	638	736B
516	628	718	738
614	629	719B	821B
620	636	732	827
859	946	985A	1053
862A	953A	987	1056
862B	953C	988	1057
880	953D	988A	1057A
891	953E	990	1057B
296A	954	990A	1057C
898	955	991	1058
900	955A	991A	1059
902A	955B	991B	1059A
905	956	993	1059B
905A	956A	993A	1068
905D	966	994	1072
905E	967	995	1142B
905F	967A	999	1142C
909	968	1005A	1154A
909A	968B	1007A	1169
909B	969	1008A	1169A
929B	975	1033	1170
929D	979	1047	1173
930-1	980	1047A	1181
940	982	1051	
941A	985	1052	

12. Brake lining in widths less than 2 inches or in thickness less than  $\frac{1}{4}$  inch (except for implements of war and except for B. L. M. A. Nos. 336 and 341A and except in the production of new passenger cars and trucks authorized by the War Production Board).

Item	Governing date	Grade (max. % of asbestos)	Minimum permissible cut
1. Laminated plastics			
2. Mechanical packing or gasket material made of asbestos textile material which has been graphited, friction treated, or otherwise treated with an adhesive or impregnating substance, for use as, or for use in the manufacture of, mechanical packings or gaskets (except that produced from blue asbestos fiber, and except for valve rings, seamless boiler gaskets and implements of war)	February 14, 1943	Underwriters	
	October 18, 1943	Commercial	10
3. Friction material	October 18, 1943	Commercial	10

[F. R. Doc. 45-14885; Filed, Aug. 11, 1945; 11:54 a. m.]

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

[Priorities Reg. 25, as Amended Aug. 13, 1945]

**SPOT AUTHORIZATIONS FOR PRODUCTION**

**§ 944.46 Priorities Regulation 25—(a) What this regulation does.** This regulation describes the revised spot authorization method for getting authorizations to produce a product that is still restricted or limited by certain L orders. Other orders controlling products using relatively less amounts of the same materials and manpower have been revoked or relaxed, but these L orders had to be retained because the products controlled require substantial amounts of materials and manpower, and unlimited production would interfere with the war effort. This regulation applies only to the L orders listed on Direction 1 to this regulation and to any other orders which expressly state that authorizations may be obtained under this regulation. This regulation differs from the previous spot authorization method chiefly in that preference ratings and allotments are no longer given with the spot authorization.

**(b) Policy for granting spot authorizations.** The WPB will give spot authorizations where it finds that the use of materials and manpower in the proposed production will not interfere with war production and will not be so great as to interfere with a reasonably free supply of basic materials for industry generally.

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

**(2) Separate applications for priorities assistance.** Applications for priorities assistance for production authorized under Priorities Regulation 25 may be made in any of the usual ways. The policy for granting assistance for this production is explained in Priorities Regulation 28. Priorities assistance will generally be given only on a limited basis and to prevent exceptional and unreasonable hardship under the condi-

tions described in paragraph (c) of Priorities Regulation 28.

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

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

**(2) Repair parts and material obtained from another source may not be used.** You may not use any material or products for production authorized under this regulation which you obtained by using a preference rating or allotment symbol assigned for another purpose unless you are unable to use or dispose of the materials or products for the purpose for which the allotment or rating was given. In addition, you may not use any parts which you manufactured under an authorized production schedule assigned by WPB for the manufacture of repair parts (i. e., where the CMP Product Code specifically includes "repair parts", such as Code 807, "Repair parts for consumers durable goods"). For example, if you have been making domestic mechanical refrigerator repair parts with an allotment and rating under Code 807, you may not use these parts to make domestic mechan-

ical refrigerators authorized by a spot authorization under this regulation. This does not prevent the use of the rating and allotment symbol assigned by Priorities Regulation 27 for production materials for production authorized under this regulation, where you are otherwise qualified under Priorities Regulation 27.

**(3) Schedules not automatically rated.** Authorization of a production schedule under this regulation does not of itself give the applicant a preference rating of AA-5 under § 944.1b of Priorities Regulation 1.

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

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

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

**(g) Authorizations issued prior to July 1st effective after July 1.** Any spot authorization issued under this regulation prior to July 1st which authorizes production after July 1st remains in effect if the restrictions of the L or M order from which it gave an exemption continue in effect.

Issued this 13th day of August 1945.

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

[F. R. Doc. 45-14928; Filed, Aug. 13, 1945;  
11:27 a. m.]

**PART 1010—SUSPENSION ORDERS**

[Suspension Order S-871]

BLISH, MIZE AND SILLIMAN HARDWARE CO.

Blish, Mize and Silliman Hardware Company, Atchison, Kansas, is a Kansas Corporation engaged in the sale of hardware, farm supplies and liquefied petroleum gas equipment. During February and April of 1944 the Corporation delivered liquefied petroleum gas equipment for installation purposes without authorization of the War Production Board in violation of Limitation Order L-86.

Blish, Mize and Silliman Hardware Company was familiar with Limitation Order L-86, and knew or had reason to believe that the liquefied petroleum gas equipment which it delivered would be used for installation purposes.

These violations of Limitation Order L-86 diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

**§ 1010.871 Suspension Order No. S-871.** (a) Blish, Mize and Silliman Hardware Company shall not for two months from the effective date of this order receive or accept delivery of any liquefied petroleum gas equipment. This does not apply to material in transit for delivery to the Corporation on the effective date of this order.

(b) The restrictions and prohibitions contained herein shall apply to Blish, Mize and Silliman Hardware Company, its successors and assigns, and persons acting in its behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(c) Nothing contained in this order shall be deemed to relieve Blish, Mize and Silliman Hardware 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.

(d) This order shall take effect on August 13, 1945.

Issued this 3d day of August 1945.

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

[F. R. Doc. 45-14930; Filed, Aug. 13, 1945;  
11:16 a. m.]

#### PART 1010—SUSPENSION ORDERS

[Suspension Order S-878]

JOSEPH BISCARO

Joseph Biscaro, 31 Rumford Street, Depew, New York, is a general building contractor. On or about August 1, 1944, he began construction of a residence at Cheektowaga, New York, and thereafter carried on such construction through December 28, 1944, at a cost in excess of the amount limited by Conservation Order L-41. Biscaro was aware of War Production Board restrictions on construction and of Order L-41, and beginning and carrying on this construction without specific authorization of the War Production Board was in wilful violation of that order. This violation has diverted critical material to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

**§ 1010.878 Suspension Order No. S-878.** (a) From the effective date of this order, to and including December 31, 1945, Joseph Biscaro shall not apply or extend any preference ratings or use any CMP allotment symbols, regardless of the delivery date named in any purchase order to which such ratings may be applied or extended or on which CMP allotment symbols are used.

(b) Joseph Biscaro shall cancel immediately all preference ratings which he has applied or extended to orders which have not yet been filled, and shall also cancel immediately all unfilled orders which he has placed for controlled materials bearing a CMP allotment symbol (including the MRO symbol and the symbol SO under the small order procedure of CMP Regulation No. 1).

(c) All preference ratings, allotments and allocations presently outstanding in connection with orders for delivery on materials to Joseph Biscaro or placed prior to January 1, 1946, are void and shall not be given any effect by suppliers of Joseph Biscaro or by any other person. This does not apply to material already delivered or in transit for delivery to him on the effective date of this order.

(d) During the period in which this order shall be in effect, no authorization to begin any new construction to be erected in whole or in part by Joseph Biscaro shall be granted, except as may be hereafter specifically authorized in writing by an official order of the War Production Board, as an exception to, or modification of this order.

(e) The restrictions and prohibitions contained herein shall apply to Joseph Biscaro, his successors and assigns or persons acting on his behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(f) Nothing contained in this order shall be deemed to relieve Joseph Biscaro, 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.

(g) This order shall take effect on August 13, 1945.

Issued this 6th day of August 1945.

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

[F. R. Doc. 45-14931; Filed, Aug. 13, 1945;  
11:15 a. m.]

#### PART 3133—PRINTING AND PUBLISHING

[Limitation Order L-241, as Amended Aug. 13, 1945]

##### COMMERCIAL PRINTING AND DUPLICATING

The fulfillment of requirements for the defense of the United States has created a shortage of the supply of paper 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.

##### Scope

(a) The purpose of this order.

##### Definitions and Explanations

(b) Commercial printing.

(c) Printer.

(d) Paper.

(e) Use.

(f) Production waste.

(g) [Deleted July 3, 1945.]

(h) Transfer of quotas.

(i) Exceptions.

##### Consumption Quota

- (j) Printing which is covered by other orders.
- (k) Printing which is not restricted.
- (l) Computation of consumption quota.
- (m) Borrowing and carry-over.
- (n) Total permitted consumption.
- (o) [Deleted July 3, 1945.]
- (p) Certification to printer.

##### Delivery Restrictions

- (q) Limit on tonnage which may be accepted.
- (r) Certification to paper dealer or mill.

##### Material Printed in Violation of War Production Board Orders

- (s) Restrictions on paper suppliers, printers and binders.

##### Issuance of Schedules

- (t) Prohibited and restricted uses of paper and paperboard.

##### Miscellaneous Provisions

- (u) Records.
- (v) Applicability of regulations.
- (w) Appeals.
- (x) Communications.
- (y) Violations.

##### Schedule I

- (a) Limits on basis weights.
- (b) Exceptions to limits on basis weights.
- (c) Exceptions to Order L-120.

##### Schedule II

- (a) Commercial printing which is charged against the quota of both the printer and the person who causes it to be printed.

- (b) Shopping guides, free distribution newspapers, want ad publications, free distribution publications in newspaper format.

- (c) Miscellaneous publications.

- (d) [Deleted July 3, 1945.]

- (e) Certification.

##### Scope

**§ 3133.9 Limitation Order L-241—(a)** *The purpose of this order.* This order does four things: First it limits the tonnage of paper which a printer may use for commercial printing. This is called his "consumption quota". A printer may not exceed his consumption quota even though the paper is physically available to him. Second, it limits the tonnage of paper which may be accepted by or on behalf of a printer. It also limits the tonnage of paper which may be accepted by a purchaser of commercial printing for a printer's use. Third, it limits the basis weight of paper which may be used in printing certain items. Fourth, it limits the tonnage of paper which a person may cause to be consumed in printing certain items.

##### Definitions and Explanations

- (b) *Commercial printing.* "Commercial printing" means all printing or duplicating produced by any of the following types of printing or duplicating machines:

Hand and automatic sheet and web-fed platen presses.

Hand and automatic fed plate engraving presses.

Hand and automatic fed flat-bed cylinder presses.

Proof presses.

Sheet and web-fed rotary letterpresses.

Sheet and web-fed offset or lithographic presses.

Sheet and web-fed rotary gravure presses.

Thermographic presses.

Sheet and web-fed aniline-ink presses.

Duplicating machines, including but not limited to ink ribbon, gelatin, spirit, stencil and reproducing typewriter principle machines and Multilith and Davidon duplicators.

However, this order does not affect printing which is covered by other orders of the War Production Board, as described in paragraph (j). "Printed matter" includes duplicated matter as well as printed matter.

If a person is uncertain as to whether particular printed matter is "commercial printing" as defined in this order, or whether it is covered by Schedules I or II of this order, he may ask the War Production Board for an official determination. The War Production Board may also make this determination upon its own motion. Such a determination may be made only by the Washington office of the War Production Board and shall be issued to the printer or publisher in the name of the Recording Secretary of the War Production Board. It shall be conclusive for the purpose of this order, unless revoked or modified by the same authority.

(c) *Printer.* The term "printer" is used throughout this order, for the sake of convenience and brevity, to include printers who operate printing machines and duplicators who operate duplicating machines. The order applies to every printer, including a printer who operates a private or "captive" plant as well as a printer who does work for the trade. The term does not include a publisher or a person who orders printing.

(d) *Paper.* "Paper" means any grade, quality, type, basis weight or size of paper, gummed paper, paperboard or bristol used in commercial printing. The term includes paper reclaimed wholly or partly from printed or unprinted waste, as well as paper made entirely from virgin fiber.

(e) *Use.* (1) Paper is "used" when ink is first applied to it by a printer. However, paper is not "used" under this order when ink is applied to it by pen-ruling equipment. Sometimes paper is put through a press more than once, either by the same printer or by different printers—for instance, when several colors are used or when the imprint of a particular distributor is added after part of the printing is done. For the purposes of this order the paper is deemed to be "used" when the first application of ink is made by a printer. It makes no difference how many other applications of ink are put on the paper by the same or different printers.

(2) When a job is started in one calendar quarter and runs over into the next, the paper actually used during each quarter must be charged against the printer's consumption quota for that quarter. The entire job may not be regarded as if it were started and finished in the same quarter.

(f) *Production waste.* All production waste before, during and after printing (such as trim and waste sheets) shall be included in determining the tonnage of paper which a printer uses in commercial printing.

(g) [Deleted July 3, 1945.]

(h) *Transfer of quotas.* (1) Quotas provided by one War Production Board order may not be used for the purposes set forth in any other order. Thus, for example, a printer may not use for commercial printing any part of a consumption quota established under Order L-240 (Newspapers), Order L-244 (Magazines) or Order L-245 (Books and Booklets), and he may not permit any part of his consumption quota established under this order to be used for newspapers, magazines or books.

(2) It sometimes happens that one printer does work for another printer, and there is a question as to which one should deduct the paper from his quota. Printer A may "farm out" certain work by purchasing "press time" from printer B. This may be done, for example, where printer A cannot fill an order for a customer because he does not have available the right equipment, material, personnel, or facilities. In such a case, where the customer looks only to A for the finished product and where B acts merely as a sub-contractor, the paper may be charged against A's quota, even though B actually does the printing provided the order from A to B specifically states these facts. This does not mean that A may assign his quota to B. The rules governing the assignability of quotas are stated in Priorities Regulation 7A.

(i) *Exceptions.* Certain paragraphs of this order contain exceptions to general rules. These exceptions apply only to the provisions to which they specifically refer. They do not apply to any other portions of the order.

#### Consumption Quota

(j) *Printing which is covered by other orders.* Certain types of printing are not covered by this order. When a printer adds up the weight of paper which he used in 1941, he may not count the paper which went into those items. Also, a printer may not use the consumption quota which he gets under this order for the printing of any of those items. They are:

(1) Newspapers (defined in Limitation Order L-240).

(2) Magazines (defined in Limitation Order L-244).

(3) Books (defined in Limitation Order L-245).

(4) Greeting cards and illustrated post cards (defined in Limitation Order L-289).

(5) Displays (defined in Limitation Order L-294).

(6) Wallpaper (defined in Limitation Order L-177).

(7) Commercial printing for governmental units (defined in Limitation Order L-340).

(8) Boxes (defined in Limitation Order L-239).

(9) Converted products named in Lists A, B, C or D of General Conservation Order M-241-a, except gummed paper.

(10) Any other "converted products" defined in General Conservation Order M-241-a except those which must be printed in order to serve the purpose for which they are made.

(k) *Printing which is not restricted.*

(1) A printer is not limited in the amount of paper which he may use for printing which is ordered by a contractor who will subsequently deliver the printing to the Army, Navy, Maritime Commission or War Shipping Administration as a part

of a contract for an item purchased by one of those agencies. When only part of an order for printing is required for delivery to one of those agencies under such a contract, the printer must charge the paper used in the remaining part against his consumption quota.

(2) A printer is not limited in the amount of paper which he may use for official Army or Navy post, camp, station or unit newspapers if:

(i) They are ordered by the officer in command of the Army or Navy establishment on official War Department or Navy Department purchase orders, requisitions or contracts;

(ii) They contain no paid advertising; and

(iii) They are not owned, edited or operated by civilians but are run entirely by military personnel (although the printing may be done in commercial plants).

(3) A printer is not limited in the amount of paper which he may use for social stationery bearing the printed insignia or identification of an Army or Navy post, camp, station or unit, and sold in packages with envelopes to post exchanges or Ships Service Departments; the manufacture of envelopes, however, is controlled by Order M-241-a.

(4) No person may order commercial printing under paragraph (k) and no person may accept such an order, unless the person placing the order furnishes to that printer a certification in substantially the following form, signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the printer and to the War Production Board that he is familiar with paragraph (k) of Order L-241 and that this purchase order is for printing governed by paragraph (k) of Order L-241. [If only part of the order is covered by paragraph (k) specify what part.]

(5) When a printer adds up the weight of paper which he used in 1941, he may not count the paper which went into the items described in paragraphs (k) (1) and (k) (2) above. Also, a printer may use an unlimited amount of paper for those items from now on.

(1) *Computation of consumption quota.* In the third calendar quarter of 1945 and in each calendar quarter after that, no printer may use for commercial printing any paper in excess of his quarterly consumption quota, which shall be computed as follows:

(1) Determine the printer's "quarterly base tonnage" according to either of the two following methods, depending on his individual needs. Having selected one method, the printer must use that method throughout the year.

#### First method:

(i) Add up the total pounds of paper used in 1941 for all types of printing;

(ii) Subtract the pounds of paper used in 1941 for the items covered by other orders, as listed in paragraph (j) above;

(iii) Subtract the pounds of paper used in 1941 for the unrestricted items listed in paragraph (k) above;

(iv) Divide by four. This is the printer's "quarterly base tonnage", from which the required reductions shall be made.

*Second method:*

(1) Add up the total pounds of paper used during the same calendar quarter of 1941 for all types of printing;

(II) Subtract the pounds of paper used during that quarter of 1941 for the items covered by other orders, as listed in paragraph (j) above;

(iii) Subtract the pounds of paper used during that quarter of 1941 for the unrestricted items listed in paragraph (k) above.

(iv) The balance is the printer's "quarterly base tonnage", from which the required reductions shall be made.

(2) If the printer's quarterly base tonnage is not more than 10 tons, his quarterly consumption quota is 10 tons.

(3) If the printer's quarterly base tonnage is more than 10 tons but not more than 25 tons, his quarterly consumption quota is the same as his quarterly base tonnage.

(4) If the printer's quarterly base tonnage is more than 25 tons but less than 29.4 tons, his quarterly consumption quota is 25 tons.

(5) If the printer's quarterly base tonnage is more than 29.4 tons, his quarterly consumption quota is 85 percent of his quarterly base tonnage.

(6) If a person used no paper for commercial printing in 1941 and now wishes to enter the printing business, he shall have a consumption quota of 10 tons per quarter commencing with the third quarter of 1945 provided he files with the Commercial Printing Section, Printing and Publishing Division, War Production Board, Washington 25, D. C., before using any part of the said consumption quota, substantially the following statement:

I hereby represent to the War Production Board, subject to the penalties of section 35 (A) of the United States Criminal Code, that I have no consumption quota for commercial printing under Order L-241, that I am not associated directly or indirectly with any person, firm or corporation having a consumption quota under that order, and that I will not become associated directly or indirectly with any such person, firm or corporation while using the consumption quota provided for me under paragraph (1) (6) of Order L-241.

A consumption quota provided by this paragraph (1) (6) shall be conditioned upon the continued accuracy of the above representations.

(m) *Borrowing and carry-over.* (1) A printer may add, under either method of computation, an extra 15 percent to his consumption quota in any quarter if he subtracts that amount from his consumption quota for the next quarter.

(2) A printer may carry over for future use accumulated savings resulting from under-use of quota (commencing with the fourth quarter of 1943), but he may not use in a calendar quarter any portion of his carry-over in excess of 15% of his consumption quota for that quarter. For example, if a printer's quarterly consumption quota is 100,000 pounds and his accumulated carry-over is 25,000 pounds, he may use in the current quarter, in addition to his quarterly consumption quota, 15,000 pounds of carry-over (i. e., 15% of 100,000 pounds) or a total of 115,000 pounds. The balance of the carry-over may be used in

subsequent quarters, subject to the provisions of this paragraph.

(n) *Total permitted consumption.* A printer may use in any calendar quarter:

(1) His quarterly consumption quota as determined under paragraph (l);

(2) Plus permitted borrowing from his consumption quota for the next calendar quarter as provided in paragraph (m) (1);

(3) Plus any less-than-quota savings which may be used in that calendar quarter as provided in paragraph (m) (2); or minus any tonnage which had been borrowed during the preceding calendar quarter from his consumption quota for that calendar quarter, as provided in paragraph (m) (1);

(4) Plus ex-quota tonnage, if any, which may have been granted on appeal for consumption in that calendar quarter.

(o) [Deleted July 3, 1945.]

(p) *Certification to printer.* No printer may fill an order for (1) magazines, (2) books, (3) greeting cards or illustrated post cards, (4) commercial printing purchased by a government, or (5) any of the items listed in schedule II of this order, unless he receives, or has previously received, from the person who publishes or issues the item, or causes the item to be printed, a certification in substantially the following form, signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the printer and to the War Production Board that he is familiar with (insert the relevant provision) (1) Order L-244 (magazines), (2) Order L-245 (books), (3) Order L-289 (greeting cards and illustrated post cards), (4) L-340 (governmental commercial printing and duplicating), (5) Schedule II to Order L-241, and that all orders placed by the undersigned with that printer for items regulated by the relevant order (or schedule), as amended from time to time, will be in compliance therewith.

This is a one-time certification and need not accompany each individual order for printing.

*Delivery Restrictions*

(q) *Limit on tonnage which may be accepted.* (1) During the third calendar quarter of 1945 and each calendar quarter thereafter, no printer may accept, and no person may accept for that printer's use, paper in excess of his permitted consumption during that calendar quarter.

(2) No printer may order or accept, and no person may order or accept for that printer's use, any newsprint for use under Order L-241 which will cause his tonnage of newsprint on hand on October 1, 1945, to be in excess of 45% of his actual newsprint consumption during the third quarter of 1945, or 60 tons, whichever is greater. This provision does not apply to any grade of paper other than newsprint.

(r) *Certification to paper dealer or mill.* No printer may order or accept de-

livery of paper, and no person may deliver paper to a printer, unless the printer furnishes, or has previously furnished, to the person making the delivery, a certification in substantially the following form, signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned printer certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board that he is familiar with Order L-241 and that all purchases by him of paper for items regulated by that order, as amended from time to time, will be in compliance therewith.

This is a one-time certification and need not accompany each individual order for paper. A new certification need not be furnished by any printer who has furnished a certification pursuant to paragraph (r) of Order L-241 after April 4, 1945.

*Material Printed in Violation of War Production Board Orders*

(s) *Restrictions on paper suppliers, printers and binders.* (1) No person may sell or deliver any paper which he knows, or has reason to believe, will be accepted or used in violation of this order.

(2) No person may apply ink to any paper if he knows, or has reason to believe, that the printing of such paper will be in excess of the publisher's permitted consumption under Limitation Orders L-240, L-244, L-245, L-289, L-340 or Schedule II of Order L-241.

(3) No person may bind or otherwise process paper if he knows, or has reason to believe, that such paper was used in excess of the printer's permitted consumption under this order.

*Issuance of Schedules*

(t) *Prohibited and restricted uses of paper and paperboard.* The War Production Board may issue, from time to time, schedules which will prohibit the use of paper in certain items, limit the basis weight of paper which may be used in other items, and limit the tonnage of paper which a person who publishes or issues certain items may cause to be consumed in the printing of those items.

*Miscellaneous Provisions*

(u) *Records.* In order to assure compliance with this order, every printer must calculate, as accurately as he can, the tonnage of paper which he used during each quarter of 1941 for the items covered by this order. He must also keep accurate records of this type of information for each calendar quarter beginning with January 1, 1943. He must preserve these figures and his work sheets, subject to inspection by War Production Board officials as long as this order remains in force and for 2 years after that.

(v) *Applicability of regulations.* This order and all transactions affected by it are subject to all present and future regulations of the War Production Board.

(w) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter referring to the particular

provision appealed from and stating fully the grounds of the appeal, or by filling in the pertinent information on Form WPB-3605. Regardless of the provisions of Priorities Regulation 16, no statement with respect to manpower information on Form WPB-3820 (or letter explaining why that form is not filed) need accompany any appeal.

(x) *Communications.* All communications concerning this order shall be addressed to: War Production Board, Printing and Publishing Division, Washington 25, D. C., Ref: L-241.

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

#### SCHEDULE I

(a) *Limits on basis weights.* No person may manufacture and no person may cause to be manufactured any of the items listed in this schedule in a basis weight, thickness, area or weight per unit greater than the maximum specified for such use.

(1) Art reproductions, without advertising—basis weight 25 x 38—80#.

(2) Diaries, date books, desk calendar pads, and advertising memo pads—basis weight 17 x 22—16#.

(3) Dodgers and handbills—basis weight 24 x 36—32#.

(4) News letters and loose leaf services other than books (as defined in Order L-245)—basis weight 17 x 22—16# if printed one side, or 17 x 22—18# if printed two sides.

(5) Accounting records, books and forms—basis weight 17 x 22—28#; or if for loose leaf accounting forms used on an automatic posting machine—basis weight 17 x 22—32#.

(6) Corporate securities, checks, domestic and foreign currency—basis weight 17 x 22—24#, except counter checks, 17 x 22—16#.

(7) Notes, contracts, mortgages, wills, deeds, insurance policies, and legal forms—basis weight 17 x 22—16# if printed one side or 17 x 22—20# if printed two sides.

(8) Letterheads—basis weight 17 x 22—16#.

(9) Card indexes and card records—basis weight 25½ x 30½—110#.

(10) Time cards—caliper .014 inches.

(11) County record books and other permanent government records—basis weight 17 x 22—36#.

(12) Prospectuses for the sale of securities—basis weight 17 x 22—16#.

(13) Legal briefs and records on appeal—basis weight 25 x 38—40#.

(14) All other office, business and financial forms, except blank books, and except forms produced by a liquid or gelatin process—basis weight 17 x 22—16#.

(15) Road and street maps and guides for civilian use—basis weight 17 x 22—16#.

(16) Telephone directories—body basis weight 24 x 36—28#; cover basis weight 22½ x 28½—110#.

(17) Admission tickets—basis weight 22½ x 28½—90#, or any coated stock made from raw stock not over 22½ x 28½—90#.

(b) *Exceptions to limits on basis weights.* The above restrictions do not apply to paper which has been manufactured before October 21, 1943.

(c) *Exceptions to Order L-120.* Schedules I and III to Order L-120 provide:

Paper or paperboard may be manufactured for a particular use in any basis weight or thickness permitted for such use by this or any other order of the War Production Board. *Provided* the basis weight or thickness does not exceed the maximum specified by the War Production Board for such use, and *Provided* all other provisions of this or such other orders are fully complied with.

Pursuant to this provision the manufacture of paper in the basis weights specified in this list for items 1, 4, 6, 7, and 16 is hereby permitted.

#### SCHEDULE II

(a) *Commercial printing which is charged against the quota of both the printer and the person who causes it to be printed.* Certain commercial printing is subject to a "two-sided" limitation. As is the case with all types of commercial printing covered by this order, the paper consumed in such printing must be deducted from the commercial printer's consumption quota; however, in the case of the material covered by this Schedule II, the same paper must also be deducted from the consumption quota of the person who causes it to be printed. In other words, the publisher or issuer of such material must reduce his consumption of paper by the required percentage and he must also have the printing done by a printer who will debit his consumption quota under paragraph (1) of this order.

Any paper which a commercial printer consumed in such printing during 1941 shall be included in computing his consumption quota under paragraph (1) whether or not he prints any of this material after January 1, 1945. The paper which a commercial printer consumes for such printing after January 1, 1945, must be deducted from his consumption quota, whether or not he printed such material in 1941.

(b) *Shopping guides, free distribution newspapers, want ad publications, free distribution publications in newspaper format—*

(1) *Consumption quota.* In the third calendar quarter of 1945, and in each calendar quarter after that, no publisher or other person may cause to be consumed in the printing of any shopping guide, free distribution newspaper, want ad publication or free distribution publication in newspaper format any paper in excess of his quarterly consumption quota, which shall be determined as follows:

(1) Ascertain the tonnage of paper consumed in printing that particular publication in the corresponding quarter of 1941, including all supplements, inserts and other printed matter physically incorporated into such publication or delivered together with it. This is the publisher's "quarterly base tonnage", from which the required reductions shall be made.

(ii) If a publisher's quarterly base tonnage is 5 tons or less, his quarterly consumption quota is 5 tons. Moreover, any person who used no paper whatever for items covered by this paragraph in 1941 may cause 5 tons per quarter to be used for this purpose beginning with the third quarter of 1945.

(iii) If the publisher's quarterly base tonnage in any calendar quarter is more than 5 tons but less than 25 tons, his consumption quota for that quarter is the same as his base tonnage. He need not use less than he used in the corresponding quarter of 1941, but he may not use more.

(iv) If the publisher's base tonnage in any calendar quarter is 25 tons or more, the following sliding scale of percentage cuts shall be applied:

Deduct 8% of the amount over 25 tons but not over 125 tons.

Deduct 11% of the amount over 125 tons but not over 250 tons.

Deduct 14% of the amount over 250 tons but not over 500 tons.

Deduct 20% of the amount over 500 tons but not over 1000 tons.

Deduct 23% of the amount over 1000 tons.

The balance remaining after subtraction of the above reductions from the publisher's quarterly base tonnage is his consumption quota for that quarter. For example, if the publisher consumed during the third quarter of 1941 340 tons, his consumption quota for the third quarter of 1945 would be determined as follows:

25 tons no cut	25 tons
100 tons 8% cut	92 tons
125 tons 11% cut	111.25 tons
90 tons 14% cut	77.40 tons
340 tons quarterly base tonnage	305.65 tons quarterly consumption quota

(2) *Carry-over.* A publisher or issuer of a shopping guide, free distribution newspaper, want ad publication or free distribution publication in newspaper format may carry over for future use accumulated savings resulting from under-use of quota, but he may not use in a calendar quarter any portion of his carry-over in excess of 15% of his consumption quota for that quarter.

(3) *Transfer of quotas.* Where two or more shopping guides, free distribution newspapers, want ad publications, or free distribution publications in newspaper format are published by the same person and are distributed primarily in the same city or trading area, he may combine or distribute his consumption quotas among his publications in that city or trading area. However, after May 24, 1944, no such publisher may transfer any part of his consumption quota to a different city or trading area.

(4) "Servicemen's", "overseas", "pony" or other condensed editions of newspapers which are distributed without charge to United States Armed Forces personnel may be produced from a commercial printer's quota under Order L-241, without regard to paragraph (b) of Schedule II, provided the newspaper publisher makes no charge to a commercial sponsor or any other person for advertising space, for the editorial material appearing in the edition or for any other service connected with it. However, the newspaper publisher may charge a sponsor for the cost of printing if the newspaper publisher operates a commercial printing establishment and deducts the paper from his commercial printing quota under Order L-241. A newspaper publisher may produce such an edition out of his own consumption quota under L-240 if he wishes to.

(c) *Miscellaneous publications—*

(1) *Definition.* A "miscellaneous publication" is any bound or unbound collection of printed pages consisting of reading matter and/or illustrations (except newspapers as defined in Order L-240, magazines as defined in Order L-244, books as defined in Order L-245, the material described in paragraph (b) of the Schedule and sheet music) for which the publisher receives a consideration either from the sale of copies or from the inclusion of advertising or other material therein. However, the term does not include printed matter whose sole purpose is to advertise or promote the publisher's business, provided such printed matter is not offered for sale at a price in excess of the price paid in good faith by the publisher to the printer.

(2) *Consumption quota.* During the year 1945 and each year after that, no person may cause to be consumed in the printing of miscellaneous publications (and less-than-32-page school work books, educational tests and books intended for juvenile use) any paper in excess of his consumption quota, which shall be computed as follows:

(1) The publisher shall determine the tonnage of paper lawfully consumed in either 1941, 1943 or 1944 in the production of his miscellaneous publications and his less-than-

32-page school work books, educational tests and books intended for juvenile use.

(ii) The publisher shall subtract from the above figure the tonnage of paper used in 1942 in the production of his less-than-32-page school work books, educational tests and books intended for juvenile use.

(iii) The difference is the publisher's "base tonnage." His consumption quota for the year 1945 is 80% of his "base tonnage" or 20 tons, whichever is greater.

NOTE: Notwithstanding the foregoing, less-than-32-page school work books, educational tests and books intended for juvenile use may be included in a book publisher's base tonnage under Order L-245 and his consumption quota under that order may be used in the production of such books. This paragraph (c) (2) provides an additional quota for a publisher who, in either 1941, 1943 or 1944, used a greater tonnage of paper in the production of less-than-32-page school work books, educational tests and books intended for juvenile use than he did in 1942; provided such paper used in 1943 or 1944 was lawfully charged against a commercial printer's consumption quota under L-241.

(3) *New publishers.* If a person used no paper for miscellaneous publications in 1941, 1943, or 1944 he shall have a consumption quota of 20 tons for the period between July 1, 1945 and December 31, 1945, provided he files with the Commercial Printing Section, Printing and Publishing Division, War Production Board, Washington 25, D. C., before using any part of the said consumption quota, substantially the following statement:

I hereby represent to the War Production Board, subject to the penalties of section 35 (A) of the United States Criminal Code, that I have no consumption quota for the issuance of miscellaneous publications under paragraph (c) (2) or (c) (3) of Schedule II, Order L-241, that I am not associated directly or indirectly with any person, firm or corporation having a consumption quota under that Schedule, and that I will not become associated directly or indirectly with any such person, firm or corporation while using the consumption quota provided for me under paragraph (c) (3) of Schedule II to Order L-241.

A consumption quota provided by this paragraph (c) (3) shall be conditioned upon the continued accuracy of the above representation.

(d) [Deleted July 3, 1945.]

(e) *Certification.* No person may order any of the items listed in this schedule to be printed unless he furnishes or has previously furnished to the printer, a certification in substantially the following form, signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned publisher certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the printer and to the War Production Board that he is familiar with Schedule II to Order L-241 and that all orders placed by the publisher with that printer for items regulated by that schedule, as amended from time to time, will be in compliance therewith.

This is a one-time certification and need not accompany each individual order.

Issued this 13th day of August 1945.

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

INTERPRETATION 1: Revoked May 24, 1944.

[F. R. Doc. 45-14919; Filed, Aug. 13, 1945;  
11:16 a. m.]

No. 161—4

PART 3133—PRINTING AND PUBLISHING  
(Limitation Order L-244, as Amended Aug. 13, 1945)

MAGAZINES AND PERIODICALS

The fulfillment of requirements for the defense of the United States has created a shortage of the supply of paper 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:

Scope

(a) The purpose of this order.

Definitions and Explanations

- (b) Magazine.
- (c) Publisher.
- (d) Paper.
- (e) Use.
- (f) Production waste.
- (g) Determination of consumption quotas.
- (h) Transfer of quotas.
- (i) Official determinations

Consumption Quota

- (j) Computation of consumption quota.
- (k) Borrowing and carry-over.
- (l) Total permitted consumption.
- (m) Allotment to Army and Navy.
- (n) Certification to printer.

Delivery Restrictions

- (o) Limit on tonnage which may be accepted.
- (p) Certification to paper dealer or mill.

Magazines or Parts Thereof Printed in Violation of Order

- (q) Restrictions on paper suppliers, printers, binders, distributors, wholesalers, and others.

Miscellaneous Provisions

- (r) Records.
- (s) Applicability of regulations.
- (t) Appeals.
- (u) Communications.
- (v) Violations.

Scope

§ 3133.15 Limitation Order L-244—

(a) *The purpose of this order.* This order does three things: First, it limits the tonnage of paper which a magazine publisher may cause to be used for printing magazines. This is called his "consumption quota." A publisher may not exceed his consumption quota even though the paper is physically available to him or his printer. Second, it limits the tonnage of paper which may be accepted by or on behalf of a magazine publisher. It also limits the tonnage of paper which may be accepted by or on behalf of a printer for a particular publisher's use in the production of magazines. Third, it places certain restrictions on paper suppliers, printers, binders, distributors, wholesalers and others in their dealings with publishers who consume paper in excess of their allowable consumption under this order.

Definitions and Explanations

(b) *Magazine.* (1) A "magazine" is any periodical or "one-shot" generally recognized as a magazine in the magazine industry. The term includes all supplements, inserts and other matter physically incorporated into a magazine or delivered with it, and reprints containing 40 percent or more of the edi-

torial content appearing in any issue of a magazine. The paper consumed in such a reprint must be charged against the quota of the publisher from whose magazine the material was reprinted.

(2) If a publisher is uncertain as to whether or not his publication is a magazine as defined in this order, he may ask the War Production Board for an official determination. The War Production Board may also make this determination upon its own motion.

(c) *Publisher.* The "publisher" of a magazine is the person who causes it to be printed and undertakes the ultimate risk of the publishing venture. The term includes an individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not. Where a group of magazines is under common control, but each magazine is published by a separate business entity, a separate consumption quota and a separate delivery quota shall be established for each magazine. It makes no difference if several of these operating entities are subsidiaries of the same parent corporation, or are controlled by the same individual or group of individuals. Not more than one person's consumption quota may be used to publish the same magazine or substantially the same magazine. The War Production Board, upon its own motion or upon the request of an interested party, may determine who is the publisher of a particular magazine.

(d) *Paper.* "Paper" means any grade, quality, type, basis weight or size of paper used in the printing of a magazine. The term includes paper reclaimed wholly or partly from printed or unprinted waste as well as paper made entirely from virgin fiber.

(e) *Use.* (1) Paper is "used" when ink is first applied to it. The date of issuance carried on the magazine is immaterial.

(2) When the printing of an issue is started in one calendar quarter and runs over into the next, the paper actually used during each quarter must be charged against the publisher's consumption quota for that quarter. The entire printing may not be regarded as if it were started and finished in the same quarter.

(f) *Production waste.* All production waste before, during and after printing (such as trim and waste sheets) shall be included in determining the tonnage of paper which a publisher causes to be used in printing magazines.

(g) *Determination of consumption quotas.* The War Production Board, upon its own motion or upon the request of an interested party, may determine the size of a publisher's consumption quota.

(h) *Transfer of quotas.* (1) Quotas provided by one War Production Board order may not be used for the purposes set forth in any other order. Thus, for example, a publisher may not cause to be used for the printing of a magazine any part of a consumption quota established under Order L-240 (Newspapers), L-241 (Commercial Printing and Duplicating), or L-245 (Books and Booklets), and he may not permit any part of his

consumption quota established under this order to be used for newspapers, commercial printing or books.

(2) No publisher may cause to be used in printing magazines any part of a consumption quota arising from the previous publication of another magazine by another publisher. No publisher may permit any part of the consumption quota arising from the publication of a magazine by him to be used in printing another magazine published by another person.

(3) Except under the circumstances stated in Priorities Regulation 7A, the transfer of quotas and the acquisition or use of a publisher's quota by any other person, directly or indirectly, is a violation punishable in accordance with paragraph (v). Quotas established by this order may not be bought or sold under any guise. Thus, if A, a publisher with a quota under this order, places his name in the masthead of a magazine, and otherwise identifies himself as its publisher, but B performs most of the customary publishing functions, this is an unauthorized use by B of A's quota.

(i) *Official determinations.* The official determinations described in paragraphs (b) (2), (c) and (g) may be made only by the Washington office of the War Production Board and shall be issued in the name of the Recording Secretary of the War Production Board. They shall be conclusive for the purpose of this order, unless revoked or modified by the same authority.

#### *Consumption Quota*

(j) *Computation of consumption quota.* In the third calendar quarter of 1945, and in each calendar quarter after that, no publisher may cause to be used for the printing of his magazines any paper in excess of his quarterly consumption quota, which shall be computed as follows:

(1) Determine the gross tonnage of paper consumed in printing the publisher's magazines in the calendar year 1942, and divide by four. This is the publisher's "quarterly base tonnage" from which the required reductions shall be made.

(2) If the publisher's quarterly base tonnage is 10 tons or less, his quarterly consumption quota is 10 tons.

(3) If the publisher's quarterly base tonnage is more than 10 tons but not more than 27.8 tons, his quarterly consumption quota is 100 percent of his quarterly base tonnage.

(4) If the publisher's quarterly base tonnage is more than 27.8 tons, his quarterly consumption quota is 85 percent of his quarterly base tonnage or 27.8 tons, whichever is larger.

(5) If a person used no paper for publishing magazines in 1942, he shall have a consumption quota of 10 tons per calendar quarter commencing with the third quarter of 1945, provided he files with the Magazine and Periodical Section, Printing and Publishing Division, War Production Board, Washington 25, D. C., before using any part of the said consump-

tion quota, substantially the following statement:

I hereby represent to the War Production Board, subject to the penalties of Section 35 (A) of the United States Criminal Code, that I have no consumption quota for the publication of magazines under Order L-244, that I am not associated directly or indirectly with any person, firm or corporation having a consumption quota under that order, and that I will not become associated directly or indirectly with any such person, firm or corporation while using the consumption quota provided for me under paragraph (j) (5) of Order L-244.

A consumption quota provided by this paragraph (j) (5) shall be conditional upon the continued accuracy of the above representations.

(k) *Borrowing and carry-over.* (1) A publisher may add an extra 15 percent to his consumption quota in any quarter if he subtracts that amount from his consumption quota for the next quarter.

(2) A publisher may carry over for future use accumulated savings resulting from underuse of quota, but he may not use in a calendar quarter any portion of his carry-over in excess of 15% of his consumption quota for that quarter.

(3) [Deleted July 3, 1945.]

(i) *Total permitted consumption.* A publisher may use in any calendar quarter:

(1) His quarterly consumption quota, as determined under paragraph (j);

(2) Plus permitted borrowing from his consumption quota for the next calendar quarter, as provided in paragraph (k) (1);

(3) Plus any less-than-quota savings which may be used in that calendar quarter as provided in paragraph (k) (2), or minus any tonnage which had been borrowed during the preceding calendar quarter from his consumption quota for that calendar quarter, as provided in paragraph (k) (1);

(4) Plus ex-quota tonnage, if any, which may have been granted on appeal for consumption in that quarter.

(m) *Allotment to Army and Navy.*

(1) The War Production Board may from time to time allot to the Army and the Navy a specified tonnage of paper to be consumed in printing magazines which will be furnished without charge to United States Armed Forces personnel in the continental United States and special "pony editions" of magazines which will be furnished to United States Armed Forces personnel overseas, whether such "pony editions" are sold or not. The overseas allotment may be extended to regular editions where the production of special "pony editions" is impracticable because of the small number of copies involved.

(2) From this allotment the Army and the Navy, under a delegation of authority from the War Production Board, may grant to individual publishers the right to add to their consumption quotas the tonnage of paper consumed in printing such magazines acquired by the Army and the Navy for distribution as described under paragraph (m) (1). This allotment does not cover purchases of magazines by military exchanges or service departments as defined in Priorities Regulation 17 for distribution within the continental limits of the

United States. All magazines sold to the military shall be charged against the publisher's consumption quota unless the publisher has received a specific grant from the Army or the Navy pursuant to this paragraph.

(n) *Certification to printer.* No publisher may order magazines to be printed, and no person may print such magazines, unless the publisher furnishes, or has previously furnished, to that printer a certification in substantially the following form, signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned publisher certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the printer and to the War Production Board that he is familiar with Order L-244, and that all orders placed by the publisher with that printer for items regulated by Order L-244, as amended from time to time, will be in compliance therewith.

This is a one-time certification and need not accompany each individual order for printing.

#### *Delivery Restrictions*

(o) *Limit on tonnage which may be accepted.* (1) During the third calendar quarter of 1945 and each calendar quarter thereafter, no publisher may accept, and no person may accept for that publisher's use, paper in excess of his permitted consumption during that calendar quarter.

(2) No publisher may order or accept, and no person may order or accept for that publisher's use, any newsprint for the production of magazines which will cause his tonnage of newsprint on hand on October 1, 1945, to be in excess of 45% of his actual newsprint consumption during the third quarter of 1945, or 60 tons, whichever is greater. This provision does not apply to any grade of paper other than newsprint.

(p) *Certification to paper dealer or mill.* No publisher may order or accept delivery of paper and no person may deliver paper to a publisher unless the publisher furnishes, or has previously furnished, to the person making the delivery a certification in substantially the following form, signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned publisher certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board that he is familiar with Order L-244 and that all purchases by him of items regulated by that order, as amended from time to time, will be in compliance therewith.

This is a one-time certification and need not accompany each individual order for paper.

A new certification need not be furnished by any publisher who has furnished a certification pursuant to paragraph (p) of Order L-244 after April 4, 1945.

*Magazines or Parts Thereof Printed in Violation of Order*

(q) *Restrictions on paper suppliers, printers, binders, distributors, wholesalers, and others.* (1) No person may sell or deliver any paper which he knows or has reason to believe will be accepted or used in violation of this order.

(2) No person may apply ink to any paper in the production of magazines if he knows or has reason to believe that the printing of such paper will be in excess of the publisher's allowable consumption under this order.

(3) No person may apply any additional ink to paper, and no person may bind or otherwise process paper, in the production of magazines if he knows or has reason to believe that such paper was printed in excess of the publisher's allowable consumption under this order.

(4) No person may agree to purchase for resale, and no person may accept for resale, any magazines which he knows or has reason to believe were printed in excess of the publisher's allowable consumption under this order.

(5) No person may sell, distribute or otherwise dispose of magazines, except for redelivery to his supplier or for use as waste paper scrap, if, before he accepted them, he knew or had reason to believe that they were printed in excess of the publisher's allowable consumption under this order.

(6) No person may export for resale magazines which he knows or has reason to believe were printed in excess of the publisher's allowable consumption under this order.

*Miscellaneous Provisions*

(r) *Records.* Every publisher must keep accurate records, by calendar quarters, of the number of copies of each magazine which he caused to be printed, the tonnage of paper which he caused to be used for each magazine, the tonnage of paper of each grade and item of paper received during the quarter, and the tonnage of paper in inventory at the time of each delivery, subject to inspection by the authorized representatives of the War Production Board. These records must be preserved as long as this order remains in force, and for two years after that.

(s) *Applicability of regulations.* This order and all transactions affected by it are subject to all present and future regulations of the War Production Board.

(t) *Appeals.* Any appeal from the provisions of this order shall be made in accordance with Supplement I to the order. Regardless of the provisions of Priorities Regulation 16, no statement with respect to manpower information on Form WPB-3820 (or letter explaining why that form is not filed) need accompany any appeal.

(u) *Communications.* All communications concerning this order shall be addressed to: War Production Board, Printing and Publishing Division, Washington 25, D. C. Ref: L-244.

(v) *Violations.* Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or fur-

nishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 13th day of August 1945.

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

[F. R. Doc. 45-14920; Filed, Aug. 13, 1945;  
11:16 a. m.]

**PART 3133—PRINTING AND PUBLISHING**

[Limitation Order L-245, as Amended  
Aug. 13, 1945]

**BOOKS AND BOOKLETS**

The fulfillment of requirements for the defense of the United States has created a shortage of the supply of paper 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:

**Scope**

(a) The purpose of this order.

**Definitions and Explanations**

- (b) Book.
- (c) Publisher.
- (d) Paper.
- (e) Put into process.
- (f) Production waste.
- (g) Determination of consumption quotas.
- (h) Transfer of quotas.
- (i) Official determinations.

**Consumption Quota**

- (j) Computation of consumption quota.
- (k) Carry-over.
- (l) Total permitted consumption.
- (m) Restriction on paper for reprinting.
- (n) Breach of contracts.
- (o) Allotment to Army and Navy.
- (p) Certification to printer.

**Delivery Restrictions**

- (q) Limit on tonnage which may be accepted.
- (r) Certification to paper dealer or mill.

**Books or Parts Thereof Printed in Violation of Order**

- (s) Restrictions on paper suppliers, printers, binders, distributors, wholesalers, and others.

**Miscellaneous Provisions**

- (t) Records.
- (u) Applicability of regulations.
- (v) Appeals.
- (w) Communications.
- (x) Violations.

**Scope**

§ 3133.17 *Limitation Order L-245—*  
(a) *The purpose of this order.* This order does three things: First, it limits the tonnage of paper which a book publisher may cause to be put into process in the production of books. This is called his "consumption quota." A publisher may not exceed his consumption quota even though the paper is physically available to him or his printer. Second, it limits the tonnage of paper which may be accepted by or on behalf of a book publisher. It also limits the tonnage of pa-

per which may be accepted by or on behalf of a printer for a particular publisher's use in the production of books. Third, it places certain restrictions on paper suppliers, printers, binders, distributors, wholesalers and others in their dealings with publishers who consume paper in excess of their allowable consumption under this order.

**Definitions and Explanations**

(b) *Book.* "Book" means any bound or loose-leaf collection of 32 or more pages. It also means any school workbook, educational test, or book intended for juvenile use, irrespective of the number of pages. (A publisher who, in either 1941, 1943 or 1944, used a greater tonnage of paper in the production of less-than-32-page school work books, educational tests and books intended for juvenile use than he did in 1942 is entitled to a consumption quota under Order L-241, Schedule II, paragraph (c) as amended July 18, 1945, provided such paper used in 1943 or 1944 was lawfully charged against a commercial printer's consumption quota under Order L-241. This is in addition to his consumption quota under Order L-245.) Advance parts and supplements of books are included. For the sake of convenience the word "book" is used throughout this order, even though the order also covers items which are more commonly referred to as "booklets" or "pamphlets". Excluded from the definition of "book" and hence from the provisions of this order are the following:

(1) Magazines as defined in Order L-244 and newspapers as defined in Order L-240;

(2) Diaries, date books, memorandum books, address books, blank books, accounting books, sales books, business-entry books, ledgers, journals, and other items in book format (except school workbooks and educational tests) whose primary function is to provide space for the entry of data rather than instructional material, reading matter or illustrations;

(3) Albums less than half of whose pages contain reading matter or illustrations;

(4) Catalogs or advertising brochures issued by or for persons who manufacture, distribute, or offer for sale the products, commodities or services listed or illustrated therein, including inserts supplied by manufacturers or distributors to publishers who distribute them collectively in "catalog files," "cooperative files," "condensed catalogs," "catalog yearbooks," or similar reference volumes; *Provided, however,* That the paper used in the production of all editorial material contained in such volumes, such as prefaces, forewords, indices, blank pages, textbook data, classified directory information, condensed and typographically standardized pages of product or service data, and display and all other advertisements shall be charged to the quota of the publisher under this order;

(5) Directories issued by a person whose primary business is not publishing;

(6) Printed matter of which no copies of any edition are offered for sale, either singly or in bulk, at any level of dis-

tribution. Printed matter is "offered for sale" if it is offered either in consideration of a monetary payment, as a premium, bonus or dividend, in connection with a correspondence course, in part consideration of society membership dues, or for any other consideration direct or indirect. Printed matter is "offered for sale" if the publisher receives any compensation for the inclusion of material therein.

(7) Instructional manuals concerned exclusively with the specific brand of products manufactured or distributed by the person issuing the manuals. (Instructional manuals applicable to other brands of the same or similar products are not within this exception.)

(8) School or college annuals and yearbooks;

(9) Cut-out or other game books covered by Order M-241-a, List D.

NOTE: Items (2) to (8) inclusive are "commercial printing" under Order L-241. Schedule II of that order limits the tonnage of paper which a publisher or issuer of certain of these items may cause to be used. Also, Schedule II of Order L-241 limits the tonnage of paper which a publisher or issuer may cause to be used in certain types of printed matter for which the issuer receives a consideration and which are not "books" as defined in this order or "magazines" as defined in Order L-244.

If a publisher is uncertain as to whether or not his publication is a book as defined in this order, he may ask the War Production Board for an official determination. The War Production Board may also make this determination upon its own motion.

(c) *Publisher.* The "publisher" of a book is the person who performs, with respect to that book, the functions of a publisher as that term is generally understood in the book publishing industry. The War Production Board, upon its own motion or upon the request of an interested party, may determine who is the publisher of a particular book.

(d) *Paper.* "Paper" means any grade, quality, type, basis weight or size of paper used in the production of a book, including end papers, labels, paper covers and jackets. The term includes paper reclaimed wholly or partly from printed or unprinted waste as well as paper made entirely from virgin fiber.

(e) *Put into process.* All the paper consumed in a single, complete, continuous printing of a book is "put into process" when the press run is commenced. Paper "put into process" includes paper printed by letter-press, offset or any other process.

(f) *Production waste.* All production waste before, during and after printing (such as trim and waste sheets) shall be included in determining the tonnage of paper which a publisher causes to be put into process in the production of a book.

(g) *Determination of consumption quotas.* The War Production Board, upon its own motion or upon the request of an interested party, may determine the size of a publisher's consumption quota.

(h) *Transfer of quotas.* (1) Quotas provided by one War Production Board order may not be used for the purposes

set forth in any other order. Thus, for example, a publisher may not use for the production of books any part of a consumption quota established under Order L-240 (newspapers), L-241 (commercial printing) or L-244 (magazines) and he may not permit any part of his consumption quota established under this order to be used for newspapers, commercial printing, or magazines.

(2) This order does not prohibit the established practice in the book publishing industry whereby one publisher occasionally undertakes the sale and distribution of an edition or part of an edition of books published by another person. It does not sanction the acquisition by one publisher of another publisher's consumption quota. Quotas established by this order may not be bought or sold under any guise. The transfer of quotas is prohibited, except under the circumstances stated in Priorities Regulation 7A. The use by one publisher, directly or indirectly, of a consumption quota provided for another publisher is a violation, punishable in accordance with paragraph (x).

Except where specific authorization is granted by the War Production Board upon application in writing, paper which is put into process in the production of a book may be charged only against the quota of the person:

(i) Who is the publisher of the book; and

(ii) Who owns the copyright or the publication rights under copyright by assignment from the copyright owner; and

(iii) Whose publishing imprint appears on the title page; spine and jacket of the book to the exclusion of any other imprint or colophon of any kind; and

(iv) Who undertakes the ultimate risk of the publishing venture.

(i) *Official determinations.* The official determinations described in paragraphs (b) (c) and (g) may be made only by the Washington office of the War Production Board and shall be issued in the name of the Recording Secretary of the War Production Board. They shall be conclusive for the purpose of this order unless revoked or modified by the same authority.

#### Consumption Quota

(j) *Computation of consumption quota.* In the calendar year 1945, and in each calendar year after that, no publisher may cause to be put into process for the production of books any paper in excess of his consumption quota, which shall be computed as follows:

(1) Determine the gross tonnage of paper consumed in the production of the publisher's books in the calendar year 1942. This is the publisher's "base tonnage" from which the required reductions shall be made.

(2) If the publisher's base tonnage is not more than 40 tons, his consumption quota for the entire year 1945 shall be 20 tons plus one-half of his base tonnage.

(3) If the publisher's base tonnage is more than 40 tons but not more than 100 tons, his consumption quota is 40 tons plus 90 percent of that part of his base tonnage in excess of 40 tons.

(4) If the publisher's base tonnage is more than 100 tons his consumption quota is 80 percent of his base tonnage, or 94 tons, whichever is larger.

(5) If a person used no paper for publishing books in 1942, he shall have a consumption quota of 20 tons for the period between July 1, 1945 and December 31, 1945. *Provided*, He files with the Book Section, Printing and Publishing Division, War Production Board, Washington 25, D. C., before using any part of the said consumption quota, substantially the following statement:

I hereby represent to the War Production Board, subject to the penalties of section 35 (A) of the United States Criminal Code, that I have no consumption quota for the publication of books under Order L-245, that I am not associated directly or indirectly with any person, firm or corporation having a consumption quota under that order, and that I will not become associated directly or indirectly with any such person, firm or corporation while using the consumption quota provided for me under paragraph (j) (5) of Order L-245.

A consumption quota provided by this paragraph (j) (5) shall be conditioned upon the continued accuracy of the above representations.

(k) *Carry-over.* A publisher may carry over for future use accumulated savings resulting from under-use of quota, but he may not use in a calendar year any portion of his carry-over in excess of 15% of his consumption quota. For example, if a publisher's consumption quota in 1945 is 100,000 pounds and his carry-over from 1944 is 20,000 pounds, he may use in 1945 in addition to his consumption quota a maximum carry-over of 15,000 pounds (i. e., 15% of 100,000 pounds). The balance of carry-over from 1944 (i. e., 5,000 pounds) plus any under consumption in 1945 may be carried over and used in 1946 provided the total of such carry-over from 1944 and 1945 does not exceed 15% of his consumption quota for 1946.

(l) *Total permitted consumption.* A publisher may cause to be put into process in any calendar year:

(1) His yearly consumption quota as determined under paragraph (j);

(2) Plus any less-than-quota savings carried over from previous years, as provided in paragraph (k);

(3) Plus ex-quota tonnage, if any, which may have been granted on appeal for consumption in that year.

(m) *Restriction on paper for reprinting.* No publisher may use, in the reprinting of any book, paper of a basis weight heavier than that used in the last printing of the book, except that paper which was in the publisher's inventory on or before June 30, 1945 may be used for reprintings, irrespective of the basis weight. A publisher "reprints" a book if he uses any part of the type or plates used in a previous printing of that book or if he reproduces any part of it by offset or any similar process.

(n) *Breach of contracts.* As provided in Title III of the Second War Powers Act, no person shall be held liable for damages or penalties for any default under any contract which shall result directly or indirectly from compliance with this order.

(o) *Allotment to Army and Navy.* (1) The War Production Board may from time to time allot to the Army and the Navy a specified tonnage of paper to be consumed in printing books which will be furnished without charge to United States Armed Forces personnel in the continental United States, and to United States Armed Forces personnel outside the continental limits of the United States whether such books are sold or not.

(2) From this allotment the Army and the Navy, under a delegation of authority from the War Production Board, may grant to individual publishers the right to add to their consumption quotas the tonnage of paper consumed in such books acquired by the Army and the Navy. This allotment does not cover purchase of books by military exchanges or service departments, as defined in Priorities Regulation 17 for distribution within the continental limits of the United States. All books sold to the military shall be charged against the publisher's consumption quota unless the publisher has received a specific grant from the Army or the Navy pursuant to this paragraph.

(p) *Certification to printer.* No publisher may order books to be printed, and no person may print such books, unless the publisher furnishes or has previously furnished to that printer a certification in substantially the following form, signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned publisher certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the printer and to the War Production Board that he is familiar with Order L-245 and that all orders placed by the publisher with that printer for items regulated by Order L-245, as amended from time to time, will be in compliance therewith.

This is a one-time certification and need not accompany each individual order for printing.

#### Delivery Restrictions

(q) *Limit on tonnage which may be accepted.* During the third calendar quarter of 1945 no publisher may accept, and no person may accept for that publisher's use, paper in excess of 32½% of his permitted consumption for 1945, or 65% of that portion of his permitted consumption for 1945 which remained unused on June 30, 1945, or 20 tons whichever is larger.

(r) *Certification to paper dealer or mill.* No publisher may order or accept delivery of paper, and no person may deliver paper to a publisher, unless the publisher furnishes, or has previously furnished, to the person making the delivery a certification in substantially the following form, signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned publisher certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board that he is familiar with Order L-245 and that all purchases by him of items regulated by that order, as amended from time to time, will be in compliance therewith.

This is a one-time certification and need not accompany each individual order for paper.

A new certification need not be furnished by any publisher who has furnished a certification pursuant to paragraph (r) of Order L-245 after April 4, 1945.

#### Books or Parts Thereof Printed in Violation of Order

(s) *Restrictions on paper suppliers, printers, binders, distributors, wholesalers, and others.* (1) No person may sell or deliver any paper which he knows or has reason to believe will be accepted or used in violation of this order.

(2) No person may apply ink to any paper in the production of books if he knows or has reason to believe that the printing of such paper will be in excess of the publisher's allowable consumption under this order.

(3) No person may apply any additional ink to paper, and no person may bind or otherwise process paper, in the production of books if he knows or has reason to believe that such paper was printed in excess of the publisher's allowable consumption under this order.

(4) No person may agree to purchase for resale, and no person may accept for resale, any books which he knows or has reason to believe were printed in excess of the publisher's allowable consumption under this order.

(5) No person may sell, distribute or otherwise dispose of books, except for re-delivery to his supplier or for use as waste paper scrap, if, before he accepted them, he knew or had reason to believe that they were printed in excess of the publisher's allowable consumption under this order.

(6) No person may export for resale books which he knows or has reason to believe were printed in excess of the publisher's allowable consumption under this order.

#### Miscellaneous Provisions

(t) *Records.* Every publisher must keep accurate records of the tonnage of paper which he causes to be put into process for books, the tonnage of each item of paper received by him and the tonnage of paper in inventory at the time of each delivery, subject to inspection by the duly authorized representatives of the War Production Board. These records must be preserved as long as this order remains in force, and for two years after that.

(u) *Applicability of regulations.* This order and all transactions affected by it are subject to all present and future regulations of the War Production Board.

(v) *Appeals.* Any appeal from the provisions of this order shall be made in accordance with Supplement 1 to the order. Regardless of the provisions of Priorities Regulation 16 no statement with respect to manpower information on Form WPB-3820 (or letter explaining why that form is not filed) need accompany any appeal.

(w) *Communications.* All communications concerning this order shall be addressed to War Production Board,

Printing and Publishing Division, Washington 25, D. C., Ref: L-245.

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

Issued this 13th day of August 1945.

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

[F. R. Doc. 45-14921; Filed, Aug. 13, 1945;  
11:16 a.m.]

#### PART 3133—PRINTING AND PUBLISHING [Limitation Order L-289, as Amended Aug. 13, 1945]

##### GREETING CARDS AND ILLUSTRATED POST CARDS

The fulfillment of requirements for the defense of the United States has created a shortage of the supply of print paper 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.

##### SCOPE

(a) The purpose of this order.

##### DEFINITIONS AND EXPLANATIONS

(b) Greeting cards and illustrated post cards.

(c) Publisher.

(d) Paper.

(e) Use.

(f) Production waste.

(g) Transfer of quota.

##### RESTRICTIONS

(h) Dealer helps.

##### CONSUMPTION QUOTA

(i) Computation of consumption quota, paper.

(j) Borrowing and carry-over.

(k) Total permitted consumption.

(l) Certification to printer.

##### DELIVERY RESTRICTIONS

(m) Limit on tonnage which may be accepted.

(n) Certification to paper dealer or mill.

##### CARDS OR PARTS THEREOF PRINTED IN VIOLATION OF ORDER

(o) Restrictions on paper suppliers, printers, processors, distributors, wholesalers and others.

##### MISCELLANEOUS PROVISIONS

(p) Records.

(q) Applicability of regulations.

(r) Appeals.

(s) Communications.

(t) Violations.

##### Scope

##### § 3133.20 Limitation Order L-289—

(a) *The purpose of this order.* This order does four things. First, it limits the tonnage of paper which a publisher may cause to be used in the production of greeting cards and illustrated post

cards. A publisher may not exceed his consumption quota even though the paper is physically available to him. Second, the order limits the tonnage of paper which may be accepted by or on behalf of a publisher of greeting cards or illustrated post cards. Third, it prohibits the furnishing of "dealer help" material by a publisher. Fourth, it places certain restrictions on paper suppliers, printers, processors, wholesalers and others in their dealings with publishers who violate the order.

#### Definitions and Explanations

(b) *Greeting cards and illustrated post cards.* (1) "Greeting card" means any commercial form of card, sheet or folder which conveys a greeting or similar type of message by means of printed reading matter or pictorial matter. The term includes "chromos" which contain pictures but no words, and also cards which contain words but no pictures. The term does not include photographs made without the use of ink, nor does it include cards, sheets or folders of which no copies are offered for sale at any level of distribution.

(2) "Illustrated post card" means any form of card, sheet or folder containing printed pictorial matter and space for the addition of a personal message. The term does not include photographs made without the use of ink, nor does it include cards, sheets or folders of which no copies are offered for sale at any level of distribution.

(3) If a publisher is uncertain as to whether or not particular printed matter is a "greeting card" or an "illustrated post card" as defined in this order, he may ask the War Production Board for an official determination. The War Production Board may also make this determination upon its own motion. Such a determination may be made only by the Washington office of the War Production Board and shall be issued to the publisher in the name of the Recording Secretary of the War Production Board. It shall be conclusive for the purpose of this order, unless revoked or modified by the same authority.

(c) *Publisher.* (1) A person who was engaged in the greeting card or illustrated post card business in 1942 is the "publisher" of any greeting card or illustrated post card which he caused to be produced in that year, unless exclusive distribution rights in that card for 1942 were transferred to another person engaged primarily in the greeting card or illustrated post card business. In such a case, the person who had the exclusive distribution rights in 1942 is the "publisher" of that card.

(2) A "publisher" may use his consumption quota for the production of greeting cards or illustrated post cards whether he retains for himself or assigns to someone else the exclusive or non-exclusive reproduction rights or distribution rights, either permanently or temporarily.

(3) The term "publisher" includes an individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not. It does not mean the author or designer of the cards or the plate maker,

printer, finisher, packager, wholesaler, jobber or retailer, unless one of these persons also performs the functions of a publisher. It is immaterial whether the cards are produced in the publisher's plant or in someone else's plant.

(d) *Paper.* "Paper" means any grade, quality, type, basis weight or size of paper or paperlike substance used in the manufacture of greeting cards or illustrated post cards. The term includes paper reclaimed wholly or partly from printed or unprinted waste, as well as paper made entirely from virgin fiber.

(e) *Use.* (1) Paper is "used" in the manufacture of greeting cards and illustrated post cards when ink is first applied to it or, if unprinted, when the paper is first assembled with printed sheets in the manufacture of a card.

(2) When a job is started in one calendar quarter and runs over into the next, the paper actually used during each quarter must be charged against the publisher's consumption quota for that quarter. The entire job may not be regarded as if it were started and finished in the same quarter.

(f) *Production waste.* All production waste before, during and after printing and assembling (such as trim and waste sheets) shall be included in determining the tonnage of paper which a publisher uses in the manufacture of greeting cards and illustrated post cards.

(g) *Transfer of quotas.* (1) Quotas provided by one War Production Board order may not be used for the purposes set forth in any other order. Thus, for example, a publisher may not cause to be used for the manufacture of greeting cards or illustrated post cards any part of a paper consumption quota established under Order L-241 (Commercial Printing and Duplicating), Order L-244 (Magazines), Order L-245 (Books and Booklets), or any other order, and he may not permit any part of his consumption quota for paper established under this order to be used for any purpose other than the manufacture of greeting cards and illustrated post cards.

NOTE: Subparagraph (2), formerly subparagraph (3), redesignated Aug. 13, 1945.

(2) The rules governing the assignability of quotas are stated in Priorities Regulation 7A.

#### Restrictions

(h) *Prohibition of dealer helps.* No publisher may furnish any "dealer helps" for greeting cards or illustrated post cards. This prohibition applies to items such as date books, advertising cards, banners, merchandise bags, window displays, inserts, etc., and to sample cards. However, it does not apply to mounted samples for the display of cards to the public.

#### Consumption Quota

(i) *Computation of consumption quota for paper.* In the third calendar quarter of 1945 and in each calendar quarter after that, no publisher may cause to be used for the manufacture of greeting cards and illustrated post cards any paper in excess of his quarterly consumption quota of paper, which shall be computed as follows:

(1) Determine the gross tonnage of paper consumed in manufacturing the publisher's greeting cards and illustrated post cards during the corresponding calendar quarter of 1942.

(2) Determine the gross tonnage of paper consumed during the corresponding calendar quarter of 1942 in manufacturing the publisher's "dealer helps" as defined in paragraph (h) of this order.

(3) Take 85 percent of the total of these two tonnage figures, or 4 tons, whichever is greater. This is the publisher's consumption quota which he may cause to be used in the manufacture of greeting cards and illustrated post cards in the corresponding calendar quarter of 1945 and succeeding years.

(4) If a person used no paper for publishing greeting cards or illustrated post cards in 1942 and now wishes to enter the greeting card or illustrated post card business, he shall have a consumption quota of 4 tons per quarter commencing with the third quarter of 1945, provided he files with the Commercial Printing Section, Printing and Publishing Division, War Production Board, Washington 25, D. C., before using any part of the said consumption quota, substantially the following statement:

I hereby represent to the War Production Board, subject to the penalties of section 35 (A) of the United States Criminal Code, that I have no consumption quota for publishing greeting cards or illustrated post cards under Order L-289, that I am not associated directly or indirectly with any person, firm or corporation, having a consumption quota under that order, and that I will not become associated directly or indirectly with any such person, firm or corporation while using the consumption quota provided for me under paragraph (1) (4) of Order L-289.

A consumption quota provided by this paragraph (i) (4) shall be conditioned upon the continued accuracy of the above representations.

(j) *Borrowing and carry-over.* (1) A publisher may add an extra 15 percent to his consumption quota in any quarter if he subtracts that amount from his consumption quota for the next quarter.

(2) A publisher may carry over for future use accumulated savings resulting from under-use of quota, but he may not use, in a calendar quarter, any portion of his carry-over in excess of 15 percent of his consumption quota for that quarter.

(k) *Total permitted consumption.* A publisher may use in any calendar quarter:

(1) His quarterly consumption quota as determined under paragraph (i).

(2) Plus permitted borrowing from his consumption quota for the next calendar quarter as provided in paragraph (j) (1).

(3) Plus any less-than-quota savings which may be used in that calendar quarter from his consumption quota for that calendar quarter, as provided in paragraph (j) (2).

(4) Plus ex quota tonnage of that material, if any, which may have been granted on appeal for consumption in that quarter.

(l) *Certification to printer.* No publisher may order greeting cards or illus-

trated post cards to be printed or manufactured, and no person may print or manufacture such cards unless the publisher furnishes, or has previously furnished, to that printer or manufacturer a certification in substantially the following form, signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned publisher certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the printer and to the War Production Board that he is familiar with Order L-289 and that all orders placed by the publisher with that printer for items regulated by Order L-289, as amended from time to time, will be in compliance therewith.

This is a one-time certification and need not accompany each individual order.

#### *Delivery restrictions*

(m) *Limit on tonnage which may be accepted.* During the third calendar quarter of 1945 and each calendar quarter thereafter, no publisher may accept, and no person may accept for that publisher's use, paper in excess of his permitted consumption during that calendar quarter.

(n) *Certification to paper dealer or mill.* No publisher or his agent may order or accept delivery of paper and no person may deliver paper to a publisher or his agent, unless the publisher furnishes, or has previously furnished, to the person making the delivery a certification in substantially the following form, signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned publisher certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board that he is familiar with the provisions of Order L-289 as amended April 16, 1945 and that all purchases by him of items regulated by that order, as amended from time to time, will be in compliance therewith.

This is a one-time certification and need not accompany each individual order.

#### *Cards or Parts Thereof Printed in Violation of Order*

(o) *Restrictions on paper suppliers, printers, processors, distributors, wholesalers, and others.* (1) No person may sell or deliver any paper which he knows or has reason to believe will be accepted or used in violation of this order.

(2) No person may apply ink to any paper in the production of greeting cards or illustrated post cards if he knows or has reason to believe that the printing of such paper will be in excess of the publisher's permitted consumption under this order.

(3) No person may apply any additional ink to paper, and no person may bind or otherwise process paper, in the production of greeting cards or illustrated post cards if he knows or has reason to believe that such paper was printed

in excess of the publisher's permitted consumption under this order.

*Note:* Subparagraphs (4) and (5), formerly subparagraphs (5) and (6), redesignated Aug. 13, 1945.

(4) No person may agree to purchase for resale, and no person may accept for resale, any greeting cards or illustrated post cards which he knows or has reason to believe were printed in excess of the publisher's permitted consumption under this order.

(5) No person may sell, distribute or otherwise dispose of greeting cards or illustrated post cards, except for re-delivery to his supplier or for use as waste paper scrap, if, before he accepted them, he knew or had reason to believe that they were printed in excess of the publisher's allowable consumption under this order.

#### *Miscellaneous Provisions*

(p) *Records.* In order to assure compliance with this order, every publisher must calculate, as accurately as he can, the tonnage of paper which he used during each calendar quarter of 1942 for the items covered by this order. He must also keep accurate records of this type of information for each calendar quarter beginning with July 1, 1943. He must preserve these figures and his work sheets subject to inspection by War Production Board officials as long as this order remains in force and for two years after that.

(q) *Applicability of regulations.* This order and all transactions affected by it are subject to all present and future regulations of the War Production Board.

(r) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter referring to the particular provisions appealed from, stating fully the grounds of the appeal. Regardless of the provisions of Priorities Regulation 16, no statement with respect to manpower information on Form WPB-3820 (or letter explaining why that form is not filed) need accompany any appeal.

(s) *Communications.* All communications concerning this order shall be addressed to: War Production Board, Printing and Publishing Division, Washington 25, D. C., Ref: L-289.

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

Issued this 13th day of August 1945.

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

#### INTERPRETATION 1

##### CARDS WHICH ARE OFFERED "FOR SALE"

Paragraphs (b) (1) and (b) (2) of Order L-289 provides that the order does not apply to "cards, sheets or folders of which no copies are offered for sale at any level of distribution."

Greeting cards or illustrated post cards are "offered for sale" if they are offered either in consideration of a monetary payment, as a premium bonus or dividend, in part consideration of society membership dues, or for any other consideration direct or indirect, or if the publisher receives any compensation for the inclusion of material therein. (Issued December 21, 1944.)

[F. R. Doc. 45-14922; Filed, Aug. 13, 1945; 11:17 a. m.]

#### PART 3133—PRINTING AND PUBLISHING

[General Limitation Order L-294, as Amended Aug. 13, 1945]

#### DISPLAYS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of copper, zinc, paper and paperboard, required for the production of printed matter 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:

§ 3133.40 *Limitation Order L-294—*

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

(1) "Display" means any laminated combination of printed matter and board or other material, with or without easels or braces, employed to convey a message, display merchandise, or advertise a product or service, including but not limited to point-of-sale advertising, window, counter, floor, wall or shelf displays.

(2) "Printed matter" means any paper or paperlike substance with ink applied to it by the relief, planograph, intaglio, silk screen or other stencil process, or any combination or modification thereof.

(3) "Board" means any grade or quality of chip, laminated chip, or other board employed for the production of displays, easels, braces or plane surfaces.

(4) [Deleted Aug. 13, 1945.]

(5) [Deleted Aug. 13, 1945.]

(6) "Back-lining" means any paper or paperlike substance mounted to the reverse side of board employed in the production of displays.

(7) "Put into process" means (i) the first application of ink to paper or paperlike substance by a printer, or (ii) the lamination of one or more sheets of unprinted paper or printed matter to board, or (iii) the fabrication or processing of any part of a display, or (iv) the assembly of any component parts of a display.

(b) *Limitations.* (1) No person shall put into process for the production of displays:

(i) Board in the manufacture of which any virgin pulp has been employed, except board in the inventory of such person on July 7, 1943.

(ii) Back-lining in the manufacture of which any kraft fiber has been em-

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ployed, except back-lining in the inventory of such person on July 7, 1943.

(iii) [Deleted Oct. 13, 1944.]

(2) On and after July 1, 1945, no person shall put into process during any calendar quarter for the production of displays:

(i) Paper or paperlike substance in excess of 85 per cent of the gross weight thereof put into process by him for the production of displays during the corresponding calendar quarter of 1941 or 10 tons whichever is greater: *Provided*, That such person, in any calendar quarter, may use for the production of displays up to 15 percent more than his quota, the excess to be deducted from his quota for the succeeding calendar quarter: *And provided further*, That such person, in any calendar quarter, may use for the production of displays additional paper or paperlike substance equivalent to his less-than-quota usage in any preceding calendar quarters.

(ii) Board in excess of 80 per cent of the gross weight thereof put into process by him for the production of displays during the corresponding calendar quarter of 1941 or 10 tons whichever is greater.

(c) *Certification to paper dealer or mill.* No person may order or accept delivery of paper, or paperboard, and no person may deliver paper, or paperboard, for use in the production of displays, unless he furnishes, or has previously furnished, to the person making the delivery, a certification in substantially the following form, signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board that he is familiar with Order L-294 and that all purchases by him of items regulated by that order, as amended from time to time, will be in compliance therewith.

This is a one-time certification and need not accompany each individual order for paper or paperboard.

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

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

(3) *Communications to the War Production Board.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Printing and Publishing Division, Washington, D. C., Ref. L-294.

(4) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprison-

ment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 13th day of August 1945.

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

[F. R. Doc. 45-14923; Filed, Aug. 13, 1945;  
11:17 a. m.]

PART 3290—TEXTILE, CLOTHING AND  
LEATHER

[Conservation Order M-317, Direction 21]

PRIORITIES ASSISTANCE FOR COTTON TEXTILES  
FOR THE PRODUCTION OF CLOSURE TAPE  
MADE FROM BROAD WOVEN FABRICS FOR  
FEMININE APPAREL—THIRD QUARTER 1945

The following direction is issued pursuant to Conservation Order M-317:

Manufacturers of closure tape, made from broad woven fabrics, to be used for feminine apparel, may apply on Form WPB-2842 for priorities assistance to obtain 68 x 64—4.85 yd.—39" print cloth and outing flannel to be used for the manufacture of hook and eye tape, snap fastener tape, button tape and all other closures except slide fastener tape. Applications must be filed with the War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C. not later than August 23, 1945. Materials for which priorities assistance is given must be purchased for delivery not later than September 30, 1945, and must be consumed in the production of closure tape prior to October 31, 1945. Such authorizations will be issued pursuant to paragraph (k) of Order M-317.

The total amount of materials for which priorities assistance will be granted under this direction is limited. Within the available supply, applications will generally be granted on a pro rata basis based on the actual consumption of the materials by the applicant during the calendar year 1944. Establishments which did not use these materials during the year 1944 (including persons who were not in business at that time) may nevertheless apply for materials and their applications will be processed on an equitable basis.

Issued this 13th day of August 1945.

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

[F. R. Doc. 45-14925; Filed, Aug. 13, 1945;  
11:15 a. m.]

PART 3290—TEXTILE, CLOTHING AND  
LEATHER

[General Preference Order M-388A, Direction 1]

UPRATING FOR FABRIC DELIVERIES IN THE  
THIRD QUARTER, 1945, FOR PRODUCTION OF  
CERTAIN WOMEN'S, MISSES' AND JUNIORS'  
COTTON HOUSE DRESSES

The following direction is issued pursuant to General Preference Order M-388A:

For the third quarter of 1945, the AA-4 rating assigned to manufacturers in Preference Rating Schedule 1 of M-388A for Item No. A-1 in the Quota Table is changed

to AA-3, in accordance with the rules stated below:

(1) Fabrics obtained with this AA-3 rating may be used only to make dresses in the following price and size ranges:

Type of dress	Size range	Maximum price
Women's	38 to 44	\$24
Women's	46 and up	27
Misses'	10 to 20	24
Juniors'	9 to 17	24
		Dozen

(2) Fabrics obtained with this AA-3 rating must be charged to the manufacturer's rated quota for Item A-1 of the Quota Table of M-388A for the third quarter of 1945.

(3) The rating may be used to get the fabrics permitted by Preference Rating Schedule 1 of M-388A and also to get window shade quality print cloth, in widths up to 45", 64 sley and up, and 56 pick and up, weighing 5.70 yards per pound and heavier on the basis of 39" fabric.

(4) Unfilled orders already placed with AA-4 ratings calling for delivery in the third quarter of 1945 may be rerated AA-3 in the manner provided in Priorities Regulation 12.

(5) Any purchase order for fabrics with an AA-3 rating assigned under this direction must be treated by the supplier like any other AA-3 rating, and, therefore, the yardage covered must be deducted by the supplier before calculating his set-aside under paragraph (b) of M-388A.

(6) The supplier may extend an AA-3 rating to a producer for the yardage of fabric needed to fill AA-3 rated orders received by him under this direction. Such ratings shall be extended as provided in Priorities Regulation 3 and Order M-328.

Issued this 13th day of August 1945.

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

[F. R. Doc. 45-14927; Filed, Aug. 13, 1945;  
11:15 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300,  
Schedule 117]

NAPHTHENIC ACID AND NAPHTHENATES

§ 3293.1117 Schedule 117 to General Allocation Order M-300—(a) *Definitions.* (1) "Naphthenic acid" means the acids existing naturally in certain crude petroleums and distillates therefrom and known as monobasic carboxylic acids of the general formula RCOOH, where R is a naphthene (cyclic hydrocarbon) radical and the acid values of which are 180 or higher on an oil free basis, such acids being normally obtained by extraction from certain petroleum distillates by means of caustic soda. The term includes crude and refined sodium naphthenate intended for the manufacture of other naphthenates.

(2) "Naphthenates" means any salt, ester or ether of naphthenic acid other than crude and refined sodium naphthenate intended for the manufacture of other naphthenates. The term includes, but is not limited to, potassium naphthenate, calcium naphthenate, copper naphthenate, zinc naphthenate, aluminum naphthenate, lead naphthenate, cobalt naphthenate, managanese naph-

thenate, triethanolamine naphthenate, and also sodium naphthenate other than sodium naphthenate intended for the manufacture of other naphthenates. The term also includes any mixture containing more than 10% by weight (dry basis) of naphthenic acid combined as any naphthenates or mixtures of them, except that the term does not include any mixture containing less than 20% by weight (dry basis) of naphthenic acid combined as copper naphthenate or any finished lubricants containing less than 20% of naphthenates.

(3) "Producer of naphthenates" means any person who produces any naphthenates with naphthenic acid in the continental United States.

(4) "Distributor of naphthenates" means any person who purchases (other than by import) naphthenates for resale as such.

(b) *General provisions.* Naphthenic acid is subject to allocation under General Allocation Order M-300 as an Appendix A material. The initial allocation date is May 5, 1942, when naphthenic acid was first put under allocation by Order M-142 (revoked). The allocation period is the calendar month and the small order exemption is 50 pounds per person per month.

(c) *Transition from M-142.* For calendar months before September 1, 1945, naphthenic acid and naphthenates are subject to allocation control under Order M-142. For calendar months beginning with September 1, 1945, naphthenic acid is subject to allocation control under this schedule as an Appendix A material and naphthenates are subject to paragraphs (f) and (g) of this schedule. Regular and interim allocations of naphthenic acid issued under Order M-142 for calendar months before September are effective under this schedule, but are limited in duration as if originally issued under this schedule, and pending applications need not be refiled.

Regular and interim allocations of naphthenates issued under Order M-142 for calendar months before September remain in effect under this schedule without limitation on duration of authorization. A person who cannot use naphthenates for the purpose for which they were allocated to him under Order M-142 may use them for any purpose up to the amount of 500 pounds per month, but he may not use more than 500 pounds per month of these naphthenates unless specifically authorized in writing by the War Production Board. If a person receives or has received naphthenates under Order M-142 allocated on a Form WPB-2945 "for resale on further authorization" or in similar terms, he may not deliver or use the naphthenates unless specifically authorized in writing by the War Production Board. Application for authorization in either of these cases may be made on Form WPB-2945 stating end use in the manner stated in paragraph (e) below.

(d) *Suppliers' applications on WPB-2946.* Each supplier seeking authorization to deliver naphthenic acid shall file application on Form WPB-2946 (formerly PD-601). Filing date is the 20th day of the month before the requested al-

location month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-117. The unit of measure is pounds. Specify grade in Columns 3 and 8 as crude, process, rectified or refined, by acid value on an oil free basis and by maximum unsaponifiable content. An aggregate quantity may be requested without specifying customers' names for delivery on exempt small orders. Fill in Table II.

(e) *Customers' applications on Form WPB-2945.* Each person seeking authorization to use or accept delivery of naphthenic acid shall file application on Form WPB-2945 (formerly PD-600). Filing date is the 15th day of the month before the requested allocation month. File separate sets of forms for each supplier. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-117, and the one copy (reverse side blank) to the supplier. The unit of measure is pounds. Specify grade in Columns 1 and 11 as crude, processed, rectified or refined, by acid value on an oil free basis and by maximum unsaponifiable content. Fill in Column 3 in terms of the following:

Aluminum naphthenate  
Ammonium naphthenate  
Calcium naphthenate  
Cobalt naphthenate  
Copper naphthenate  
Iron naphthenate  
Lead naphthenate  
Lithium naphthenate  
Manganese naphthenate  
Nickel naphthenate  
Sodium naphthenate  
Strontium naphthenate  
Triethanolamine naphthenate  
Zinc naphthenate  
For resale as naphthenic acid on further authorization  
For resale as naphthenate acid on certified exempt small orders  
Export as naphthenic acid  
Other (specify)

Specify end use in Column 4 in terms of the following:

"Napalm"  
Core oils  
Crude oil demulsifiers  
Cutting oils and compounds  
Driers for coatings (specify end use as indicated in Direction 2 to Order M-300. State amounts for each group.)  
Fungicides and wood preservatives (specify whether military orders or civilian)  
E. P. lubricants (industrial)  
E. P. lubricants (all other—specify)  
Greases  
Catalysts for synthetic rubber  
Mercerization agents  
Rust and corrosion preventatives and gum and engine slushing compounds (specify whether military order or civilian)  
Flotation agent  
For resale as naphthenates on certified exempt small orders.  
For export as naphthenates  
Other (specify)

If any naphthenate is specified in Column 3, the statement of end use in Column 4 must be based on the certificates furnished to the applicant by his customers under paragraph (f) below. If "export" as naphthenic acid or as naphthenates is specified in Column 3 or 4 state in Column 4 in addition to product end

use the destination and export license number or Lend-Lease contract or requisition number, and if any end product specified in Column (4) is to be made for export as such state that fact and the same additional information in Column (4).

Fill in other Columns of Table I, and fill in Tables II and III, as indicated. Leave Tables IV and V blank.

(f) *Certified statements of naphthenate uses—(1) Who must furnish use certificates.* Each person (including any distributor) placing purchase orders in the aggregate from all suppliers for 500 pounds or more per month of naphthenates shall furnish each of his suppliers with a certified statement of proposed use, in the form prescribed in Appendix D of Order M-300. Specify proposed use in the terms listed in paragraph (e) above.

(2) *Who must furnish small order certificates.* There shall be a small order exemption for naphthenates of 500 pounds per person per month in the aggregate from all suppliers. Each person (including any distributor) placing purchase orders under the small order exemption shall furnish each of his suppliers with a certification that the total orders of naphthenates he will have placed with all suppliers for delivery in the allocation month will be less than 500 pounds.

(3) *Distributors' use certificates.* Each distributor of naphthenates required to furnish his suppliers with use certificates under paragraph (f) (1) above must state in his certificate the aggregate quantity ordered by his customers for each end use in the terms listed in paragraph (e) above basing his certificate on certificates furnished to him by his customers under this paragraph (f).

(g) *Use and delivery of naphthenates—(1) Producers.* A producer may not deliver naphthenates unless he has received from the person accepting delivery on end use or small order certificate under paragraph (f) above and has been allocated the necessary quantity of naphthenic acid for the specific end use certified or for certified exempt small orders of naphthenates, as the case may be. No producer of naphthenates shall fill a certified order for them without first having notified the purchaser in writing of the separate quantity being delivered for each proposed use certified with the order, unless only one use was specified in the certificate or the order is filled in full.

(2) *Distributors and consumers.* A person may use naphthenates obtained under a use certificate for a use specified in the use certificate, unless advised by the supplier that a specified use has been denied, and may not use them for any other purpose. A person obtaining naphthenates under a small order certificate may use them for any purpose. A distributor may redeliver naphthenates only to a person who certifies as his use the certified use for which the distributor received the material, or in the case where the distributor received the naphthenates for redelivery on certified exempt small orders, to a person who has furnished him with a small order certificate. But no distributor of naph-

thenates shall fill a certified order for them without first having also notified the purchaser in writing of the separate quantity being delivered for each proposed use certified with the order, unless only one use is certified or the order is filled in full.

(3) *Unauthorized use or delivery.* If a person is unable to use or deliver naphthenates received under a use certificate for the use certified, he may use them for any purpose up to the amount of 500 pounds per month, but he may not use more than 500 pounds per month unless specifically authorized in writing by the War Production Board. If a person imports naphthenates after the issuance of this schedule, he may not deliver or use them for any purpose unless specifically authorized in writing by the War Production Board. Application under this paragraph for authorization may be made on Form WPB-2945 stating end use in the manner stated in paragraph (e) above.

(4) *Applicability of preference ratings.* Delivery of naphthenates must be made in accordance with Priorities Regulation 1 and other applicable orders and regulations.

(h) *Special directions.* The War Production Board may at any time issue special directions to any person regarding use, delivery, acceptance of delivery, production or processing of naphthenic acid or naphthenates.

(i) *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.

(j) *Communications to War Production Board.* Communications concerning this schedule shall be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref.: M-300-117.

Issued this 13th day of August 1945.

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

[F. R. Doc. 45-14924; Filed, Aug. 13, 1945;  
11:15 a. m.]

#### PART 4600—RUBBER, SYNTHETIC RUBBER AND PRODUCTS THEREOF

[Rubber Order R-1, Appendix V]

#### SORTING AND PACKING OF SCRAP TIRE PARTS

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

*Purpose of this order.* The purpose of this order is to conserve the supply of natural rubber scrap tire parts for use in the manufacture of reclaimed rubber. The contamination of natural rubber

scrap tire parts with synthetic rubber scrap tire parts results in a reduced production rate and lowered quality of reclaimed rubber. It is therefore necessary that the peelings and other tire parts be sorted, before packing, into natural rubber, synthetic rubber, and recapped parts; and that these grades be packed separately before shipment.

(a) *Definitions.* For the purposes of this order:

(1) "Splitting" means any operation by which rubber tires, either natural, synthetic or recapped, are split, separated, torn or pulled apart, whether by machine or by hand.

(2) "Splitter" means any person engaged in the business of splitting.

(3) "Reclaimer" means any person engaged in the manufacture of reclaimed rubber.

(4) "Tire parts" means peelings, dykes, carcass scrap, S. A. G. and sections; split, separated, torn or pulled from natural rubber, synthetic rubber or recapped tires.

(b) *Splitters must segregate tire parts.* On and after August 20, 1945, no splitter may split any tires unless he sorts and packs the resulting tire parts so that natural rubber tire parts, synthetic rubber tire parts and recapped tire parts are kept separate.

(c) *Sale and delivery of unsegregated tire parts prohibited.* Notwithstanding the provisions of any contract or other commitment to the contrary, on and after September 1, 1945, no splitter may sell or deliver tire parts to any person unless such parts have been sorted and packed so that natural rubber tire parts, synthetic rubber tire parts and recapped tire parts are kept separate.

(d) *Splitter's inventories to be freely offered.* On and after September 1, 1945, each splitter must offer his tire parts for sale in such manner that he does not at any time have an inventory of more than 50% of his total shipments of tire parts during the three preceding calendar months.

(e) *Reclaimers must not accept unsegregated tire parts.* Notwithstanding the provisions of any contract or other commitment to the contrary, on and after September 1, 1945, no reclaimer shall accept delivery from any person of tire parts not sorted and packed in accordance with the provisions of paragraphs (b) and (c) of this order. This restriction does not apply to tire parts which are in transit before September 1, 1945.

(f) *Reports.* (1) Every splitter who in the period January 1, 1945 to March 31, 1945, shipped in excess of 100 tons of tire parts or had an inventory in excess of 100 tons of tire parts, or who in any calendar quarter thereafter ships or has an inventory of more than that amount, shall file a monthly report on Form WPB-3575 with the Rubber Bureau, War Production Board, Washington 25, D. C., Ref: Rubber Order R-1, Appendix V, covering receipts, shipments and inventory in accordance with the instructions ac-

companying that form. The first such report shall be filed not later than September 10, 1945, and shall cover operations for the month of August.

This paragraph applies only to the filing of reports. All splitters, regardless of size, are subject to all other provisions of this order.

(2) On and after September 1, 1945, any reclaimer who rejects delivery of tire parts not sorted and packed in accordance with the provisions of paragraphs (b) and (c) above shall file with the Rubber Bureau, War Production Board, either by letter or by copy of the rejection notice, the following information concerning the rejected shipment: car number or truck load number, original shipping point, original packer, broker, description of shipment and nature of contamination. This requirement does not apply to tire parts which are in transit before September 1, 1945.

(g) *Applicability of regulations.* This order and all transactions affected by it are subject to all applicable provisions of the regulations of the War Production Board.

(h) *Appeals.* Appeal from the provisions of this order shall be made by filing a letter with the Rubber Bureau, War Production Board, Washington 25, D. C., referring to the provision appealed from and stating fully the grounds of the appeal. In case of emergency, an appeal may be made by telegram or telephone to be confirmed by letter as prescribed above.

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

(j) *Communications.* All reports and other communications concerning this order shall be addressed to: Rubber Bureau, War Production Board, Washington 25, D. C., Ref: Rubber Order R-1, Appendix V.

(k) The reporting provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9246, 7 F.R. 7379, as amended by E.O. 9475, 9 F.R. 10817; WPB Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64)

Issued this 13th day of August 1945

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

[F. R. Doc. 45-14929; Filed, Aug. 13, 1945;  
11:17 a. m.]

## Chapter XI—Office of Price Administration

## PART 1499—COMMODITIES AND SERVICE

[SR 14E,<sup>1</sup> Amdt. 9]MANUFACTURERS' AND WHOLESALERS' PRICES  
FOR CERTAIN MEN'S WORK SOCKS

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 1.4 is added to Supplementary Regulation 14E, to read as follows:

SEC. 1.4 *Manufacturers' and wholesalers' prices for certain men's work socks*—(a) *Definition of terms*—(1) *Manufacturer*. A manufacturer is any person who is subject to Direction 17 of War Production Board Conservation Order M-328 (Production of Men's Cotton Work Socks in the Third Quarter of 1945), issued June 21, 1945.

(2) *Men's cotton work socks*. The term men's cotton work socks, as used in this section, means men's work socks which meet the following specifications:

(i) Finished weight—a minimum of one pound per dozen pairs;

(ii) Type of yarn—100% carded cotton yarn;

(iii) Color—plain or mock twist two-tone;

(iv) Fabric from which body portion is made—a flat knit fabric, knit on one set of needles (except that socks knit on "RI" machines may be made of a simulated rib knit fabric).

"Athletic", "crew", and "boot" socks are not included in the term men's cotton work socks.

(b) *Manufacturers' adjusted ceiling prices*. For each style of men's cotton work sock, which is the same as or similar to a style which the manufacturer delivered or offered for delivery during March 1942, the manufacturer may adjust his General Maximum Price Regulation ceiling price as follows:

(1) The manufacturer shall first find the ceiling price established for the style under section 2 (a) of the General Maximum Price Regulation.

(2) He may then add to that ceiling price an "adjustment charge", equal to 6½ per cent of such ceiling price.

The adjustments permitted herein shall apply only to those styles described above which are delivered by the manufacturer on and after August 15, 1945, but prior to November 1, 1945. Moreover, before a manufacturer may deliver such styles at the adjusted ceiling prices, he must file with OPA the information described in paragraph (d) below, and receive an acknowledgment of its filing.

The ceiling price for any other style of men's cotton work sock may not be adjusted.

(c) *Wholesalers' adjusted ceiling prices*. For each style of men's cotton work sock for which the manufacturer has adjusted his ceiling price under paragraph (b) above, delivered to a wholesaler on and after August 15, 1945, but prior to November 1, 1945, the whole-

saler may adjust his General Maximum Price Regulation ceiling price for a sale to a retailer as follows:

(1) The wholesaler shall first find the ceiling price established, under the applicable pricing provision of the General Maximum Price Regulation, for that sale.

(2) He may then add to that ceiling an amount equal to 70 per cent of the manufacturer's "adjustment charge" for the style.

The wholesaler's ceiling prices for sales other than to retailers of the styles described above, or for any other style of men's cotton work socks may not be adjusted.

(d) *Information required to be filed by manufacturer*. Each manufacturer who has adjusted his ceilings under paragraph (b) above must, before he delivers any style at such adjusted ceilings, file with the Office of Price Administration, Washington 25, D. C., certain information, and receive acknowledgment of its filing. The following are required to be filed:

(1) A description of each style of men's cotton work socks for which the ceiling has been adjusted under paragraph (b) above, specifying finished weight, type of yarn, color, and type of fabric from which body portion is knit.

(2) For each such style, the ceiling prices determined under section 2 (a) of the General Maximum Price Regulation, and the adjusted ceilings established under paragraph (b) above.

(3) A sample of each such style.

(e) *Statements which must be sent to purchasers*—(1) *Statement which manufacturers must send to wholesalers*. (i) On and after August 15, 1945, each manufacturer who has adjusted his ceilings on certain styles of men's cotton work socks, under paragraph (b) above, shall transmit to each wholesaler to whom he makes delivery of such styles the following statement:

STATEMENT TO WHOLESALERS OF ADJUSTED  
CEILING PRICES

OPA has adjusted our ceiling prices on certain styles of men's cotton work socks (which we are directed to produce by WFB) pursuant to Amendment 9 to Supplementary Regulation 14E. In Column A below you will find our old ceiling prices for these styles, in Column B our adjusted ceiling prices, in Column C our OPA adjustment charge, and in Column D your OPA adjustment charge.

This amendment also provides a method by which you, as a wholesaler, are to determine your ceiling prices for sales of these styles to retailers. You are required first to find, under the applicable pricing provision of the General Maximum Price Regulation, your ceiling price for sales of each such style to retailers. Then, you shall add to such price your OPA adjustment charge for the style (shown in Column D below).

Style No.	Column A Manufacturer's old ceiling price	Column B Manufacturer's adjusted ceiling price	Column C Manufacturer's OPA adjustment charge (B minus A)	Column D Wholesaler's OPA adjustment charge (C times .70)

Please note that, as a wholesaler, you are required by OPA to transmit to each retailer to whom you deliver any of the styles listed above on or after August 15, 1945, a "Wholesaler's Statement to Retailers of OPA Adjustment Charge" in the form indicated below, properly filled in by you with the information applicable to the particular styles being delivered by you to the retailer. You are required to complete this statement as follows: In Column A you shall list the ceiling prices of the particular styles being shipped which were in effect for you under the General Maximum Price Regulation, prior to August 15, 1945. In column B you shall list the new ceiling prices which you determine in accordance with the method indicated in this statement to you. In Column C you shall list the difference between the amounts in Column A and Column B for the respective styles. This notice, when properly completed by you, is to be transmitted with, or annexed to, the invoice, billing or other statement of price accompanying every shipment made by you to your retail customers of the styles shipped to you by us.

WHOLESALER'S STATEMENT TO RETAILERS OF OPA  
ADJUSTMENT CHARGE

OPA, pursuant to Amendment 9 to Supplementary Regulation 14E, has permitted us to adjust our ceiling prices on the following styles of men's cotton work socks, sold and delivered by us to you on or after August 15, 1945.

Style No.	Column A Wholesaler's old ceiling price	Column B Wholesaler's new ceiling price	Column C Wholesaler's OPA adjustment charge (B minus A)

Please note that OPA has ruled that you must price these men's cotton work socks in accordance with Maximum Price Regulation 580, or the General Maximum Price Regulation (whichever regulation governs your sales of the items listed above). In determining your ceiling prices for these items, OPA has ruled that, under MPR 580, you must use as your "net cost", the amount set forth in Column A above; you may not include the amount of the OPA adjustment charge set forth in Column C. Moreover, under GMPR, you may not add the amount of such adjustment charge to your present GMPR ceiling prices.

(ii) The statement required to be sent by each manufacturer to his wholesalers, as provided in this subparagraph (1), shall be transmitted with or be annexed to the invoice, billing or other statement of price, accompanying every shipment made by the manufacturer of styles for which ceilings have been adjusted under paragraph (b) above. Each manufacturer shall properly fill in the statement which he is required to send wholesalers with the information applicable to the particular styles being delivered by him to the wholesaler. He shall complete the statement as follows: In Column A he shall list the ceiling prices of the particular styles being shipped which were in effect for him under the General Maximum Price Regulation, prior to August 15, 1945. In Column B he shall list the new ceiling prices for each such style, determined in accordance with the method provided in paragraph (b) above. In Column C he shall list the difference between the amounts in Column A and Column B for the respective styles. In Column D he shall list, for each style, the product obtained by multiplying the amount shown in column C by .70.

(2) *Statement which manufacturers must send to retailers*. (i) On and after August 15, 1945, each manufacturer shall transmit to each retailer to whom he delivers any of the styles of men's work socks, for which ceiling prices have been adjusted under paragraph (b) above, the following statement:

MANUFACTURER'S STATEMENT TO RETAILERS OF OPA  
ADJUSTMENT CHARGE

OPA, pursuant to Amendment 9 to Supplementary Regulation 14E, has permitted us to add the following adjustment charges to our ceiling prices on the styles listed below:

Style No.	Column A Old ceiling price	Column B OPA adjustment charge

Please note that OPA has ruled that you must price these men's cotton work socks in accordance with Maximum Price Regulation 580, or the General Maximum Price Regulation (whichever regulation governs your sales of the items listed above). In determining your ceiling prices for these items, OPA has ruled that, under MPR 580, you must use as your "net cost", the amount set forth in Column A above; you may not include the amount of the OPA adjustment charge set forth in Column B. Moreover, under GMPR, you may not add the amount of such adjustment charge to your present GMPR ceiling prices.

(ii) The statement to be sent by each manufacturer to his retailers, as provided in this sub-paragraph (2), shall be transmitted with or be annexed to the invoice, billing or other statement of price, accompanying every shipment made by the manufacturer of styles for which ceilings have been adjusted under paragraph (b) above. Each manufacturer shall properly fill in the statement which he is required to send retailers with the information applicable to the particular styles being shipped which were in effect for him under the General Maximum Price Regulation, prior to August 15, 1945. In Column B he shall list for each style, the difference between the new ceiling price, determined under paragraph (b) above, and the old ceiling price listed in Column A.

(3) *Statement which wholesalers must send to retailers.* Any wholesaler, who, after August 15, 1945, purchases any work sock styles for which manufacturers' ceilings have been adjusted under paragraph (b) above, shall transmit to each of his retailers, at the time of delivery by him of such styles, the form of "Wholesaler's Statement to Retailers of OPA adjustment Charge" required to be sent to wholesalers by manufacturers under sub-paragraph (1) above. This statement shall contain the information applicable to the styles included in the particular shipment, and shall be transmitted with, or annexed to, the invoice, billing or other statement of price accompanying every shipment made by the wholesaler after August 15, 1945 of any men's cotton work socks. Each wholesaler shall complete this statement as follows: In Column A he shall list the ceiling prices of the particular styles being shipped which were in effect for him under the General Maximum Price Regulation, prior to August 15, 1945. In Column B he shall list his new ceiling prices, determined under paragraph (c) above. In Column C he shall list the difference between the amounts in Column A and Column B for the respective styles.

(f) *Manufacturers' applications for further adjustment—(1) Who may apply.* Any manufacturer of men's cotton work socks (as defined in (a) (2) above) may apply for adjustment of his ceiling prices on styles which are not the same as or similar to those which he delivered or offered for delivery during March 1942, or for further adjustment of the ceiling prices which he has adjusted under paragraph (b) above.

(2) *Amount of adjustment.* Existing ceiling prices will be adjusted as follows when and to the extent that they are found by the Office of Price Administration to be lower than:

(i) A price equal to the total unit cost of the item, or

(ii) A price equal to the total unit cost of the item plus 2% of such cost, if the net profits before taxes (computed in relation to net worth) realized by the applicant from his total operations are either (a) less than 7.6% or (b) less than double the average percentage realized by the applicant during the years 1936 to 1939. However, if current net profits before taxes (computed in relation to net worth) realized by the applicant from his total operations are 15.2% or over, the adjustment shall be limited to a price equal to the total unit cost of the item.

(3) *Filing of applications.* Applications must be filed with the Consumer Goods Price Division, Office of Price Administration, Washington, 25, D. C., in accordance with Article III of Revised Procedural Regulation No. 1, and must contain, unless the information is already on file with OPA:

(i) Balance sheets and profit and loss statements for the years (fiscal or calendar) 1936-1939, inclusive, the most recent calendar or fiscal year, and the most recent quarter or half-year period.

(ii) For each style on which an adjustment is sought, a statement in detail of the applicant's total unit cost (material, direct labor, factory overhead, selling and administrative expense, in accordance with applicant's usual accounting practice).

(iii) For each such style, a statement giving applicant's present ceiling price, and the method of computing such ceiling (e. g., section 2 (b), GMPR; section 2 (a) plus adjustment under section 1.4, SR 14E).

(iv) A sample of each style on which an adjustment is sought.

(v) A detailed statement as to why applicant cannot fill the quota fixed by Direction 17 to M-328 from those styles of men's cotton work socks (if any) for which individual adjustments, under this paragraph (f), have not been requested.

(4) *Denial of applications.* An application may be denied, notwithstanding the standards in sub-paragraph (2), if the Price Administrator determines that granting such application is not necessary to effectuate producer compliance with the terms of Direction 17 to M-328.

This amendment shall become effective August 15, 1945.

NOTE: The reporting and record-keeping requirements of this amendment have been

approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 10th day of August 1945.

CHESTER BOWLES,  
Administrator.

For the reasons set forth in the accompanying statement of considerations, and by virtue of the authority vested in me by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, I hereby approve the issuance of this amendment and find that it is necessary to aid in the effective prosecution of the war.

THOMAS I. EMERSON,  
Acting Economic  
Stabilization Director.

[F. R. Doc. 45-14809; Filed, Aug. 10, 1945;  
4:25 p. m.]

PART 1305—COMMODITIES AND SERVICES  
[Supp. Order 45, Amdt. 23]DEHYDRATED FRUITS, VEGETABLES AND  
BERRIES

Supplementary Order 45 is amended in the following respect:

Paragraph (a) (4) is added to read as follows:

(4) The following food and beverage items:

Compressed dehydrated fruits, vegetables, and berries.  
Dehydrated garlic powder.

This amendment shall become effective August 16, 1945.

Issued this 11th day of August 1945.

JAMES F. BROWNLEE,  
Acting Administrator.

Approved: July 31, 1945.

J. B. HUTSON,  
Acting Secretary of Agriculture.

[F. R. Doc. 45-14858; Filed, Aug. 11, 1945;  
11:25 a. m.]

PART 1314—RAW MATERIALS FOR SHOES AND  
OTHER LEATHER PRODUCTS  
[RPS 9, Amdt. 12]

## HIDES, KIPS AND CALFSKINS

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 1314.11 (e) is amended to read as follows:

(e) *Green or partially cured hides.* The maximum prices for green or partially cured hides shall be the applicable maximum prices enumerated in paragraphs (b) and (c) of this section, reduced by 25% on sales or deliveries to tanners or their agents and by 20% on sales or deliveries to all other persons: *Provided*, That an invoice or similar document is delivered in connection with

<sup>1</sup> 7 F.R. 1227, 2000, 2132, 5706, 8948; 8 F.R. 2997, 11676, 12312, 13573, 15259, 16279; 9 F.R. 1325, 5987, 7431; 10 F.R. 457.

such transaction which in describing the hides, uses the exact classifications enumerated in paragraphs (b) and (c) of this section and states that the hides are green or partially cured. Otherwise the maximum prices for such green or partially cured hides shall be the applicable maximum prices established under paragraph (d) of this section reduced by 25% on sales or deliveries to tanners or their agents and by 20% on sales or deliveries to other persons.

This amendment shall become effective August 16, 1945.

Issued this 11th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14855; Filed, Aug. 11, 1945;  
11:25 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 271<sup>1</sup>, Amdt. 43]

POTATOES AND ONIONS

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

Section 26 (g) is amended to read as follows:

(g) The prices in Table IV of section 24 applicable to Kansas, Missouri, Arkansas, Oklahoma, Texas and Nebraska are suspended from July 22 through August 11, 1945, and the following prices are substituted during that period.

	July 22-31	August 1-11
Kansas	\$2.65	\$2.60
Missouri	2.65	2.60
Arkansas	2.85	2.85
Oklahoma	2.85	2.85
Texas	2.85	2.85
Nebraska	2.95	2.75

This amendment shall become effective at 12:01 a. m. August 11, 1945.

Issued this 10th day of August 1945.

CHESTER BOWLES,  
Administrator.

Approved: August 9, 1945.

CLINTON P. ANDERSON,  
Secretary of Agriculture.

[F. R. Doc. 45-14811; Filed, Aug. 10, 1945;  
4:27 p. m.]

PART 1381—SOFTWOOD LUMBER

[2d Rev. MPR 19, Amdt. 11]

SOUTHERN PINE LUMBER

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.

<sup>1</sup> 8 F.R. 15587, 15663; 9 F.R. 2298, 3589, 4027, 4647, 5379, 6151, 7504, 7771, 7852, 8981, 9356, 9783, 10089, 10199, 10981, 10778, 12270, 12475, 13262; 10 F.R. 1334, 2248, 2969, 3764, 4035, 4154, 4347, 4600, 5457, 6589, 7527, 7929, 8475, 8934.

Second Revised Maximum Price Regulation 19 is amended in the following respects:

1. Table 1 in Article IV, Appendix A, is amended, and all footnotes to Table 1 are renumbered and amended, as follows:

ARTICLE IV—APPENDIX A: SHORT LEAF

SHORTLEAF YELLOW PINE LUMBER

The maximum prices for Shortleaf Yellow pine lumber, in straight or mixed carlots, f. o. b. mill, per one thousand feet board measure, shall be as follows:

TABLE I—BOARDS AND STRIPS

S1S, S2S, S3S, S4S, S2S and Matched, or Shiplap, Standard or 3/4"

AIR DRIED

Grade	4 and 6'	8, 10, 12 and 14'	16'	18 and 20'	Grade	4 and 6'	8, 10, 12 and 14'	16'	18 and 20'
<i>No. 1 Common</i>									
4/4 edge 1	\$38.25	\$41.75	\$43.25	\$43.75	5/4 and 6/4 edge 1	\$39.25	\$42.75	\$44.25	\$44.75
1 x 2 and 3"	41.00	45.00	46.50	47.00	5/4 and 6/4 x 2 and 3"	42.00	46.00	47.50	48.00
1 x 4"	38.00	43.00	44.50	45.00	5/4 and 6/4 x 4"	39.00	44.00	45.50	46.00
1 x 6 and 7"	40.00	43.00	44.50	45.00	5/4 and 6/4 x 6 and 7"	41.00	44.00	45.50	46.00
1 x 8 and 9"	40.00	44.00	45.50	46.00	5/4 and 6/4 x 8 and 9"	41.00	45.00	46.50	47.00
1 x 5 and 10"	40.50	46.00	47.50	48.00	5/4 and 6/4 x 5 and 10"	41.50	47.00	48.50	49.00
1 x 11"	43.50	49.00	50.50	51.00	5/4 and 6/4 x 11"	44.50	50.00	51.50	52.00
1 x 12"	45.00	54.00	55.50	56.00	5/4 and 6/4 x 12"	46.00	55.00	56.50	57.00
<i>No. 2 Common</i>									
4/4 edge 1	36.25	39.00	40.00	41.75	5/4 and 6/4 edge 1	37.25	40.00	41.00	42.75
1 x 2 and 3"	39.00	42.00	42.50	44.00	5/4 and 6/4 x 2 and 3"	40.00	43.00	43.50	45.00
1 x 4"	36.00	39.00	39.50	41.00	5/4 and 6/4 x 4"	37.00	40.00	40.50	42.00
1 x 6 and 7"	38.00	41.00	42.00	44.00	5/4 and 6/4 x 6 and 7"	39.00	42.00	43.00	45.00
1 x 8 and 9"	38.00	41.00	42.00	44.00	5/4 and 6/4 x 8 and 9"	39.00	42.00	43.00	45.00
1 x 5 and 10"	38.50	42.50	43.50	45.50	5/4 and 6/4 x 5 and 10"	39.50	43.50	44.50	46.50
1 x 11"	41.50	45.50	46.50	48.50	5/4 and 6/4 x 11"	42.50	46.50	47.50	49.50
1 x 12"	43.00	47.50	48.50	51.50	5/4 and 6/4 x 12"	44.00	48.50	49.50	52.50
<i>No. 3 Common</i>									
4/4 edge 1	29.50	32.50	33.50	35.25	5/4 and 6/4 edge 1	29.50	32.50	33.50	35.25
1 x 2 and 3"	31.00	34.00	35.00	37.00	5/4 and 6/4 x 2 and 3"	31.00	34.00	35.00	37.00
1 x 4"	30.00	33.00	33.50	35.00	5/4 and 6/4 x 4"	30.00	33.00	33.50	35.00
1 x 6 and 7"	31.00	34.00	35.00	37.00	5/4 and 6/4 x 6 and 7"	31.00	34.00	35.00	37.00
1 x 8 and 9"	31.00	34.00	35.00	37.00	5/4 and 6/4 x 8 and 9"	31.00	34.00	35.00	37.00
1 x 5 and 10"	31.50	35.50	36.50	38.50	5/4 and 6/4 x 5 and 10"	31.50	35.50	36.50	38.50
1 x 11"	31.50	35.50	36.50	38.50	5/4 and 6/4 x 11"	31.50	35.50	36.50	38.50
1 x 12"	32.00	36.50	37.50	40.50	5/4 and 6/4 x 12"	32.00	36.50	37.50	40.50
<i>Dunnage</i>									
4/4 edge 1	21.75	24.75	25.75	27.50	5/4 and 6/4 edge 1	20.75	23.75	24.75	26.50
1 x 3"	23.00	26.00	27.00	29.00	5/4 and 6/4 x 3"	22.00	25.00	26.00	28.00
1 x 4"	22.00	25.00	25.50	27.00	5/4 and 6/4 x 4"	21.00	24.00	24.50	26.00
1 x 6 and 7"	23.00	25.00	27.00	29.00	5/4 and 6/4 x 6 and 7"	22.00	25.00	26.00	28.00
1 x 8 and 9"	23.00	25.00	27.00	29.00	5/4 and 6/4 x 8 and 9"	22.00	25.00	26.00	28.00
1 x 5 and 10"	23.50	27.50	28.50	30.50	5/4 and 6/4 x 5 and 10"	22.50	26.50	27.50	29.50
1 x 11"	23.50	27.50	28.50	30.50	5/4 and 6/4 x 11"	22.50	26.50	27.50	29.50
1 x 12"	24.00	28.50	29.50	32.50	5/4 and 6/4 x 12"	23.00	27.50	28.50	31.50
<i>No. 4 Common</i>									
4/4 Edge 1	20.75	23.75	24.75	26.50	5/4 and 6/4 edge 1	19.75	22.75	23.75	25.50
1 x 3"	22.00	25.00	26.00	28.00	5/4 and 6/4 x 2 and 3"	21.00	24.00	25.00	27.00
1 x 4"	21.00	24.00	24.50	26.00	5/4 and 6/4 x 4"	20.00	23.00	23.50	25.00
1 x 6 and 7"	22.00	25.00	26.00	28.00	5/4 and 6/4 x 6 and 7"	21.00	24.00	25.00	27.00
1 x 8 and 9"	22.00	25.00	26.00	28.00	5/4 and 6/4 x 8 and 9"	21.00	24.00	25.00	27.00
1 x 5 and 10"	22.50	26.50	27.50	29.50	5/4 and 6/4 x 5 and 10"	21.50	25.50	26.50	28.50
1 x 11"	22.50	26.50	27.50	29.50	5/4 and 6/4 x 11"	21.50	25.50	26.50	28.50
1 x 12"	23.00	27.50	28.50	31.50	5/4 and 6/4 x 12"	22.00	26.50	27.50	30.50

Additions and Deductions per 1,000 Feet Board Measure: [See section 14 (b) (10)]

For working:

1. Rough, deduct \$4.50.
2. End-matching, add \$2.00.
3. For any other matcher dressing not otherwise provided for (Except V-Joint, ECB1S or ECB2S), add \$2.00. Patterns requiring moulder work, add \$6.50.
4. Ripping, add \$1.00 for each cut; resawing, add \$2.00 for each cut, both applicable only where machine run product is shipped.

For grade:

5. For grade marking in accordance with the provisions of section 9 (a), add \$1.00 per M'BM.
6. For Combination Grade No. 2 Common and better as defined in section 5 (d), use No. 2 Common prices.

For condition:

7. Kiln dried, add \$1.00.
8. Green, deduct \$3.50.

For lengths:

9. For precision cutting to a specified exact length, with tolerance of not more than  $\frac{1}{4}$ " allowed, add \$1.50. No addition is permitted for customary double end trimming.
10. For any length shorter than 4', cut to a specified exact length, charge the price of the nearest multiple length up to 12'. If there is no even multiple length 12' or shorter, charge 12' price. In either case, add \$1.50 per M'BM for each necessary cross cut, but the addition for precision cutting permitted in footnote 9 may not also be charged, and no total charge for such service may be greater than \$6.00 per M'BM. If length breaks on even one-half foot compute footage on exact length, otherwise compute on 6" breaks on the next break above.

## FEDERAL REGISTER, Tuesday, August 14, 1945

For size:

11. Stock dressed one (1) side thinner than  $\frac{3}{4}$ ", deduct \$1.00 per M'BM from  $\frac{3}{4}$ " price for each  $\frac{1}{16}$ " thinner than  $\frac{3}{4}$ ". Stock dressed two (2) sides thinner than  $\frac{3}{4}$ ", deduct \$1.50 per M'BM from  $\frac{3}{4}$ " price for each  $\frac{1}{16}$ " thinner than  $\frac{3}{4}$ ".

(Prices for  $\frac{1}{16}$ " S2S must be applied for under Section 22).

12. For dressing  $\frac{5}{8}$ " and  $\frac{9}{16}$ ", S2S, S3S, S4S, S2S and matched or S2S shipplad to extra standard thickness  $\frac{5}{8}$ " or more thicker than American Lumber Standards, add \$1.00 per M'BM where stock is dressed clean (or with slight skip as defined in paragraph 48 of 1939 Standard Specifications for Southern Pine Lumber when specifically permitted by such rules for the grade shipped).

13. 13" and wider, add \$2.50 per inch or fraction thereof to 12" price and compute footage on nominal size.

Subfootnote:

<sup>1</sup> Edge widths are random widths including odd, even or fractional widths. Measurement shall be according to Paragraph 136, S. P. I. B. Rules.

2. Table 2 in Article IV, Appendix A, is amended, and all footnotes to Table 2 are renumbered and amended as follows:

Short Leaf.

Table 2—DIMENSION  
S1S, S2S, S3S, or S4S  
AFTER DRESSED

Grade	4'	6'	8'	10'	12'	14'	16'	18'	20'	Length	
										22 & 24'	26' & 28'
No. 1 Common											
2 X 2"	\$31.00	\$31.00	\$38.00	\$39.00	\$38.00	\$38.00	\$40.00	\$41.50	\$42.50	\$48.00	\$50.00
2 X 3"	30.00	30.00	37.00	38.00	37.00	37.00	38.00	40.50	41.50	47.00	49.00
2 X 4"	31.50	31.50	38.50	39.50	38.50	38.50	39.50	42.00	42.00	48.50	50.00
2 X 5"	32.50	32.50	40.50	41.50	41.00	41.00	41.50	45.50	47.50	52.00	54.00
2 X 6"	30.00	30.00	37.00	38.00	37.00	37.00	38.00	38.50	40.50	41.50	47.00
2 X 8"	30.00	30.00	37.00	38.00	37.00	37.00	38.00	38.50	40.50	41.50	47.00
2 X 10"	32.50	32.50	39.50	40.50	37.50	37.50	38.00	38.50	40.50	41.50	47.00
2 X 12"	34.50	34.50	41.50	42.50	41.00	41.00	41.50	42.50	43.50	45.50	49.50

Temporary Provision: Straight Ball Carloads 2 X 4's, 10' and longer:

13. All firm orders placed and accepted before August 15, 1945, for all grades of 2 X 4" for direct mill shipment in straight rail carloads of 10' and longer to an agency of the United States Government or to a user for direct use in filling Government contracts or subcontracts (but not for resale by such user), may be filled at \$4.00 per M'BM over the maximum prices in Table 2 for the grades sold, only if delivery is made to the buyer on or before October 21, 1945. If delivery is made to the buyer after October 21, 1945; or if the order is accepted on or after August 15, 1945; or if an order which was placed and accepted before August 15, 1945, is shipped in a manner, or to a buyer, other than as specified above (regardless of date of delivery), the order must be filled at the maximum prices provided in Table 2. (This footnote supersedes former footnote 18.)

This amendment shall become effective August 15, 1945.

Issued this 10th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14810; Filed, Aug. 10, 1945; 4:26 p. m.]

Grade	4'	6'	8'	10'	12'	14'	16'	18'	20'	Length	
										22 & 24'	26' & 28'
No. 2 Common											
2 X 2"	29.00	29.00	35.00	36.00	35.00	35.00	36.00	37.00	38.50	39.50	45.00
2 X 3"	28.00	28.00	34.00	35.50	34.50	34.50	35.50	36.50	37.50	39.00	44.50
2 X 4"	30.50	30.50	36.50	37.50	36.50	36.50	37.50	38.50	39.50	41.00	46.50
2 X 5"	27.50	27.50	33.50	37.50	33.50	33.50	35.50	35.50	37.50	41.00	46.50
2 X 6"	27.50	27.50	33.50	33.50	34.50	34.50	35.50	36.50	37.50	41.00	46.50
2 X 8"	29.00	29.00	35.50	36.50	35.50	35.50	36.50	37.50	38.50	40.00	45.50
2 X 10"	30.00	30.00	35.50	38.00	36.50	37.00	37.50	38.00	40.00	41.50	47.00
2 X 12"	31.00	31.00	37.00	38.00	38.00	38.00	38.50	39.00	42.50	43.50	49.00
No. 3 Common											
2 X 2"	22.00	25.00	27.00	28.00	27.00	28.00	28.00	29.00	30.50	31.50	33.50
2 X 3"	21.00	24.00	26.00	27.50	26.50	26.50	27.50	28.50	30.00	31.00	33.00
2 X 4"	23.50	26.50	28.50	29.50	28.50	28.50	29.50	30.50	32.00	33.00	35.00
2 X 5"	20.50	23.50	25.50	27.50	26.50	26.50	27.50	28.50	30.00	31.00	33.00
2 X 6"	22.00	25.00	27.50	28.50	27.50	27.50	28.50	29.50	31.00	32.00	34.00
2 X 8"	23.00	26.00	27.50	28.50	28.50	28.50	29.50	30.50	32.00	33.50	35.50
2 X 10"	23.00	26.00	27.50	28.50	28.50	28.50	29.50	30.50	32.00	33.50	35.50
2 X 12"	24.00	27.00	29.00	31.00	30.00	30.00	31.00	34.50	35.50	38.50	

Additions and Deductions per 1,000 Feet Board Measure: [See section 14 (b) (19)]

For working:

1. Rough, deduct \$4.50.
2. Shipplad, Center Matched, Dressed and Matched, Grooved, or any other matcher dressing not otherwise provided for, add \$1.00. Patterns requiring moulder work, add \$6.50.
3. Ripping or resawing, add \$1.00 for each cut, both applicable only when machine run product is shipped.
4. End-Matched and Center-Matched, add \$4.00.
5. For grade marking in accordance with the provisions of section 9 (a), add \$1.00 per M'BM.
6. For combination grade No. 2 Common and better as defined in section 5 (a), use No. 2 Common prices.

For condition:

7. Kiln Dried, add \$1.00.

8. Green, deduct \$3.50.

For size:

9. For dressing S2S, S3S, S4S to (Industrial Standard) thickness  $1\frac{3}{4}$ " or thicker, add \$1.00 per M'BM when stock is dressed clean (or with slight skip as defined in paragraph 48 of 1939 Standard Specifications for Southern Pine Lumber when specifically permitted by such rules for the grade shipped).10. For precision cutting to a specified exact length, with tolerance of not more than  $\frac{1}{4}$ " allowed, add \$4.50. No addition is permitted for customary double end trimming.

11. For any length shorter than 4', cut to a specified exact length, charge the price for the nearest even multiple length up to 12'. If there is no even multiple length 12' or shorter, charge the 12' price. In either case, add \$1.50 per M'BM for each necessary cross cut, but the addition permitted in footnote 10 for precision cutting may not also be charged, and no total charge for such service may be greater than \$6.00 per M'BM. If length breaks on even one-half foot compute footage on actual length, otherwise compute on 6" breaks on the next foot above.

12. Lengths longer than 24', add to 24', price as follows (for all grades):

Length	2 X 10 and 2 X 11 and Larger
26'	\$1.00
28'	2.00
30'	3.00
32'	5.00
34'	7.00
36'	9.00
38'	12.00
40'	15.00

For working:

1. Rough, deduct \$4.50.

2. Shipplad, Center Matched, Dressed and Matched, Grooved, or any other matcher dressing not otherwise provided for, add \$1.00. Patterns requiring moulder work, add \$6.50.

3. Ripping or resawing, add \$1.00 for each cut, both applicable only when machine run product is shipped.

4. End-Matched and Center-Matched, add \$4.00.

5. For grade marking in accordance with the provisions of section 9 (a), add \$1.00 per M'BM.

6. For combination grade No. 2 Common and better as defined in section 5 (a), use No. 2 Common prices.

Section 3a is added to read as follows:

Sec. 3a. Special provisions for sales of produce shipped by air—(a) Applicability. This section applies only to sales of the listed commodities that (1) are shipped by air or are loaded on an airplane at the country shipping point ready for shipment by air; (2) are in such units or packages that they may be sold at retail without further packaging, each package being marked or

18 F.R. 5487, 7391, 9 F.R. 2492, 4948, 8056.

labeled to show its minimum net weight and the fact that it was shipped by air; and (3) the goods have been so packed and labeled before shipment.

(b) *Maximum prices.* The maximum price for sales of the listed commodities covered by this section is figured, in each case, by making certain additions to the maximum price otherwise applicable to sales of that commodity under this regulation or any regional or district order. The maximum price otherwise applicable will be referred to as "the existing maximum price."

(1) For sales f. o. b. shipping point, the seller shall add to his existing maximum price, f. o. b. country shipping point, the appropriate packaging allowance from paragraph (c), below.

(2) For sales on a delivered basis, the seller shall add to his existing maximum price (i) the actual cost of air transportation or 42¢ per ton mile, whichever is lower, minus the amount it would have cost for surface transportation between the same points by the cheapest customary and generally available means plus (ii) the appropriate packaging allowance from paragraph (c) below.

(c) *Packaging allowances.* Allowances for special packaging expenses are shown in the following schedule:

Package with net weight of less than 2 pounds	1 1/4¢ per pound.
Package with net weight of 2 pounds or more but less than 3 pounds	1¢ per pound.
Package with net weight 3 to 5 pounds	3/4¢ per pound.
Package with net weight of more than 5 pounds	No allowance.

(d) *Information to be reported to district offices.* Within twenty-four hours after making a sale covered by this section, the seller must give notice of the following facts to the Office of Price Administration District Office for the district within which he makes delivery:

(1) The names and addresses of the seller and buyer;

(2) A description of the produce sold, specifying its shipping weight, the minimum net weight of retail packages covered by the sale and the number of such packages or other units;

(3) The number of air line miles of the flight, the applicable tariff rate and the place and estimated time of delivery.

(e) This section is applicable only to deliveries made before October 1, 1945.

This amendment shall become effective at 12:01 a. m. August 11, 1945.

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

Issued this 10th day of August 1945.

CHESTER BOWLES,  
Administrator.

Approved: August 7, 1945.

CLINTON P. ANDERSON,  
Secretary of Agriculture.

For the reasons referred to in the statement of considerations accompanying the foregoing amendment, I find

that the issuance of this amendment is necessary to correct a gross inequity.

WILLIAM H. DAVIS,  
Economic Stabilization Director.

[F. R. Doc. 45-14812; Filed, Aug. 10, 1945;  
4:27 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES  
[MPR 426; Amdt. 137]

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

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

In Appendix K, Table 2 (Maximum prices for Juice Grapes Grown in California and Table Grapes Grown in California and Arizona), footnote reference 5 is added to the words "Beginning—August 10" in Items 5 and 9, Column 4, and footnote 5 is added to read as follows:

\* Maximum prices for table grapes from the beginning of the season through August 10 (Items 5 and 9) shall apply also to sales in which the buyer gets delivery by August 20, 1945, of table grapes shipped from shipping point on or before August 10, 1945.

This amendment shall become effective as of August 10, 1945.

Issued this 11th day of August 1945.

CHESTER BOWLES,  
Administrator.

Approved: August 10, 1945.

CLINTON P. ANDERSON,  
Secretary of Agriculture.

[F. R. Doc. 45-14857; Filed, Aug. 11, 1945;  
11:22 a. m.]

PART 1499—COMMODITIES AND SERVICES  
[2d Rev. SR 14; Amdt. 12]

DOGWOOD AND PERSIMMON SHUTTLE BLOCKS

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

Second Revised Supplementary Regulation 14 to the General Maximum Price Regulation is amended in the following respects:

1. Section 3.2 is amended to read as follows:

SEC. 3.2. *Dogwood and persimmon shuttle blocks.* This section covers dogwood and persimmon shuttle blocks produced in the United States.

(a) *Maximum prices: sales by sellers other than assemblers.* The maximum prices f. o. b. the seller's plant for prime dogwood and persimmon shuttle blocks which are sold by a seller other than an assembler (see definition of an assembler in paragraph (c) below), and which comply with all of the specifications con-

\* 10 F.R. 7403, 7500, 7539, 7578, 7668, 7683, 7799, 8021, 8069, 8239, 8236, 8467, 8511, 8657.

\* 10 F.R. 1154, 2026, 2161, 2432, 2618, 3551, 4107, 8620.

tained in paragraph (d) of this section shall be the prices contained in either Table A or Table B below, for the dry size indicated:

TABLE A—MAXIMUM PRICES OF DOGWOOD AND PERSIMMON SHUTTLE BLOCKS FOR SELLERS OTHER THAN ASSEMBLERS

Dry size	Price per piece	
	Dogwood	Persimmon
12 1/2 x 11 1/2 x 1 1/2	\$0.0765	\$0.0535
12 1/2 x 15 1/2 x 1 1/2	.0828	.0579
13 1/2 x 15 1/2 x 1 1/2	.0891	.0624
12 1/2 x 15 1/2 x 1 1/2	.0910	.0637
13 1/2 x 15 1/2 x 1 1/2	.0985	.0689
14 1/2 x 15 1/2 x 1 1/2	.1056	.0739
12 1/2 x 15 1/2 x 1 1/2	.0980	.0686
13 1/2 x 15 1/2 x 1 1/2	.1018	.0713
14 1/2 x 15 1/2 x 1 1/2	.1060	.0743
12 1/2 x 15 1/2 x 1 1/2	.1136	.0795
13 1/2 x 15 1/2 x 1 1/2	.1215	.0851
14 1/2 x 15 1/2 x 1 1/2	.1294	.0906
15 1/2 x 15 1/2 x 1 1/2	.1220	.0854
15 1/2 x 15 1/2 x 1 1/2	.1304	.0914
13 1/2 x 15 1/2 x 1 1/2	.1238	.0867
14 x 15 1/2 x 1 1/2	.1281	.0897
14 1/2 x 15 1/2 x 1 1/2	.1328	.0929
15 x 15 1/2 x 1 1/2	.1374	.0962
15 1/2 x 15 1/2 x 1 1/2	.1422	.0996
16 x 15 1/2 x 1 1/2	.1469	.1028
16 1/2 x 15 1/2 x 1 1/2	.1511	.1058

TABLE B—MAXIMUM PRICES OF DOGWOOD AND PERSIMMON SHUTTLE BLOCKS FOR SELLERS OTHER THAN ASSEMBLERS

Dry size	Price per piece	
	Dogwood	Persimmon
14 x 2 x 1 1/2	\$0.2298	\$0.1379
14 1/2 x 2 x 1 1/2	.2390	.1434
15 x 2 x 1 1/2	.2482	.1490
15 1/2 x 2 x 1 1/2	.2573	.1544
16 x 2 x 1 1/2	.2665	.1600
16 1/2 x 2 x 1 1/2	.2757	.1654
17 x 2 x 1 1/2	.2849	.1709
17 1/2 x 2 x 1 1/2	.2942	.1765
15 x 2 x 1 1/2	.2757	.1654
15 1/2 x 2 x 1 1/2	.2849	.1709
16 x 2 x 1 1/2	.2942	.1765
16 1/2 x 2 x 1 1/2	.3033	.1819
17 x 2 x 1 1/2	.3125	.1875
17 1/2 x 2 x 1 1/2	.3217	.1930
15 x 2 x 1 1/2	.3217	.1930
15 1/2 x 2 x 1 1/2	.3309	.1986
16 x 2 x 1 1/2	.3401	.2040
16 1/2 x 2 x 1 1/2	.3492	.2096
17 x 2 x 1 1/2	.3584	.2150
17 1/2 x 2 x 1 1/2	.3676	.2206
18 x 2 x 1 1/2	.4044	.2423
18 1/2 x 2 x 1 1/2	.4411	.2646
19 x 2 x 1 1/2	.4780	.2868
15 x 2 x 1 1/2	.3309	.1983
15 1/2 x 2 x 1 1/2	.3401	.2040
16 x 2 x 1 1/2	.3492	.2095
16 1/2 x 2 x 1 1/2	.3584	.2150
17 x 2 x 1 1/2	.3676	.2206
17 1/2 x 2 x 1 1/2	.3768	.2361
18 x 2 x 1 1/2	.4136	.2482
18 1/2 x 2 x 1 1/2	.4503	.2702
19 x 2 x 1 1/2	.4871	.2923
15 x 2 x 1 1/2	.2942	.1765
16 1/2 x 2 x 1 1/2	.3033	.1819
17 x 2 x 1 1/2	.3125	.1875
16 1/2 x 2 x 1 1/2	.3217	.1930
17 1/2 x 2 x 1 1/2	.3309	.1986
18 x 2 x 1 1/2	.3401	.2040
18 1/2 x 2 x 1 1/2	.3492	.2096
19 x 2 x 1 1/2	.3584	.2150
16 1/2 x 2 x 1 1/2	.3676	.2206
17 x 2 x 1 1/2	.3768	.2261
17 1/2 x 2 x 1 1/2	.3861	.2317
18 x 2 x 1 1/2	.4228	.2536
18 1/2 x 2 x 1 1/2	.4595	.2757
19 x 2 x 1 1/2	.4963	.2978
16 x 2 x 1 1/2	.3768	.2261
16 1/2 x 2 x 1 1/2	.3861	.2317
17 x 2 x 1 1/2	.3952	.2371
17 1/2 x 2 x 1 1/2	.4044	.2426
18 x 2 x 1 1/2	.4411	.2646
18 1/2 x 2 x 1 1/2	.4780	.2868
19 x 2 x 1 1/2	.5147	.3088
19 1/2 x 2 x 1 1/2	.5514	.3309
16 x 2 x 1 1/2	.3861	.2317
16 1/2 x 2 x 1 1/2	.3952	.2371
17 x 2 x 1 1/2	.4136	.2482
17 1/2 x 2 x 1 1/2	.4228	.2536
18 x 2 x 1 1/2	.4503	.2702

TABLE B—MAXIMUM PRICES OF DOGWOOD AND PER-SIMMON SHUTTLE BLOCKS FOR SELLERS OTHER THAN ASSEMBLERS—

Dry size	Price per piece	
	Dogwood	Persimmon
18½ x 2½ x 17½	\$ 4,780	\$0.2868
19 x 2½ x 17½	.5147	.3088
19½ x 2½ x 17½	.5514	.3305
16½ x 2½ x 17½	.4044	.2420
17 x 2½ x 17½	.4228	.2530
17½ x 2½ x 17½	.4320	.2392
18 x 2½ x 17½	.4595	.2757
18½ x 2½ x 17½	.4871	.2923
19 x 2½ x 17½	.5239	.3144
19½ x 2½ x 17½	.5607	.3364
16½ x 2½ x 17½	.4595	.2757
17 x 2½ x 2	.4688	.2812
17½ x 2½ x 2	.4780	.2868
18 x 2½ x 2	.5147	.3088
18½ x 2½ x 2	.5514	.3305
19 x 2½ x 2	.5882	.3525
19½ x 2½ x 2	.6249	.3750
16½ x 2½ x 2	.4780	.2868
17 x 2½ x 2	.4871	.2922
17½ x 2½ x 2	.4963	.2975
18 x 2½ x 2	.5330	.3198
18½ x 2½ x 2	.5699	.3418
19 x 2½ x 2	.6066	.3646
19½ x 2½ x 2	.6434	.3861
17½ x 2½ x 2	.5239	.3144
18 x 2½ x 2	.5607	.3364
18½ x 2½ x 2	.5974	.3558
19 x 2½ x 2	.6341	.3802
19½ x 2½ x 2	.6709	.4022
21 x 2½ x 2	.9650	.5799
23 x 2½ x 2	1.0110	.6065
25 x 2½ x 2	1.0569	.6341
25½ x 2½ x 2	1.1029	.6618
27 x 2½ x 2	1.2408	.7444
17½ x 2½ x 2½	.5914	.3305
18 x 2½ x 2½	.5790	.3474
18½ x 2½ x 2½	.6158	.3691
19 x 2½ x 2½	.6526	.3914
19½ x 2½ x 2½	.6893	.4138
21 x 2½ x 2½	1.0110	.6065
23 x 2½ x 2½	1.0569	.6341
25 x 2½ x 2½	1.1489	.6894
25½ x 2½ x 2½	1.1948	.7161
27 x 2½ x 2½	1.3327	.7999
18½ x 2½ x 2½	.6434	.3861
19 x 2½ x 2½	.6801	.4089
19½ x 2½ x 2½	.7261	.4355
21 x 2½ x 2½	1.0569	.6341
23 x 2½ x 2½	1.1029	.6618
25 x 2½ x 2½	1.1948	.7161
25½ x 2½ x 2½	1.2408	.7444
27 x 2½ x 2½	1.3786	.8272
17½ x 2½ x 2½	.6158	.3691
18 x 2½ x 2½	.6434	.3861
18½ x 2½ x 2½	.6708	.4022
19 x 2½ x 2½	.7077	.4242
19½ x 2½ x 2½	.7445	.4466
21 x 2½ x 2½	1.0569	.6341
23 x 2½ x 2½	1.1489	.6894
25 x 2½ x 2½	1.2408	.7444
25½ x 2½ x 2½	1.2867	.7722
27 x 2½ x 2½	1.4246	.8544
18½ x 2½ x 2½	.6965	.4191
19 x 2½ x 2½	.7353	.4411
19½ x 2½ x 2½	.7720	.4633
21 x 2½ x 2½	1.0299	.6618
23 x 2½ x 2½	1.1948	.7161
25 x 2½ x 2½	1.2867	.7722
25½ x 2½ x 2½	1.3327	.7999
27 x 2½ x 2½	1.4705	.8822
18½ x 2½ x 2½	.7353	.4411
19 x 2½ x 2½	.7720	.4633
19½ x 2½ x 2½	.8180	.4908
21 x 2½ x 2½	1.1489	.6894
23 x 2½ x 2½	1.2408	.7444
25 x 2½ x 2½	1.3327	.7999
25½ x 2½ x 2½	1.3786	.8272
27 x 2½ x 2½	1.5165	.9096
19 x 2½ x 2½	.7903	.4745
19½ x 2½ x 2½	.8272	.4963
21 x 2½ x 2½	1.2408	.7444
23 x 2½ x 2½	1.3327	.7999
25 x 2½ x 2½	1.4246	.8544
25½ x 2½ x 2½	1.4705	.8822
27 x 2½ x 2½	1.6084	.9658
20 x 3 x 2½	1.5165	.9096
21 x 2½ x 2½	1.3786	.8272
23 x 2½ x 2½	1.4705	.8822
25 x 2½ x 2½	1.5624	.9371
25½ x 2½ x 2½	1.6084	.9658
27 x 2½ x 2½	1.7463	1.0471
21 x 3 x 2½	1.4705	.8822
23 x 3 x 2½	1.5624	.9371
25 x 3 x 2½	1.6543	.9924
25½ x 3 x 2½	1.7603	1.0209
27 x 3 x 2½	1.8382	1.1028
25½ x 2½ x 2½	1.7123	1.0274
27 x 2½ x 2½	1.8382	1.1028
27 x 3 x 2½	1.9760	1.1856
27 x 3 x 2½	2.1139	1.2683
27½ x 3 ½ x 3½	2.7572	1.6543

(b) *Maximum prices: Sales by assemblers.* Maximum prices for prime dogwood and persimmon shuttle blocks which are sold by an assembler shall be as follows: (NOTE: See definition of an assembler in paragraph (c) below.)

(1) *Prime dogwood and persimmon shuttle blocks in the sizes listed in Table A.* The maximum price f. o. b. the seller's plant for prime dogwood and persimmon shuttle blocks which are sold by an assembler (see definition of an assembler in paragraph (c) below), which comply with all of the specifications contained in paragraph (d) below and which are of a dry size listed in Table A in paragraph (a) above shall be the price listed in Table A for that particular dry size plus a mark-up of 39% of such price.

(2) *Prime dogwood and persimmon shuttle blocks in the sizes listed in Table B.* The maximum price f. o. b. the seller's plant for prime dogwood and persimmon shuttle blocks which are sold by an assembler (see definition of an assembler in paragraph (c) below), which comply with all of the specifications contained in paragraph (d) below and which are of a dry size listed in Table B in paragraph (a) above shall be the price listed in Table B for that particular dry size plus a mark-up of 25% of such price.

(c) *Definition of an assembler.* Within the coverage of this section, an assembler is a seller of dogwood and persimmon shuttle blocks who performs all of the functions set forth in subparagraphs (1), (2), (3) and (4) below and who also fulfills the requirements of subparagraph (5), or (6), or (7) which follow:

(1) Assembles the shuttle blocks from one or more mills where such shuttle blocks were manufactured, regardless of whether those mills are owned by the seller or one or more persons other than the seller.

(2) Makes final inspection of the shuttle blocks, both for grade and for shipment, on a sale of the shuttle blocks to one of the classes of purchasers described in subparagraph (4) below.

(3) Packages the shuttle blocks, provided the buyer of such shuttle blocks orders that the shuttle blocks be packaged.

(4) Sells the shuttle blocks direct to a domestic shuttle manufacturer and/or for export.

(5) Shipped 250,000 or more prime shuttle blocks to either one or both of the classes of purchasers described in subparagraph (4) above during the year 1944. Written classification as an assembler from the Office of Price Administration is not necessary for a seller who fulfills the requirements of this subparagraph (5) and who also performs the other functions required in subparagraphs (1) through (4) of this paragraph (c) for a seller to be an assembler. A prime shuttle block is a shuttle block made in accordance with the specifications in paragraph (d) of this section.

(6) Shipped less than 250,000 but not less than 100,000 prime shuttle blocks to either one or both of the classes of purchasers described in subparagraph (4) above during the year 1944 provided such seller is duly classified in writing as an

assembler by the Lumber Branch of the Office of Price Administration. In order to be classified as an assembler under this subparagraph (6) the seller must apply in writing for that classification to the Lumber Branch of the Office of Price Administration, Washington 25, D. C. The seller must show to the satisfaction of the Office of Price Administration that he performs all of the functions set forth in subparagraphs (1), (2), (3), and (4) above, and that he is entitled to classification as an assembler.

A prime shuttle block is a shuttle block made in accordance with the specifications in paragraph (d) of this section.

(7) A seller of shuttle blocks who desires to sell them as an assembler but who does not qualify as an assembler under the provisions of either subparagraph (5) or (6) above, must apply in writing for classification as an assembler to the Lumber Branch of the Office of Price Administration, Washington 25, D. C. The seller should submit evidence from at least two manufacturers of shuttles or from at least one manufacturer of shuttles and from a government procuring agency buying for lend-lease that they wish to purchase shuttle blocks from the seller. The seller should also submit evidence from at least three producers of shuttle blocks that they wish to sell shuttle blocks to the seller.

In addition, the seller must submit further information in support of his request for classification as may be required by the Office of Price Administration. If the Office of Price Administration finds that the seller is rendering or intends to render in good faith the services of an assembler, it may authorize the seller to sell prime shuttle blocks as an assembler.

(8) Even though a seller fulfils the requirements of subparagraphs (5) or (6) or (7) above, if such seller fails to perform all of the functions listed in subparagraphs (1), (2), (3) and (4) above in regard to the shuttle blocks which he sells, that seller shall not be regarded as an assembler in the sale of such shuttle blocks, and the prices provided for in paragraph (b) of this section shall not apply to such sale.

(d) *Specifications:* The specifications for prime dogwood and persimmon shuttle blocks priced in Table A and Table E above shall be as follows:

"Quality": Shall be dense wood 100% sap wood, straight flat grain free of heartwood, pith, checks, dote, worm or grub holes, wane and discoloration (stain). Shall be free of knots or other visible defects within 3 inches of either end and within  $\frac{1}{2}$  inch of either wide face, or any defect combinations which render a piece unfit for a serviceable shuttle. "Manufacture": Shall be evenly sawed, squarely butted and of sufficient over-all size in green condition to assure the full net specified dimensions when later thoroughly dried. Shall be sufficiently air dried before preparation for shipment to prevent staining while in transit. Ends shall be waxed.

(e) Maximum prices for sizes and specifications not specifically priced by

this section. Dogwood and persimmon shuttle blocks not specifically priced in this section are, nevertheless, subject to this section as "specially priced items" "or special items". A seller of such shuttle blocks, whether he be an assembler or a seller other than an assembler, must apply to the Lumber Branch of the Office of Price Administration, Washington 25, D. C., for approval of a requested maximum price.

On his application the seller should show the price difference between the "special item" and the most comparable standard item in October 1941 or the first month before that in which he had sales of both items, or, if this is impossible, the price differential which he would have used. ("The most comparable standard item" means any prime dogwood or persimmon shuttle block the size of which is listed in Table A or B of paragraph (a) of this section.) The seller should add this difference to, or subtract it from, the maximum price of the comparable standard item depending upon whether, in October 1941, the sale price of the special item was less than or greater than the sale price of the most comparable standard item. The seller should report such price in his application together with an explanation of how he has determined such price. The price requested by the applicant may be approved, reduced or revised by the Office of Price Administration as it deems appropriate. If the Office of Price Administration does not transmit by letter, telegram or in any other manner a disapproval of the price requested by the seller within 30 days of the receipt of the report by the Lumber Branch of the Office of Price Administration, the requested price may be deemed approved. Prior to approval of a maximum price for the special item by the Office of Price Administration the seller may proceed with delivery of the special item and collection of the price he has computed or requested. But the seller must inform the buyer that the price is subject to revision within the thirty day period and, if the price is ordered reduced by the Office of Price Administration, the seller must refund any excess over the final approved price.

(f) *Transportation*.—(1) *Common or contract carrier*. To the appropriate maximum price in paragraph (a) or (b), as provided in this section, the seller may add the actual transportation charges paid by the seller to a common or contract carrier for transportation directly from the seller's plant to the point of delivery required by the purchaser.

(2) *Pre-rail truck haul*. When a truck haul precedes rail shipment, as, for example, when a seller located away from a railhead hauls shuttle blocks by truck to the railhead, no addition may be made for the truck haul.

(3) *All-truck haul*. When shipment is by truck owned or controlled by the seller, no addition may be made for such transportation charges or expenses.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in

accordance with the Federal Reports Act of 1942.

This amendment shall become effective August 11, 1945.

Issued this 11th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14856; Filed, Aug. 11, 1945;  
11:22 a. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[RMPR 529, Amdt. 1]

SECOND HAND PAPERBOARD SHIPPING CONTAINERS

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

Revised Maximum Price Regulation 529 is amended in the following respects:

1. In section 10, paragraph (a) is amended to read as follows:

(a) Every person making sales or purchases of the commodities subject to this regulation aggregating \$100 or more in any one month shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect, complete and accurate records of each such sale or purchase showing the following:

(1) Date of purchase or sale.  
(2) Name and address of the buyer or seller.

(3) Quantity and weight purchased or sold, and in the case of second hand paperboard shipping containers, a breakdown showing whether containers are reusable, repairable, or reconditioned.

(4) Prices paid or received.

Such records shall set forth separately the price charged and any other amounts paid or received in connection with such sale. Such records may be in the form of the invoice or a copy thereof furnished in connection with each such sale or purchase, providing the invoice contains the information specified above.

(b) Persons required to keep records by paragraph (a) of this section shall keep such other records and shall submit such reports as the Office of Price Administration may from time to time require subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

2. In section 11 (a), a new subparagraph (11) is added to read as follows:

(11) "Original user" means the person who previously packed commodities in the second hand paperboard shipping containers which are being sold to such person.

"Original user" may include all packers who ship commodities to the same emptier in paperboard shipping containers which are of the same size and specifications.

3. In section 11 (a), a new subparagraph (12) is added to read as follows:

(12) "Emptier" means any person to whom commodities are shipped in paperboard shipping containers and who, after removing the commodities contained therein, offers the shipping containers for sale.

4. In section 12, paragraph (d) is amended to read as follows:

(d) *Brokerage allowance*. The maximum price at which a "broker" may sell second hand paperboard shipping containers and second hand corrugated or solid fibre inner packing materials may not exceed (1) the price paid by him under this regulation (exclusive of any brokerage or finder's fees paid by him) for such second hand paperboard shipping containers and second hand corrugated or solid fibre inner packing materials plus (2) any charges paid by the broker to a person other than a previous seller of the same containers, for repairing and/or sorting such second hand paperboard shipping containers and second hand corrugated or solid fibre inner packing materials, and plus (3) 8% of the total of the foregoing. The broker's selling price for second hand paperboard shipping containers or second hand corrugated or solid fibre inner packing materials may in no event exceed the applicable maximum price established under Appendices A or B plus 8%.

In any sale involving a broker all of the following requirements must be satisfied:

(1) The sale must comply with all other requirements of this regulation.

(2) The second hand paperboard shipping containers and second hand corrugated or solid fibre inner packing materials involved in a sale by a broker must not have been repaired or sorted by the broker, nor may a repair, reconditioning or sorting charge have been made by any previous seller of the same containers or by any person with whom the broker or any previous seller of the same containers has any connection consisting of community of ownership or other beneficial interest, profit-sharing arrangement, agreement for division of losses, or control based on close family relationship.

(3) The brokerage allowances must not be split or divided with any other person.

(4) Not more than one brokerage allowance may be included in the charge made for any sale.

(5) The brokerage allowance must be shown on a separate invoice or as a separate item on the invoice accompanying the delivery. In connection with each delivery the broker must send the purchaser a statement that the broker did not repair or sort the second hand paperboard shipping containers or second hand corrugated or solid fibre inner packing materials, contained in the shipment.

(6) Any person making a sale of reusable second hand paperboard shipping containers and/or second hand corrugated or solid fibre inner packing ma-

terials which have been sorted, repaired, reconditioned, and/or loaded for direct shipment to such person's customer by an emptier, and which merchandise actually has been shipped to the customer, shall be considered a broker with respect to the sale and subject to the provisions of this paragraph (d). Where such merchandise is shipped to a seller by an emptier employing transportation not owned or controlled by the seller and is reshipped to the seller's customer without having been unloaded, the seller shall also be considered a broker with respect to the sale and subject to the provisions of this paragraph (d).

(7) No person may receive as compensation for any sale both the dealer's margin and the brokerage allowance.

A "broker" is any person who complies with the requirements of this paragraph (d) and who purchases and resells reusable or reconditioned second hand paperboard shipping containers or second hand corrugated or solid fibre inner packing material or who arranges for the sale thereof. For the purpose of this paragraph (d), it is immaterial whether or not title is taken by the person to whom the brokerage allowance is paid.

Nothing herein contained shall prevent a buyer from paying a finder's fee for the procurement of second hand paperboard shipping containers or second hand corrugated or solid fibre inner packing materials provided the total amount paid by him does not exceed the maximum price which a broker might receive under this regulation for selling or negotiating for the sale of second hand paperboard shipping containers or second hand corrugated or solid fibre inner packing materials. No finder's fee, however, may be paid to any person who has repaired or sorted the containers or inner packing material for which such fee is paid.

This amendment shall become effective August 18, 1945.

Issued this 13th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14942; Filed, Aug. 13, 1945;  
11:40 a. m.]

#### PART 1351—FOOD AND FOOD PRODUCTS

[MPR 53: Amdt. 48]

##### FATS AND OILS

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

Maximum Price Regulation No. 53 is amended as follows:

A new section 15.6 is added to read as follows:

SEC. 15.6 Maximum prices of imported stearic acids. The maximum prices for imported stearic acids, all du-

ties and taxes paid, shall be the maximum price of an equivalent grade of domestic stearic acid in a similar container in the same quantity, delivered in the same area.

This amendment shall become effective August 18, 1945.

Issued this 13th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14939; Filed, Aug. 13, 1945;  
11:39 a. m.]

#### PART 1372—SEASONAL COMMODITIES

[MPR 210, Amdt. 19]

##### RETAIL AND WHOLESALE PRICES FOR FALL AND WINTER SEASONAL COMMODITIES

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. 210 is amended in the following respects:

1. Section 1372.101 (c) is amended to read as follows:

(c) *Purpose of this regulation.* This regulation establishes maximum prices for the particular fall and winter seasonal commodities which are listed in Appendix A (§ 1372.112). On and after August 31, 1942, regardless of any contract or other obligation, no person is permitted to sell at wholesale or retail, and no person is permitted to buy or receive in the course of trade or business, any of the listed commodities at a price higher than the maximum price permitted by this regulation. However, this regulation permits any person who determined the maximum price of a listed commodity under the General Maximum Price Regulation and offered it for sale at that price before August 31, 1942, to sell it prior to September 16, 1942, either

at that price or at a price determined under this regulation.

2. A new § 1372.101 (d) is added to read as follows:

(d) *Establishment of maximum prices under this regulation by order.* (1) Maximum prices for wholesale and retail sales of commodities covered by this regulation may be set by orders which are issued under regulations covering manufacturers' sales of the commodities.

(2) Where a manufacturer's maximum prices for sales of commodities covered by this regulation, are properly established under regulations covering his sales, orders may be issued under this section establishing maximum prices for wholesale and retail sales of the commodity in line with the level of maximum prices established by this regulation.

This amendment shall become effective on the 18th day of August 1945.

Issued this 13th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14940; Filed, Aug. 13, 1945;  
11:39 a. m.]

#### PART 1373—PERSONAL AND HOUSEHOLD ACCESSORIES

[MPR 564, Amdt. 7]

##### FOUNTAIN PENS AND MECHANICAL PENCILS

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. 564 is amended in the following respects:

1. Section 23 is amended by adding the following retail ceiling prices for fountain pens and mechanical pencils to the lists of manufacturers already included in the regulation.

Nam	Brand	Article	Model	Retail ceiling price
Adler Pen Co.		Fountain pen	6G	\$1.63
Avon Products Co.		Mechanical pencil	973	.59
A. G. Debs.		Fountain pen	14	.95
		do	16	.95
		do	18	.95
		do	12	.95
		do	19AG	.95
		do	18AG	.85
		Mechanical pencil	15AG	.59
		do	3000	.75
Eberhard Faber		Fountain pen		1.35
H. Epstein	Superior	do		1.45
Kolber, Inc.	Four Hundred	do		2.25
	Sparton	do		1.00
	Champion	do		1.70
Modern Pen Co.		do	140	.95
		do	160	.95
		do	660A	.90
		do	440	.60
Nidro-Graph		Fountain pen	N6	1.80
Reliable Pen & Pencil Co.	Stylographic	do	21	1.20
Salz Bros.	Regency	do		1.00
J. Ullrich & Co.	Independent	do	8C	3.00
Warwick Sales Co.	Lord Hamilton	Mechanical pencil	101	.95
L. E. Waterman Pen Co.		do	P877	4.25
		Fountain pen	877	9.78

2. Section 23 is amended by changing the listing of L-1000 and M-1000 Fountain Pens produced by Guth, Stern & Company to read Mechanical Pencils as follows:

Name	Brand	Article	Model	Retail ceiling price
Guth, Stern & Co.....		Mechanical pencil.....	L-1000, M-1000.....	\$3.00

3. Section 23 is amended by changing the name of King, Larson, McMahon to Martin King & Son and Model 325 changed to Model 325C as follows:

Name	Brand	Article	Model	Retail ceiling price
Martin King & Son.....		Pen and leather case.....	325C.....	\$1.80

This amendment shall become effective on August 18, 1945.

Issued this 13th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14943; Filed, Aug. 13, 1945;  
11:41 a. m.]

PART 1375—EXPORT PRICES

[2d Rev. MEPR, Amdt. 20]

IRON AND STEEL PRODUCTS

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

Section 8 of the Second Revised Maximum Export Price Regulation is amended in the following respects:

1. The caption of section 8 is amended to read as follows:

Sec. 8. Export prices for iron and steel products subject in the domestic market to Revised Price Schedule No. 6 or Revised Price Schedule No. 49 and for relaying rails and used track accessories subject in the domestic market to Maximum Price Regulation No. 46.

2. A new paragraph (c) is added to read as follows:

(c) In the case of an exporter of relaying rails and used track accessories subject in the domestic market to Maximum Price Regulation No. 46, the maximum export price shall be:

(1) Where the material has been put through a relaying rail warehouse authorized under section 5 (b) of Maximum Price Regulation No. 46: The maximum price f. o. b. warehouse as established by Maximum Price Regulation No. 46, plus the additions thereto authorized above under paragraphs (b) (2) (ii), (b) (2) (iii), and (b) (2) (iv).

(2) Where the material has not been put through a relaying rail warehouse authorized under section 5 (b) of Maximum Price Regulation No. 46: The maximum price applicable to the sale to the exporter, plus the additions thereto authorized by paragraph (b) (2) (ii), (b) (2) (iii) and (b) (2) (iv).

3. Paragraph (c) is redesignated paragraph (d) and is amended to read as follows:

(d) Where shipment has actually been made to the intended point of exportation and war exigencies require the use of another point of exportation, the maximum export prices shall be those established above, except that such maximum prices may include the additional amount actually incurred by the exporter to effect delivery at the point of exportation finally used.

4. Paragraph (d) is redesignated paragraph (e) and is amended to read as follows:

(e) The maximum export prices established above shall include and shall not be increased by reason of interest or financing charges connected with the transaction or by reason of any fees or commissions, including commissions paid to intermediaries, whether domestic or foreign.

5. Paragraph (e) is redesignated paragraph (f).

This Amendment No. 20 shall become effective August 18, 1945.

Issued this 13th day of August 1945.  
CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14944; Filed, Aug. 13, 1945;  
11:39 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 397, Amdt. 8]

FLAXSEED

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 397 is amended in the following respects:

1. Section 4 (b) is deleted.  
2. Section 5 (a) (7) is amended to read as follows:

(7) At any interior non-rail point in Area B, in any quantity, the maximum price specified in subdivision (6) for that interior rail point in Area B nearest to said interior non-rail point by the most usually traveled route.

3. Section 5 (a) (10) is amended to read as follows:

(10) The maximum price for the sale of domestic flaxseed at any point shall be the appropriate maximum price at the point where such flaxseed is loaded for shipment to such point plus transportation charges at the lowest carload flat all-rail rate from the point of shipment to the point of sale and delivery.

This amendment shall become effective August 18, 1945.

Issued this 13th day of August 1945.

CHESTER BOWLES,  
Administrator.

Approved August 4, 1945.

J. B. HUTSON,  
Acting Secretary of Agriculture.

[F. R. Doc. 45-14941; Filed, Aug. 13, 1945;  
11:40 a. m.]

Chapter XVIII—Office of Economic Stabilization

[Directive 73],

PART 4004—PRICE STABILIZATION; MAXIMUM PRICES

MAXIMUM RAW MATERIAL COSTS; PACKED VEGETABLES, 1945

The Secretary of Agriculture in a letter dated July 6, 1945, and the Price Administrator in a letter dated July 28, 1945, submitted certain information and their recommendations to me with reference to establishing maximum raw material costs to be reflected in maximum prices for packed vegetables produced from designated vegetables. It is hereby found and determined that the policy established by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328 will be effectuated by adoption of the recommended maximum raw material costs.

The Office of Price Administration, therefore, is authorized and directed to establish maximum prices for packed vegetables produced from any of the vegetables designated in Schedule A (attached hereto and by this reference made a part hereof) which are computed on the basis of actual weighted average prices paid not in excess of the applicable raw material prices set forth in such Schedule A.

When used herein, the term "packed" means processed and enclosed in any container, whether or not hermetically sealed. However, the term does not include any product when processed by freezing, drying or dehydrating, nor does it include any of the packed products known as preserves, relishes or pickles packed from other than fresh vegetables. (E.O. 9250 and E.O. 9328, 3 CFR, Cum. Supp. pp. 1213, 1267)

Issued and effective this 8th day of August, 1945.

THOMAS I. EMERSON,  
Acting Economic Stabilization Director,

## FEDERAL REGISTER, Tuesday, August 14, 1945

## SCHEDULE A—DESIGNATED AREA AVERAGE PRICES, VEGETABLES FOR PACKING FOR 1945

(Maximum raw material costs)

Commodity	State or area	Dollars per ton
1. Asparagus.....	California	Same as 1943. 1943 cost plus \$10.00. <sup>1</sup>
2. Beans, fresh lima, other than Fordhook type (see Item 13 for Fordhooks).	All other States—Washington, Oregon, California, and Idaho other than New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, Eastern Shore, Utah, Wyoming and Idaho (southeastern). <sup>2</sup>	\$100.00.
3. Beets.....	All other States—New York, New Jersey, Washington, Oregon, and California.	\$88.00.
4. Cabbage for kraut.....	All other States—New York and New Jersey	\$21.00.
5. Carrots.....	All other States—All States	\$19.00.
6. Cucumbers (fresh for pickles). <sup>3</sup>	All other States east of the Mississippi River	\$22.00.
7. Peas, blackeye (in pods). <sup>4</sup>	All other States east of the Mississippi River including all of Louisiana.	\$20.00.
8. Peas, other field in pod (including crowder, cream, purple hulls and other similar varieties used for canning). <sup>5</sup>	Maryland and Virginia—All other States east of the Mississippi River including all of Louisiana.	1941 cost plus 40 cents per bushel. <sup>1</sup>
9. Spinach.....	Delaware, Maryland, Virginia, New Jersey, and Pennsylvania other than northern, Mississippi, Missouri, Oklahoma, Louisiana, and Texas other than southeastern.	\$55.00.
10. Sweetpotatoes.....	Oregon, Washington, and Texas (southeastern). <sup>6</sup>	\$50.00 A.C.
11. Mushrooms.....	New York and Pennsylvania (northern). <sup>7</sup>	\$35.00 B.C.
12. Fresh shelled beans (including soy beans). <sup>8</sup>	All other States	\$21.00 A.C.
13. Miscellaneous vegetables (including but not limited to Fordhook lima beans, liminutes, pumpkin, squash, and any other vegetables not designated in Items 1-12, above, and not covered by the support program). <sup>9</sup>	All States	\$22.30 (uncut). <sup>1</sup>
		\$12.00 per 50-pound 4 bu. basket, \$1.50 per 3-pound bag.
		U.S. D. A.'s area average support price for snap beans.
		1942 cost plus 20%. <sup>1</sup>
		<sup>1</sup> These prices are on an individual-processor basis and are at the same levels as those designated in 1944.
		<sup>2</sup> Southeastern Idaho: Franklin, Oneida, Bannock, and Bear Lake Counties.
		<sup>3</sup> Eastern Shore, Virginia: Accomack and Northampton Counties.
		<sup>4</sup> Northern Pennsylvania: Counties of Erie, Crawford, Mercer, Venango, Warren, Forest, McKean, Potter, Tioga, Bradford, Susquehanna, and Wayne.
		<sup>5</sup> The price for these areas is \$100.00 when cut above the crown, trimmed, and delivered to Baltimore.
		<sup>6</sup> Southeastern Texas: The area south of and including the counties of Webb, McMullen, Live Oak, Karnes, DeWitt, Lavaca, Colorado, Austin, Waller, Harris and Chambers.
		<sup>7</sup> Based on cutting above the crown.

[F. R. Doc. 45-14801; Filed, Aug. 10, 1945; 2:00 p. m.]

(E.O. 9250 and E.O. 9328, 3 CFR, Cum. Supp. pp. 1213, 1267)

Issued and effective this 8th day of August 1945.

THOMAS I. EMERSON,  
Acting Economic Stabilization Director.SCHEDULE A—DESIGNATED AREA AVERAGE PRICES, SPECIFIED VEGETABLES FOR FREEZING FOR 1945  
(Maximum raw material costs)

Commodity	State or area	Dollars per ton
1. Asparagus.....	California	Same as 1943. 1943 cost plus \$10.00. <sup>1</sup>
2. Beans, fresh lima other than Fordhook type (see Item 13 for Fordhooks).	All other States—Washington, Oregon, California, and Idaho other than New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, Eastern Shore, Utah, Wyoming and Idaho (southeastern). <sup>2</sup>	\$100.00.
3. Beets.....	All other States—New York, New Jersey, Washington, Oregon, and California.	\$88.00.
4. Cabbage for kraut.....	All other States—New York and New Jersey	\$21.00.
5. Carrots.....	All other States—All States	\$19.00.
6. Cucumbers (fresh for pickles). <sup>3</sup>	All other States east of the Mississippi River	\$22.00.
7. Peas, blackeye (in pods). <sup>4</sup>	All other States east of the Mississippi River including all of Louisiana.	\$20.00.
8. Peas, other field in pod (including crowder, cream, purple hulls and other similar varieties used for canning). <sup>5</sup>	Maryland and Virginia—All other States east of the Mississippi River including all of Louisiana.	1941 cost plus 40 cents per bushel. <sup>1</sup>
9. Spinach.....	Delaware, Maryland, Virginia, New Jersey, and Pennsylvania other than northern, Mississippi, Missouri, Oklahoma, Louisiana, and Texas other than southeastern.	\$55.00.
10. Sweetpotatoes.....	Oregon, Washington, and Texas (southeastern). <sup>6</sup>	\$50.00 A.C.
11. Mushrooms.....	New York and Pennsylvania (northern). <sup>7</sup>	\$35.00 B.C.
12. Fresh shelled beans (including soy beans). <sup>8</sup>	All other States	\$21.00 A.C.
13. Miscellaneous vegetables (including but not limited to Fordhook lima beans, liminutes, pumpkin, squash, and any other vegetables not designated in Items 1-12, above, and not covered by the support program). <sup>9</sup>	All States	\$22.30 (uncut). <sup>1</sup>

<sup>1</sup> These prices are on an individual-processor basis.<sup>2</sup> Southeastern Idaho: Franklin, Oneida, Bannock, and Bear Lake Counties.<sup>3</sup> Eastern Shore, Virginia: Accomack and Northampton Counties.<sup>4</sup> Northern Pennsylvania: Counties of Erie, Crawford, Mercer, Venango, Warren, Forest, McKean, Potter, Tioga, Bradford, Susquehanna, and Wayne.<sup>5</sup> The area south of and including the Counties of Webb, McMullen, Live Oak, Karnes, DeWitt, Lavaca, Colorado, Austin, Waller, Harris and Chambers.<sup>6</sup> Based on cutting above the crown.

[F. R. Doc. 45-14802; Filed, Aug. 10, 1945; 2:00 p. m.]

(Directive 75)  
[Directive 75]  
PART 4004—PRICE STABILIZATION: MAXIMUM RAW MATERIAL COSTS; FROZEN VEGETABLES, 1945

costs to be reflected in maximum prices for frozen vegetables produced from designated vegetables. It is hereby found and determined that the policy established by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328 will be effective with respect to the pricing of the 1945 pack of canned fruits, berries, and vegetables and their recommended maximum production of these commodities essential to the war effort.

The Office of Price Administration is hereby directed to establish maximum prices for canned fruits, berries, and vegetables in accordance with the following principles: maximum prices for canned fruits, berries, and vegetables shall be the same as those established for the 1944 pack under Supplement 7 to Food Products Regulation No. 1, as amended by Amendments 1-24, modified as follows:

(Directive 75)  
The Office of Price Administration is hereby authorized and directed to establish maximum prices for the 1945 pack of canned fruits, berries, and vegetables in accordance with the following principles: maximum prices for canned fruits, berries, and vegetables shall be the same as those established for the 1944 pack under Supplement 7 to Food Products Regulation No. 1, as amended by Amendments 1-24, modified as follows:

## PART 4004—PRICE STABILIZATION: MAXIMUM RAW MATERIAL COSTS; FROZEN VEGETABLES, 1945

The Price Administrator and the Secretary of Agriculture having submitted to me information and their recommendations with respect to the pricing of the 1945 pack of canned fruits, berries, and vegetables and the necessity for securing maximum production of these commodities essential to the war effort, I do hereby find that the measures hereinabove directed and taken by the Office of Price Administra-

(Directive 74)  
[Directive 74]  
PART 4004—PRICE STABILIZATION; MAYIMUM RAW MATERIAL PRICES

1. *Raw material.* Gross maximum prices shall be computed on the basis of approved 1945 raw material costs and shall reflect changes in grower support or recommended prices authorized by the Economic Stabilization Director. Whenever administratively possible, gross maximum prices of individual processors in each case shall be based upon actual costs of raw material not in excess of recommended or support prices.

2. *Wages.* Maximum prices shall be increased to cover increases in the basic wage rate schedules since January 1, 1944 not already reflected in those prices. These adjustments are to be applied only by processors who actually have incurred wage rate increases. An increase shall be considered to have occurred in the basic wage rate schedule only if the rate for female unskilled labor has increased. In determining the amount of the adjustment the Office of Price Administration shall consider that labor costs will have increased by these percentages:

(a) Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, West Virginia, Ohio, Indiana, Illinois, Michigan, Wisconsin, Minnesota, North Dakota, South Dakota, Iowa, Kansas, Nebraska—for processors with any increase in basic wage rate schedules, 10 per cent.

(b) Virginia, North Carolina, South Carolina, Georgia, Florida, Tennessee, Kentucky, Mississippi, Louisiana, Alabama, Missouri, Oklahoma, Texas, Arkansas—for processors with increase in basic wage rate schedules up to and including 5 cents an hour, 10 per cent; for processors with increases in basic wage rate schedules of more than 5 cents an hour, 20 per cent.

(c) Wyoming, Colorado, Idaho, Utah, Nevada, Montana, Arizona, New Mexico—for processors with any increase in basic wage rate schedules, 7½ per cent.

(d) Washington and Oregon—for processors with any increase in basic wage rate schedules, 5 per cent.

(e) California—no adjustment.

3. *Subsidized commodities.* Where subsidies are authorized and directed by Directive No. 60 (including amendments) issued by the Office of Economic Stabilization, maximum prices shall be maintained or established in accordance with that Directive.

4. *Other changes.* Other minor adjustments may be made in maximum prices and pricing methods to bring them into conformity with the principles on which maximum prices for the 1944 pack were established, to improve the pricing methods and to correct inequities in the maximum prices for the 1944 pack.

(E.O. 9250 and E.O. 9328, 3 CFR, Cum. Supp. pp. 1213, 1267)

Issued and effective this 9th day of August 1945.

THOMAS I. EMERSON,  
Acting Economic Stabilization Director.  
[F. R. Doc. 45-14803; Filed, Aug. 10, 1945;  
2:00 p. m.]

[Dir. 41, Amdt. 1]

#### PART 4003—SUPPORT PRICES, SUBSIDIES

##### LIVESTOCK SLAUGHTER PAYMENTS

Directive No. 41, "Livestock Slaughter Payments", is amended in the following respects:

1. Paragraph (c) of section 4 is redesignated as subparagraph (c) (1).

2. The newly redesignated subparagraph (c) (1) of section 4 is amended to read as follows:

(1) On cattle whose cost is not required to be reported (for cattle slaughtered on and after September 1, 1945):

	Cents per pound
AA or choice	2.40
A or good	2.35
B, commercial or medium	.90
C, utility or common	.50
D, cutter and canner	.50
Bulls of cutter and canner grade	.50

If the cattle are not graded by a federal grader of the United States Department of Agriculture, the total amount of the claim (before deductions on account of cost of cattle) shall not exceed \$1.30 per hundredweight on the total live weight. If such cattle are not required to be reported by grades, the rate shall remain at \$1.10 per live hundredweight.

3. Subparagraph (c) (2) is added to section 4 to read as follows:

(2) The Administrator of the Price Administration is authorized to determine whether any changes in subsidy are necessary with respect to choice and good cattle whose cost is not required to be reported to the Reconstruction Finance Corporation; provided that such changes in subsidy shall be limited as follows: for choice cattle changes between 2 cents per pound and 2.40 cents per pound; for good cattle between 1.95 cents per pound and 2.35 cents per pound. Reconstruction Finance Corporation is directed to decrease or increase such subsidies, within the limits herein specified, upon certification by the Price Administrator to the Reconstruction Finance Corporation that such action is necessary in view of the general level of cattle prices.

(E.O. 9250 and 9328, 3 CFR, Cum. Supp.)

Issued this 8th day of August, 1945.

Effective: September 1, 1945.

THOMAS I. EMERSON,  
Acting Economic  
Stabilization Director.

[F. R. Doc. 45-14849; Filed, Aug. 11, 1945;  
11:04 a. m.]

#### Chapter XXIII—Surplus Property Board

[SPB Rev. Reg. 8, Amdt. 1]

##### PART 8308—FOREIGN DISPOSAL

##### AIRCRAFT AND RELATED PROPERTY

Surplus Property Board Revised Regulation No. 8, July 25, 1945, entitled "Foreign Disposal" (10 F.R. 9540) is hereby amended by changing § 8308.12 to read as follows:

§ 8308.12 *Aircraft and property peculiar thereto.* Pending further regulations or orders of the Board, surplus aircraft and property peculiar to aircraft located in foreign areas shall be disposed of only in accordance with existing procedures except that donations of such property may be made pursuant to § 8308.9.

This amendment shall become effective August 10, 1945.

SURPLUS PROPERTY BOARD,  
W. STUART SYMINGTON,  
Chairman.

EDWARD H. HELLER,  
Member.

ROBERT A. HURLEY,  
Member.

By A. E. HOWSE,  
Administrator.

AUGUST 7, 1945.  
[F. R. Doc. 45-14904; Filed, Aug. 13, 1945;  
9:47 a. m.]

#### TITLE 38—PENSIONS, BONUSES AND VETERANS' RELIEF

##### Chapter I—Veterans' Administration

##### PART 36—REGULATIONS UNDER SERVICE-MEN'S READJUSTMENT ACT OF 1944

##### CORRESPONDENCE OR HOME STUDY COURSES

Sec.	
36.254	Authority to use correspondence courses.
36.255	Approval of institutions.
36.256	Contracts.
36.257	Entrance into training.
36.258	Subsistence allowance.
36.259	Combination correspondence and residence courses.
36.260	Supervision of enrollees.
36.261	Charging entitlement.
36.262	Payment of vouchers.
36.263	Interrupting or discontinuing a course.
36.264	Additional courses.

AUTHORITY: §§ 36.254 to 36.264, inclusive, issued under 58 Stat. 284; 38 U. S. C. 693.

§ 36.254 *Authority to use correspondence courses.* Managers of regional offices and facilities having regional office activities are authorized to approve enrollments of eligible veterans electing correspondence or home study courses which are offered by an approved school under contract to furnish such courses.

(a) When such courses are furnished by an institution established as a school requiring regular attendance and which is recognized as such, or

(b) When they are prescribed by a resident institution, including an establishment furnishing training on-the-job, as part of a regular full-time or part-time course of education or training requiring attendance in such institution. When correspondence courses are used as part of a course requiring attendance, any approved institution under contract may be used to furnish the desired correspondence course.

§ 36.255 *Approval of institutions.* In accordance with paragraph 4, Title II, Public No. 346, institutions furnishing correspondence courses must be ap-

proved. Approval of a school for the purpose of furnishing correspondence courses to veterans residing within the State in which the school is located will be by the appropriate agency of the State. Approval of a school for the purpose of furnishing correspondence courses to veterans residing outside the State in which the school is located will be by the Administrator.

**§ 36.256 Contracts.** Correspondence courses will be furnished by approved schools under contract negotiated by central office, and decentralized to the field stations. When a correspondence course is desired for which no contract has been decentralized to the field station, request for a contract for the desired course may be made to central office by the regional office or facility having regional office activities or by the school. Each contract will bear a stamp indicating the extent to which the contract may be used and any limitations thereon.

**§ 36.257 Entrance into training.** (a) Rehabilitation Form 1907c will be used to enter a veteran into training status.

(b) An eligible veteran not otherwise enrolled for a course of education or training who elects a correspondence course from an institution which qualifies under the provisions of § 36.254 (a) and which has a contract with the Veterans' Administration to furnish correspondence instruction will enroll directly with the school furnishing the desired course. The certificate of eligibility, properly endorsed by the veteran, will be surrendered to the school which will endorse it in accordance with the directions thereon and send it to the regional office or facility having regional office activities within whose territory the veteran resides. An enrollment will not be effective prior to the date of issuance of the certificate of eligibility or the date of the institution's endorsement whichever is the later.

(c) A veteran who is required to take a correspondence course as part of a resident course will be enrolled by the Veterans' Administration at the request of the veteran and the school or business establishment furnishing the regular resident course.

(d) Each institution on enrolling a veteran in a correspondence course will certify to the regional office or facility having regional office activities in whose territory the veteran resides the number of the contract under which the course is offered, the name of the course for which the veteran is enrolled, the number of lessons comprising the course, the number of credit hours, if any, allowed upon satisfactory completion of the course, and the educational level of the veteran at the time of his enrollment. If the course consists of a single subject or is a unit course which upon completion may be followed by another subject or unit course, that fact should also be stated.

(e) Upon receiving certification from an institution of the enrollment of a veteran in a correspondence course the manager will determine that the insti-

tution is approved for use in his regional territory and that a contract for the course is in effect with the institution. He will immediately notify the veteran concerning the policy regarding payment of subsistence allowance and of charging his entitlement for the course, pointing out the importance of consistent and continuous study.

(f) All arrangements and communications concerning the enrollment and progress of a veteran in a correspondence course will be directly between the school and the regional office or facility having regional office activities under whose jurisdiction the veteran is in training.

**§ 36.258 Subsistence allowance.** No subsistence allowance will be paid a veteran enrolled only in a correspondence course. However, a veteran who is pursuing a correspondence course which is prescribed as part of a resident course requiring attendance may be paid subsistence allowance for that part of the course which requires attendance at the institution.

This may apply either to resident training in a school or on-the-job. If a veteran is enrolled for a combination correspondence and resident course which entails attendance, subsistence allowance may be paid by the regional office that has jurisdiction over the case for only the time of actual attendance during the resident portion of the course.

**§ 36.259 Combination correspondence and resident courses.** Combination courses, as offered by certain schools, which comprise a series of lessons by correspondence followed by a short period (generally two to four weeks) of resident instruction requiring attendance at the school, are considered to be correspondence courses subject to the provisions of this instruction. When a veteran enrolls for a combination correspondence and resident course, transportation to the school for the resident portion of the course will not be paid either directly or indirectly by the Government.

(a) In case a veteran resides outside the regional territory in which the school is located, the veteran's education and training folder will not be transferred during the period of resident instruction unless the time is expected to exceed thirty days. If the period of resident training is expected to exceed thirty days, the veteran's folder will be transferred to the regional office or facility having regional office activities in the territory in which the school is located. The voucher covering resident instruction will be submitted to the regional office or facility having regional office activities having possession of the veteran's case folder.

(b) When a veteran leaves the regional territory to pursue the resident portion of the course the regional office in the territory in which the school is located will be notified and asked to cooperate by reporting on the attendance and progress of the veteran to the office having jurisdiction over the case. When a veteran enrolls for the resident portion of

the course the school will notify the regional office in its own territory and, if the veteran resides in another regional territory, the regional office from which he came.

**§ 36.260 Supervision of enrollees.** The regional office or facility having regional office activities in whose territory the veteran resides during the time he is enrolled in a correspondence course only will have jurisdiction over the case and will be responsible for supervision of the veteran. Where the correspondence course is prescribed as part of a course requiring attendance and both are pursued concurrently the field office having responsibility for the resident training will also have jurisdiction over the correspondence course. The training officer will maintain supervisory contact with each veteran enrolled in a correspondence course and will require from each veteran a report of the lessons completed by him and returned by the school, and will satisfy himself concerning the accuracy of the report and the progress of the veteran. Supervisory reports on each veteran listing the lessons which have been sent in to the school and returned, will be made monthly and filed in the veteran's education and training folder. These reports will be checked against the monthly reports (as required in paragraph eighth of the contract) and vouchers submitted to the regional office or facility having regional office activities by the school. Such encouragement and help as may be needed by the veteran in pursuit of his course may be given him. The Veterans' Administration will not furnish postage to veterans in training under Public No. 346 for returning completed lessons to the school.

**§ 36.261 Charging entitlement.** (a) Charges against a veteran's entitlement for a correspondence course furnished by an institution which evaluates its courses in terms of credit hours will be made in accordance with § 36.239 (e) (4) of this chapter.

(b) When a correspondence course is furnished by an institution which does not evaluate its courses in terms of standard credit hours, a charge of  $\frac{1}{4}$  time during the period the veteran is enrolled for the course will be made against the entitlement of a veteran, except that during the resident portion of a combination course entitlement will be charged for the time he is attending the resident instruction in accordance with § 36.239 (d) of this chapter.

(c) When a veteran is enrolled for a full-time course of resident training in addition to the correspondence course no charge will be made against his entitlement for the correspondence course.

(d) When a veteran fails to complete any lessons even though he may be enrolled in the correspondence course and the registration fee is paid, charge against his entitlement will be made in accordance with the procedure stated in § 36.263.

**§ 36.262 Payment of vouchers.** Vouchers prepared in accordance with the contract will be submitted by the

school furnishing the course to the regional office or facility having regional office activities having jurisdiction over the case.

§ 36.263 *Interrupting or discontinuing a course.* Any trainee enrolled in a correspondence course who notifies the manager of his intention to interrupt or discontinue his course, or who completes no lessons within a period of sixty consecutive days, will, unless sufficient cause is found, be placed in interrupted or discontinued status and the correspondence school and the veteran so notified by the manager. The veteran's entitlement will be charged for the time he is in training status even though no lessons are completed. If at a subsequent date the veteran desires to resume his course he may be reenrolled upon application to the manager and approval by him.

§ 36.264 *Additional courses.* If a veteran satisfactorily completes one correspondence course and desires to enroll for another unit course or subject, either correspondence or resident, and has entitlement remaining, he may do so if the course will reasonably contribute to the achievement of the educational objective stated on the certificate of enrollment of the first course or of the regular resident course, if the veteran is so enrolled. If the proposed course cannot be reasonably construed to be part of the entire course of education or training elected by the veteran, the request for an additional subject will be treated as a request for a change of course requiring prior approval of the manager.

[SEAL] FRANK T. HINES,  
Administrator of  
Veterans' Affairs.

AUGUST 3, 1945.

[F. R. Doc. 45-14854; Filed, Aug. 11, 1945;  
11:12 a. m.]

## TITLE 43—PUBLIC LANDS: INTERIOR

### Chapter I—General Land Office

Appendix—Public Land Orders  
[Public Land Order 293]

#### CALIFORNIA

##### WITHDRAWING PUBLIC LANDS FOR USE OF NAVY DEPARTMENT AS PART OF MARINE CORPS TRAINING AREA

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights, the public lands within the following-described areas are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for the use of the Navy Department as a part of a Marine Corps training area:

#### SAN BERNARDINO MERIDIAN

T. 9 S., R. 4 W.,  
Secs. 5 to 8, inclusive.  
T. 9 S., R. 5 W.,  
Secs. 1, 2, 11, 12, and 13.

The areas described, including both public and non-public lands, aggregate 4,351.19 acres.

This order shall take precedence over but not modify the withdrawal for classification and other purposes made by Executive Order No. 6910 of November 26, 1934, as amended, so far as such order affects any of the above-described lands.

It is intended that the lands described herein shall be returned to the administration of the Department of the Interior when they are no longer needed for the purpose for which they are reserved.

ABE FORTAS,  
Acting Secretary of the Interior.

AUGUST 8, 1945.

[F. R. Doc. 45-14907; Filed, Aug. 13, 1945;  
9:50 a. m.]

## TITLE 46—SHIPPING

### Chapter III—War Shipping Administration

#### PART 301—GENERAL REGULATIONS

[G. O. 51]

#### SEAMEN'S SERVICE AWARDS

The Government of the Commonwealth of the Philippines has created and authorized the issue of the Philippine Defense Ribbon and the Philippine Liberation Ribbon and bronze stars for members of the armed forces of the United States who served in the Philippines.

The President of the United States has approved the wearing of such ribbons and bronze stars by merchant marine personnel and has authorized the issuance of regulations therefor, pursuant to which authorization this order is promulgated.

Sec.

- 301.45 Philippine Government decorations for merchant marine personnel.
- 301.46 Definitions.
- 301.47 Philippine Defense Ribbon and bronze stars.
- 301.48 Philippine Liberation Ribbon and bronze stars.
- 301.49 Precedence of ribbons.
- 301.50 Establishing eligibility.

AUTHORITY: §§ 301.45 to 301.50, inclusive, issued under E. O. 9054, 3 CFR Cum. Supp.

§ 301.45 *Philippine Government decorations for merchant marine personnel.* Merchant marine personnel are authorized to purchase and wear the Philippine Defense Ribbon, the Philippine Liberation Ribbon, and bronze stars thereon, as prescribed in §§ 301.46 to 301.50, inclusive.

§ 301.46 *Definitions.* For the purposes of §§ 301.45 to 301.50, inclusive:

(a) "Seamen" means officers and members of crews of ships documented under the laws of the United States and ships owned by, chartered to or operated by or for the account or use of the United States Maritime Commission, the War Shipping Administration, or the War Department;

(b) A seaman will be considered as having participated in an engagement against the enemy if he was a member

of and present with a unit actually under enemy fire or air attack, or if he served in a ship which was under enemy fire or air attack;

(c) "Bronze star" means a five pointed bronze star  $\frac{3}{16}$  inch in diameter;

(d) Philippine waters are waters within the following boundaries: East boundary, from the 20th parallel north latitude south along the 130th Meridian east longitude to the Equator; West boundary, the east coast of Asia and crossing the Strait of Malacca on the 103rd Meridian east longitude; North boundary, the 20th parallel north latitude plus the Gulf of Tonkin; South boundary, the Equator.

§ 301.47 *Philippine Defense Ribbon and bronze stars.* (a) A seaman is eligible to wear the Philippine Defense Ribbon if, during the period from December 8, 1941 to June 15, 1942, he:

(1) Participated in an engagement against the enemy on Philippine territory or in Philippine waters, or

(2) Was assigned or stationed in Philippine territory or in Philippine waters for not less than thirty (30) days.

(b) A seaman eligible under both subparagraphs of the preceding paragraph is authorized to wear a bronze star on the ribbon.

§ 301.48 *Philippine Liberation Ribbon and bronze stars.* (a) A seaman is eligible to wear the Philippine Liberation Ribbon if he:

(1) Participated in the initial landing operations on Leyte and adjoining islands from October 17 to October 20, 1944. (A seaman will be considered as having participated in such operations if he landed on Leyte or adjoining islands or was in a ship in Philippine waters),

(2) Participated in any engagement against the enemy during the campaign, or

(3) Served in the Philippine Islands or in ships in Philippine waters for not less than thirty days during the period from October 17, 1944 to a terminal date to be announced by the government of the Philippine Commonwealth.

(b) A seaman eligible under:

(1) Any two of the subparagraphs of the preceding paragraph is authorized to wear one bronze star on the ribbon;

(2) All three of the subparagraphs of the preceding paragraph is authorized to wear two bronze stars on the ribbon.

§ 301.49 *Precedence of ribbons.* The Philippine Defense Ribbon and the Philippine Liberation Ribbon will take precedence next after war zone ribbons. The Philippine Defense Ribbon will take precedence over the Philippine Liberation Ribbon.

§ 301.50 *Establishing eligibility.* A seaman who considers himself eligible to wear the Philippine Defense Ribbon or the Philippine Liberation Ribbon or bronze stars may submit an application for a certificate of eligibility to the Seamen's Service Awards Committee, War Shipping Administration, Washington 25, D. C., stating the basis of his eligibility. If the Committee deems the seaman eligible, it will certify his eligibility.

to purchase and wear the appropriate decoration or decorations.<sup>1</sup> Applications of seamen whose qualifying service was with the Army Transport Service should be validated by the Area Commanding Officer.

E. S. LAND,  
Administrator.

AUGUST 4, 1945.

[F. R. Doc. 45-14841; Filed, Aug. 11, 1945;  
9:34 a. m.]

[G. O. 50]

PART 304—LABOR

DELEGATION OF AUTHORITY TO SOCIAL SECURITY BOARD TO CONDUCT CERTAIN HEARINGS, ETC.

§ 304.91 *Delegation of authority to conduct hearings and make determinations and certifications under section 209 (o) of the Social Security Act, as amended.* The Appeals Council of the Social Security Board, its members and referees, and the Territorial Directors of the Social Security Board for the Territories of Alaska and Hawaii, all ex officio, are hereby designated and appointed as agents of the Administrator, War Shipping Administration, to hear, determine, and make certification with respect to those matters determinable by the Administrator pursuant to section 209 (o) of the Social Security Act as amended, which may from time to time be involved in or presented at hearings conducted pursuant to section 205 (b) of said Act.

§ 304.92 *Compliance with Administrator's regulations and orders.* The agents designated in § 304.91, in performing the functions and duties thereby assigned to them, shall comply with such regulations and orders as may be issued by the Administrator from time to time in connection with such functions and duties.

§ 304.93 *Notice of hearings to General Agents, Agents, or the Administrator.* In the conduct of hearings pursuant to §§ 304.91 to 304.95, inclusive, notice thereof shall be given to the General Agent, or Agent who shall have made any tax return or certification having relation to the claim under consideration, as provided by section 209 (o) of the Social Security Act as amended, and if there be no such General Agent or Agent, such notice shall be given to the Administrator.

§ 304.94 *Procedure for hearings, rehearings, and review.* Procedure for the conduct of hearings pursuant to §§ 304.91 to 304.95, inclusive, and for the consolidation of such hearings with hearings on other issues involved in par-

ticular claims, for the making of decisions thereon, and for rehearing and for review of such decisions, shall, except as limited pursuant to § 304.92, be as prescribed by the Appeals Council of the Social Security Board as agent of the Administrator, and shall conform as closely as possible to the hearing, rehearing, and review procedure prescribed from time to time by the Social Security Board for cases arising exclusively under title II of the Social Security Act as amended.

§ 304.95 *Effect of final decision.* Any final decision, after hearing, rehearing, or review by the Administrator's agents as designated in § 304.91, shall in all respects be deemed the Administrator's final determination, superseding all previous determinations and certifications as to the matters determined in such decision, and binding upon all parties to such hearing, rehearing, or review, as to such matters.

(Pub. Law 17, 78th Cong. (57 Stat. 45),  
Pub. Law 285, 78th Cong. (58 Stat. 188))

[SEAL] E. S. LAND,  
Administrator.  
War Shipping Administration.

JULY 14, 1945.

Upon request of the Administrator, War Shipping Administration, the Appeals Council of the Social Security Board, its members and referees, and the Territorial Directors of the Social Security Board for the Territories of Alaska and Hawaii, are all hereby authorized and directed to act ex officio as designated agents of the Administrator, War Shipping Administration, in accordance with General Order 50 of said Administrator and any amendments thereto and supplements thereof.

SOCIAL SECURITY BOARD,  
By A. J. ALTMAYER, Chairman.

[F. R. Doc. 45-14890; Filed, Aug. 11, 1945;  
12:00 m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 10—STEAM ROADS; UNIFORM SYSTEM OF ACCOUNTS

MODIFICATIONS AND AMENDMENTS TO 1943 REVISION

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 3d day of August, A. D. 1945.

In the matter of uniform system of accounts to be kept by steam railroads.

The "Uniform System of Accounts for Steam Railroads, Issue of 1943" (Part 10 of Title 49, Code of Federal Regulations), being under consideration by the division, pursuant to authority of section 20 of the Interstate Commerce Act, and the division having found need for

modifications and amendments of the "Uniform System of Accounts for Steam Railroads, Issue of 1943," the modifications and amendments attached hereto and made a part hereof<sup>1</sup> being found necessary for administration of the provisions of part I of the act, are hereby approved; and

It is ordered, That all carriers by railroad (except those independently operated as electric lines), herein referred to as steam railroads, subject to the provisions of the Interstate Commerce Act, and every trustee, receiver, executor, administrator, or assignee of any such carrier, be, and they are hereby, required to comply with the "Uniform System of Accounts for Steam Railroads, Issue of 1943," as hereby modified and amended;

It is further ordered, That this order shall become effective October 1, 1945;

And it is further ordered, That a copy of this order shall be served upon every steam railroad subject to the act and upon every trustee, receiver, executor, administrator, or assignee of any such steam railroad, and that notice of this order be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

By the Commission, Division 1.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 45-14932; Filed, Aug. 13, 1945;  
11:24 a. m.]

[Rev. SO 345]

PART 95—CAR SERVICE

REFRIGERATION RESTRICTIONS ON POTATOES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 9th day of August, A. D. 1945.

It appearing, That there is an acute shortage of ice for the icing of cars of potatoes by carriers which is adversely affecting the movement of potatoes originating at points in certain States, shipped in refrigerator cars thereby impeding unduly the use, control, supply, movement, and distribution of such cars and contributing to the shortage of equipment and congestion of traffic; the Commission is of opinion an emergency exists in all sections of the country requiring immediate action in order to best promote the service in the interest of the public and the commerce of the people: it is ordered, that:

(a) *Initial and two Reicings.* No common carrier by railroad subject to the Interstate Commerce Act, on any refrigerator car intended to be loaded with potatoes originating at any point or points located in the States of Idaho, Utah, Arizona and west thereof; shall furnish or supply initial bunker ice until such car is completely loaded; nor shall

<sup>1</sup> Filed as part of the original document.

<sup>1</sup> As these ribbons and stars are created by the Government of the Commonwealth of the Philippines, they will not be issued by the War Shipping Administration as are seamen's service awards authorized by Acts of Congress and Executive Orders, but may be purchased as prescribed by § 301.50 from dealers authorized to sell war service decorations.

furnish bunker ice for such cars in excess of the following amounts: initial icing 8,000 pounds; first reicing in the territory west of the eastern boundaries of Minnesota, Iowa, Missouri, Arkansas and Louisiana (west of the Mississippi River), 8,000 pounds; second and final reicing in the territory east of the Mississippi River including the State of Wisconsin, 8,000 pounds.

(b) *Initial and one reicing.* No common carrier by railroad subject to the Interstate Commerce Act, on any refrigerator car intended to be loaded with potatoes originating at any point or points located in the States of Montana, Wyoming, New Mexico, Colorado, North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Minnesota, Iowa, Missouri, Arkansas and Louisiana (west of the Mississippi River) shall furnish or supply initial bunker ice until such car is completely loaded; nor shall furnish bunker ice in excess of the following amounts: initial icing 8,000 pounds; one reicing at any point in the United States, 8,000 pounds.

(c) *Destination bunker icing prohibited.* Reicing at final destination shall not be accorded or performed.

(d) *Place of icing at railroad option.* Any railroad may perform icing provided herein at the first icing station on either side of the place designated by shipper.

(e) *Application.* The provisions of this order shall apply only to carload shipments of potatoes billed on or after the effective date hereof.

(f) *Tariff provisions suspended; announcement required.* The operation of all tariff rules and regulations insofar as they conflict with the provisions of this order is hereby suspended, and each railroad subject to this order, or its agent, shall publish, file and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 § 141.9 (k) of this chapter, announcing such suspension.

(g) *Special and general permits.* The provisions of this order shall be subject to any special or general permits issued by the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., to meet specific needs or exceptional circumstances.

(h) *Effective date.* This order shall become effective at 12:01 a. m., August 10, 1945.

(i) *Expiration date.* This order shall expire at 11:59 p. m., October 20, 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 vacate and supersede Service Order No. 345 on the effective date hereof, that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the

No. 161—7

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. 45-14845; Filed, Aug. 11, 1945;  
10:57 a. m.]

at Nampa, Idaho, on shipments originating at, and initially top iced at, stations in Idaho Group B or Oregon Group B described in Agent J. J. Quinn's tariff I. C. C. No. 22.

(3) *Place of retop icing at railroads' option.* When retop icing in transit is ordered on the Union Pacific Railroad Company, that carrier may at its option accord the retop icing at Laramie, Wyoming, at Kansas City, Kansas, or at Council Bluffs, Iowa.

(4) *Exemption of Los Angeles, California.* The restriction on retop icing shall not apply at Los Angeles, California, on shipments originating on Pacific Electric Railway Company, and on Southern Pacific Company, from and including Canoga Park and San Fernando south to Los Angeles and between and including Los Angeles and San Pedro and between Los Angeles and Tustin.

(d) *Application.* The provisions of this order shall apply only to carload shipments of vegetables billed on or after the effective date hereof.

(e) *Tariff provisions suspended; announcement required.* The operation of all tariff rules and regulations insofar as they conflict with the provisions of this order is hereby suspended and each railroad subject to this order, or its agent, shall publish, file, and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing such suspension.

(f) *Special and general permits.* The provisions of this order shall be subject to any special or general permits issued by the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., to meet specific needs or exceptional circumstances.

(g) *Effective date.* This order shall become effective at 12:01 a. m., August 10, 1945.

(h) *Expiration date.* This order shall expire at 11:59 p. m., October 20, 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 vacate and supersede Service Order No. 346 on the effective date hereof, that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and 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. 45-14846; Filed, Aug. 11, 1945;  
10:57 a. m.]

## Notices

## DEPARTMENT OF THE INTERIOR.

## General Land Office.

## IDAHO

STOCK DRIVEWAY WITHDRAWAL NO. 48,  
IDAHO NO. 3, REDUCED

The orders of the Acting Secretary and the Acting Assistant Secretary of the Interior, dated December 9, 1918, and June 25, 1941, respectively, establishing and modifying Stock Driveway Withdrawal No. 48, Idaho No. 3, under section 10 of the act of December 29, 1916, 39 Stat. 865, U. S. C. title 43, sec. 300, are hereby revoked so far as they affect the following-described lands:

## BOISE MERIDIAN

T. 10 N., R. 13 E.,  
Sec. 20, NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
Sec. 21, N $\frac{1}{2}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ ,  
N $\frac{1}{2}$ NW $\frac{1}{4}$ , and N $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
Sec. 22, lots 2, 3, 6, and W $\frac{1}{2}$ NW $\frac{1}{4}$ .

The areas described aggregate 497.29 acres.

The N $\frac{1}{2}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ , and N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$  sec. 21 are in a power-site classification, and lots 2, 3, 6, and W $\frac{1}{2}$ NW $\frac{1}{4}$  sec. 22 are in a power-site classification and a first form reclamation withdrawal.

This order shall become effective immediately as to the leasing of the lands for grazing under the applicable laws and regulations but shall not otherwise become effective to change the status of the lands until 10:00 a. m. on the 63d day from the date on which it is signed. At that time the NE $\frac{1}{4}$ NE $\frac{1}{4}$ , sec. 20 and N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$  sec. 21 shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) For a period of 90 days, commencing on the day and at the hour named above, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec. 682a), by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. sec. 282), subject to the requirements of applicable law, and (2) application under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) For a period of 20 days immediately prior to the beginning of such 90-day period, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on the first day of the 90-day period, shall be treated as simultaneously filed.

(c) Commencing at 10:00 a. m. on the 91st day after the lands become subject to application, as hereinabove provided, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public land laws.

(d) Application by the general public may be presented during the 20 day period immediately preceding such 91st day, and all such applications, together with those presented at 10:00 a. m. on that day, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at Blackfoot, Idaho, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular 324, May 22, 1914, 43 L. D. 254), and part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Subchapter I of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

OSCAR L. CHAPMAN,  
Assistant Secretary of the Interior.

AUGUST 8, 1945.

[F. R. Doc. 45-14835; Filed, Aug. 11, 1945;  
9:52 a. m.]

[Misc. 2054035]

## IDAHO

## ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

JULY 31, 1945.

In an exchange of lands made under the provisions of section 8 of the act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976, 43 U.S.C. sec. 315g), the following described lands have been reconveyed to the United States:

## BOISE MERIDIAN

T. 3 N., R. 18 E.,  
Sec. 17, NW $\frac{1}{4}$ NW $\frac{1}{4}$ .  
T. 11 S., R. 23 E.,  
Sec. 18, lots 3, 4, NE $\frac{1}{4}$ SW $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , and  
W $\frac{1}{2}$ NE $\frac{1}{4}$ .  
T. 9 S., R. 36 E.,  
Sec. 2, W $\frac{1}{2}$ SE $\frac{1}{4}$  and SE $\frac{1}{4}$ SW $\frac{1}{4}$ .

The areas described aggregate 429.13 acres.

At 10:00 a. m. on the 63d day from the date on which this order is signed, these lands, subject to valid existing rights and the provisions of existing withdrawals,

shall become subject to application, petition, location, or selection as follows:

(a) For a period of 90 days, commencing on the day and at the hour named above, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U.S.C. sec. 682a), by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U.S.C. sec. 282), subject to the requirements of applicable law, and (2) application under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) For a period of 20 days immediately prior to the beginning of such 90-day period, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on the first day of the 90-day period, shall be treated as simultaneously filed.

(c) Commencing at 10:00 a. m. on the 91st day after the lands become subject to application, as hereinabove provided, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public land laws.

(d) Application by the general public may be presented during the 20-day period immediately preceding such 91st day, and all such applications, together with those presented at 10:00 a. m. on that day, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at Blackfoot, Idaho, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular 324, May 22, 1914, 43 L. D. 254), and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Subchapter I of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938 shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

FRED W. JOHNSON,  
Commissioner.

[F. R. Doc. 45-14836; Filed, Aug. 11, 1945;  
9:52 a. m.]

[Misc. 2058007]

OREGON

## ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

JULY 31, 1945.

In an exchange of lands made under the provisions of section 8 of the act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976, 43 U.S.C. sec. 315g), the following described lands have been reconveyed to the United States:

WILLAMETTE MERIDIAN

T. 17 S. R. 16 E.,  
Sec. 36, NW $\frac{1}{4}$  and W $\frac{1}{2}$  NE $\frac{1}{4}$ .

The area described contains 240 acres.

At 10:00 a. m. on the 63d day from the date on which this order is signed, these lands, subject to valid existing rights and the provisions of existing withdrawals, shall become subject to application, petition, location, or selection as follows:

(a) For a period of 90 days, commencing on the day and at the hour named above, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U.S.C. sec. 682a), by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U.S.C. sec. 282), subject to the requirements of applicable law, and (2) application under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) For a period of 20 days immediately prior to the beginning of such 90-day period, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on the first day of the 90-day period, shall be treated as simultaneously filed.

(c) Commencing at 10:00 a. m. on the 91st day after the lands become subject to application, as hereinabove provided, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public land laws.

(d) Application by the general public may be presented during the 20-day period immediately preceding such 91st day, and all such applications, together with those presented at 10:00 a. m. on that day, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at The Dalles, Oregon, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 42 of the Code of Federal Regulations (Circular 324, May 22, 1914, 43 L. D. 254), and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Subchapter I of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938 shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

FRED W. JOHNSON,  
Commissioner.[F. R. Doc. 45-14837; Filed, Aug. 11, 1945;  
9:52 a. m.]

## AGRICULTURE DEPARTMENT.

Office of Marketing Services.

MILK IN MINNEAPOLIS-ST. PAUL, MINN.,  
MARKETING AREANOTICE OF REPORT AND OPPORTUNITY TO FILE  
WRITTEN EXCEPTIONS WITH RESPECT TO  
PROPOSED MARKETING AGREEMENT AND TO  
PROPOSED ORDER REGULATING HANDLING

Pursuant to the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders (7 CFR, Cum. Supp., 900.1 et seq.), notice is hereby given of the filing with the hearing clerk of the report of the Director of the Office of Marketing Services, with respect to a marketing agreement and to an order regulating the handling of milk in the Minneapolis-St. Paul, Minnesota, marketing area to be made effective pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 1940 601 et seq.). Interested parties may file exceptions to this report with the Hearing Clerk, Office of the Solicitor, Room 1331, South Building, United States Department of Agriculture, Washington 25, D. C., not later than the close of business on August 31, 1945. Exceptions must be filed in quadruplicate.

The hearing, on the record of which this proposed marketing agreement and order have been formulated, was initiated by the Office of Marketing Services following the receipt of a petition by the Twin City Milk Producers' Association and was conducted at St. Paul, Minnesota, beginning on May 22, 1945, after the issuance of notice on April 30, 1945 (10 F.R. 4777).

The major issues developed at the hearing were: (1) whether there is need for a marketing agreement and order program in the Minneapolis-St. Paul, Minnesota, marketing area; (2) whether the handling of milk in the proposed marketing area is in or affects interstate commerce; (3) the extent of the marketing area; (4) the classification of milk and milk products; (5) the level of class prices and the method of determining such prices; (6) the type of pool; (7) the amount of the administrative assessment; (8) the need for the performance of marketing services; and (9) the administrative provisions common to all orders.

With respect to the issues it is concluded from the record that:

1. There is need for the issuance of a marketing agreement and order program since the greatly increased production of milk in the supply area creates a potential menace to the orderly marketing of milk within the marketing area.

2. There is very substantial movement in interstate commerce of the milk which would be subject to the regulation. There is a movement into the area from Wisconsin of more than 14 million pounds of milk annually in the form of milk and cream, while handlers who would be subject to the order dispose of more than 200 million pounds of milk annually outside the State of Minnesota. The latter is partly in the form of whole milk and partly in the form of

## Office of the Secretary.

## NEW MEXICO

MODIFICATION OF DEPARTMENTAL ORDER  
WITHDRAWING CERTAIN LAND FOR INDIAN  
USE

The Departmental order of September 1, 1939, reserving for Indian use under the authority of section 4 of the act of March 3, 1927 (44 Stat. 1347) certain lands and placing such lands under the administration of the Commissioner of Indian Affairs, is hereby modified solely for the purpose of permitting the issuance of permits or leases under the provisions of the act of February 25, 1920 (41 Stat. 438, 30 U. S. C. secs. 201-209), as amended, granting the right to prospect for, mine or remove coal from the following lands, and to use such part of the surface as may be needed for operations under such permits or leases:

## NEW MEXICO PRINCIPAL MERIDIAN

T. 16 N., R. 11 W.,  
Sec. 33, N $\frac{1}{2}$ .

The area described contains 320 acres.

ABE FORTAS,  
Acting Secretary of the Interior.

AUGUST 6, 1945.

[F. R. Doc. 45-14908; Filed, Aug. 13, 1945;  
9:50 a. m.]CLAIMS OF NATIVES OF HYDABURG, KLA-  
WOCK, AND KAKE, ALASKAORDER FOR EXTENSION OF TIME FOR FILING  
PETITION FOR REHEARING

*It is hereby ordered*, That section 15 of the rules of practice for hearings upon claims of natives of Alaska be amended in order to extend the time within which a petition for rehearing may be filed in the hearings upon the claims of the natives of Hydaburg, Klawock, and Kake, Alaska, from August 21, 1945, to August 31, 1945.

ABE FORTAS,  
Acting Secretary of the Interior.

AUGUST 10, 1945.

[F. R. Doc. 45-14905; Filed, Aug. 13, 1945;  
9:50 a. m.]

cream and manufactured dairy products. All of the handling of milk within the marketing area affects interstate commerce.

3. The marketing area should include the cities of Minneapolis and St. Paul and part of the adjacent contiguous territory which forms a part of the natural marketing area and which is described in the order now proposed. The proposed area is somewhat smaller in extent than that which was suggested originally in the notice of hearing.

4. There is need for only two classes of milk, Class I to consist of those products normally associated with the fluid milk industry such as milk, skim milk, cream and flavored milk drinks, and Class II to consist of manufactured dairy products such as butter, cheese, evaporated and condensed milk, etc.

5. The Class I price should be based on the prices paid or payable for milk used in the manufacture of dairy products and should be 50 cents over such base during January, February, March and April; 40 cents over during May and June; and 70 cents over during the remaining months of the year. The Class II price should be based on the market values of butter and non-fat dry milk solids. The Class I butterfat differential should be 125 percent of the market price of butter, and the Class II differential should be 120 percent of the butter price. These prices should return to producers a blended or uniform price sufficiently above the manufacturing value to insure the handlers serving the marketing area a sufficient supply of pure and wholesome milk to meet the demands of the market for fluid milk.

It has been provided that the Secretary may freeze the Class I price when the public interest requires. This provision has been placed in the order to enable the Secretary to forestall any abrupt price change which might have the effect of bringing the proposed pricing program into conflict with the national program for economic stabilization. It will afford a means of protection to the handlers in the market should the formula result in a high Class I price, which has not been compensated for by an adjustment in maximum resale ceiling.

6. Producers should be paid for their milk by means of an individual-handler type of pool. In the case of a handler who is required by any health authority in the marketing area to separate his producers into two groups and to receive and handle separately the milk of each group, a uniform price shall be computed for each group.

7. The administrative assessment should be fixed at a rate not to exceed 2 cents per hundredweight of Class I milk. It appears that the cost of administering the order will, at least in its initial stages, approximate \$5,000.00 per month. An assessment of 2 cents per hundredweight on all Class I milk would provide approximately this sum.

8. There appears to be a need for the performance, by the market administrator, of marketing services for producers.

9. The other provisions of the proposed order, mainly administrative in charac-

ter, should remain about as proposed in the notice of hearing, except that such slight changes as appear in the order now proposed should be made in the phraseology to correct typographical errors or to provide greater clarity, but these would have little or no effect upon the substance of the provisions.

The following proposed order is recommended as the detailed means by which these conclusions may be carried out. The proposed marketing agreement is not included in this report because its provisions are identical with those set forth in the proposed order.

It is found upon the evidence introduced at the public hearing held in St. Paul, Minnesota, beginning on May 22, 1945:

1. That this order regulates the handling of milk in the same manner as and is applicable only to handlers defined in a marketing agreement upon which a hearing has been held; and

2. That the issuance of this order and all of the terms and conditions of the order tend to effectuate the declared policy of the act.

#### Provisions

SECTION 1. *Definitions.* The following terms shall have the following meanings:

(a) "Act" means Public Act No. 10, 73d Congress, as amended, and as re-enacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended.

(b) "Secretary" means the Secretary of Agriculture or any officer or employee of the United States who is authorized to exercise the powers and to perform the duties of the Secretary of Agriculture.

(c) "Department of Agriculture" means the United States Department of Agriculture or such other Federal agency as may be authorized to perform the price reporting functions of the United States Department of Agriculture.

(d) "Minneapolis-St. Paul, Minnesota, marketing area", hereinafter called the "marketing area", means the territory within the corporate limits of the cities of Minneapolis, Robbinsdale, and Wayzata in Hennepin County; Columbia Heights in Anoka County; St. Paul and White Bear in Ramsey County; West St. Paul and South St. Paul in Dakota County; together with the following townships and all villages therein: Brooklyn, Crystal Lake, Golden Valley, St. Louis Park, Orono, Excelsior, Minnetonka, Edina, Bloomington, and Richfield in Hennepin County; Fridley in Anoka County; Mounds View, Rose, White Bear, and New Canada in Ramsey County; Grant, Oakdale, Woodbury, Cottage Grove, and Newport in Washington County; and Mendota, West St. Paul, and Inver Grove in Dakota County; all in the State of Minnesota.

(e) "Person" means any individual, partnership, corporation, association, or any other business unit.

(f) "Producer" means any person, irrespective of whether such person is also a handler, who produces milk which is received at a plant, other than an emergency source, from which skim milk or

butterfat is shipped to or disposed of within the marketing area as Class I milk.

(g) "Handler" means any person, irrespective of whether such person is also a producer, who, on his own behalf or on behalf of others, purchases or receives milk from producers, associations of producers, or other handlers, and who ships to or disposes of within the marketing area as Class I milk all or a portion of the skim milk or butterfat contained in such milk. The term "handler" shall include a cooperative association with respect to the milk of its member producers which it causes to be delivered to the plant of a handler for the account of the association. The term "handler" shall not include a person in his capacity as the operator of an "emergency source" as defined in (h) of this section.

(h) "Emergency source" means a plant from which skim milk and butterfat are received at the plant of a handler, only during the months of July, August, September, October and November.

(i) "Cooperative association" means any cooperative marketing association of producers which the Secretary determines to be qualified pursuant to the provisions of the Act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act," and to be engaged in making collective sales or marketing of milk or its products for the producers thereof.

(j) "Producer-handler" means any person who is both a producer and a handler and who receives no milk from other producers: *Provided*, That (1) the maintenance, care, and management of the dairy animals and other resources necessary to produce the milk are the personal enterprise of and at the personal risk of such person in his capacity as a producer; and (2) the processing, packaging and distribution of milk are the personal enterprise of and at the personal risk of such person in his capacity as a handler.

(k) "Market Administrator" means the person designated pursuant to § 2 as the agency for the administration hereof.

(l) "Delivery period" means a calendar month.

Sec. 2. *Marketing administrator*—(a) *Designation.* The agency for the administration hereof shall be a market administrator who shall be a person selected by the Secretary. Such person shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion of, the Secretary.

(b) *Powers.* The market administrator shall:

(1) Administer the terms and provisions hereof:

(2) Receive, investigate and report to the Secretary complaints of violations of the terms and provisions hereof.

(3) Prepare and disseminate for the benefit of producers, consumers, and handlers, such statistics and information concerning the operations hereunder as do not reveal confidential information; and

(4) Make rules and regulations to effectuate the terms and provisions hereof.

(c) *Duties.* The market administrator, in addition to the duties hereinafter described shall:

(1) Within 45 days following the date upon which he enters upon his duties, execute and deliver to the Secretary a bond conditioned upon the faithful performance of his duties, in an amount and with sureties thereon satisfactory to the Secretary;

(2) Pay out of the funds provided by section 9, the cost of his bond, his own compensation, and all other expenses necessarily incurred in the maintenance and functioning of his office, except as provided by section 10.

(3) Keep such books and records as will clearly reflect the transactions provided for herein and surrender the same to his successor or to such other person as the Secretary may designate.

(4) Unless otherwise directed by the Secretary, publicly disclose within 30 days after such nonperformance becomes known to the market administrator, the name of any person who, within 20 days after the date on which he is required to perform such acts, has not (i) made reports pursuant to section 3 or (ii) made payments pursuant to section 8; and may at any time thereafter so disclose any such name if authorized by the Secretary; and

(5) Promptly verify the information contained in the reports submitted by handlers.

SEC. 3. *Reports of handlers*—(a) *Periodic reports.* On or before the 8th day after the end of each delivery period, each handler, who purchases or receives milk from producers or associations of producers, with respect to all skim milk and butterfat contained in milk, skim milk, cream and milk products which were, during such delivery period received from (1) producers; (2) other handlers; (3) own farm production; (4) any other source, shall report to the market administrator in the detail and on forms prescribed by him as follows:

(i) The receipts at each plant from producers who are not handlers;

(ii) The receipts at each plant from any other handler, including any handler who is also a producer;

(iii) The receipts at each plant from producer-handlers;

(iv) The receipts at each plant from such handler's own farm production;

(v) The receipts at each plant from any other source;

(vi) The utilization of all skim milk and butterfat disposed of; and

(vii) The quantity of skim milk and butterfat on hand at the beginning and end of the delivery period.

(b) *Reports of producer-handlers and handlers who receive no milk from producers.* Producer-handlers and handlers who receive no milk from producers or associations of producers shall make reports to the market administrator at such time and in such manner as the market administrator may require.

(c) *Reports as to producers.* Each handler, not a cooperative association, upon the request of the market adminis-

trator shall, within 25 days after the end of the delivery period, submit to the market administrator his producer payroll for such delivery period which shall show for each producer (1) the total pounds of milk delivered with the average butterfat test thereof, and (2) the net amount of such handler's payments to such producer together with the prices, deductions, and charges involved.

(d) *Verification of reports.* The market administrator shall verify all reports and payments of each handler by audit of such handler's records, and the records of any other handler or person upon whose utilization the classification of milk depends. Each handler shall keep adequate records of receipts and utilization of skim milk and butterfat and shall, during the usual hours of business, make available to the market administrator or his representative such records and facilities as will enable the market administrator to:

(1) Verify the receipts and utilization of all skim milk and butterfat and, in the case of errors or omissions, ascertain the correct figures;

(2) Weigh, sample and test for butterfat content, milk and milk products;

(3) Verify payments to producers;

(4) Make such examination of operations, equipment, and facilities as the market administrator deems necessary.

SEC. 4. *Classification of milk*—(a) *Basis of classification.* All skim milk and butterfat received in milk, skim milk, cream, and milk products purchased or received by a handler shall be reported by the handler and shall be classified by the market administrator in the classes set forth in (b) of this section.

(b) *Classes of utilization.* Subject to the conditions set forth in (a) and (d) of this section, the classes of utilization shall be as follows:

(1) Class I milk shall be all skim milk and butterfat disposed of for consumption in the form of milk, skim milk, cream, sweet or sour (including any mixture of cream and milk or skim milk, containing less butterfat than the legal standard for cream), cultured buttermilk, and flavored milk drinks, and all skim milk and butterfat not specifically accounted for as Class II milk.

(2) Class II milk shall be all skim milk and butterfat specifically accounted for as used to produce a milk product other than those specified in (1) of this paragraph and as actual plant shrinkage not in excess of 1 percent of the total receipts of skim milk and butterfat from producers.

(c) *Responsibility of handlers.* In establishing the classification of milk as required in (b) of this section, the burden rests upon the handler who receives milk from producers to account for the skim milk and butterfat contained in such milk, and to prove to the market administrator that such skim milk or butterfat should not be classified as Class I.

(d) *Transfers of milk and cream.*

(1) Skim milk and butterfat shall be

classified as Class I when disposed of in the form of milk, skim milk or cream by a handler (i) to other handlers who receive milk from producers or associations of producers: *Provided*, That if the market administrator is furnished with a statement signed by both the buying and the selling handler that such skim milk or butterfat was used to produce a Class II product, it shall be classified accordingly subject to verification by the market administrator; (ii) to a producer-handler; and (iii) to a handler who purchases or receives no milk from producers or associates of producers.

(2) Skim milk and butterfat, when disposed of by a handler to the plant of a person, other than a handler, who processes or distributes milk or milk products, shall be classified in accordance with its utilization as determined by the market administrator: *Provided*, That if moved to a plant located more than 100 miles from the marketing area, such skim milk and butterfat shall be classified as Class I if moved in the form of milk or skim milk and as Class II if moved in any other form.

(3) Skim milk and butterfat received by a handler from an emergency source shall be classified in the lowest use classification of the receiving handler.

(e) *Computation of the milk in each class.* For each delivery period the market administrator shall correct for mathematical and other obvious errors the report submitted by each handler and shall compute on the basis of the corrected report the amount of milk disposed of at each plant in each class as defined in (b) of this section as follows:

(1) Determine the total pounds of milk received by adding into one sum the total pounds of skim milk and butterfat contained in the milk, skim milk, cream and milk products received from all sources.

(2) Determine the total pounds of milk in Class I by adding into one sum the total pounds of skim milk and butterfat disposed of in each of the several products of Class I, and the total pounds of skim milk and butterfat unaccounted for or accounted for as actual plant shrinkage in excess of 1 percent of the total receipts of skim milk and butterfat from producers.

(3) Determine the total pounds of milk in Class II by adding into one sum the total pounds of skim milk and butterfat used to produce each of the several products of Class II and the pounds of skim milk and butterfat accounted for as actual plant shrinkage not in excess of 1 percent of the total receipts of skim milk and butterfat from producers.

(4) Determine the classification of milk of producers as follows: (i) subtract from the pounds of skim milk and butterfat in Class II, the pounds of skim milk and butterfat which were received from sources other than producers, associations of producers, other handlers, own farm production, and emergency sources; (ii) subtract from the remaining pounds of skim milk and butterfat in Class II the pounds of skim milk and

butterfat which were received from emergency sources: *Provided*, That if the receipts of skim milk or butterfat from emergency sources are greater than the remaining pounds of skim milk or butterfat in Class II an amount equal to the difference shall be subtracted from the pounds of skim milk or butterfat in Class I; (iii) subtract from the remaining pounds of skim milk and butterfat in each class the pounds of skim milk and butterfat which were received from other handlers and allocated to each class pursuant to (d) (1) (i) of this section; (iv) subtract pro rata from the remaining pounds of skim milk and butterfat in each class the pounds of skim milk and butterfat which were received from the handler's own farm production; (v) if the remaining quantity of milk contains a greater quantity of skim milk or butterfat than the handler reported having received from producers an amount equal to the difference shall be subtracted pro rata from the remaining pounds of skim milk or butterfat in each class; and (vi) the result shall be known as the "net pooled milk" in each class.

SEC. 5 *Minimum prices*—(a) *Class prices*. Each handler shall, subject to the provisions of (c) and (d) of this section, pay at the time and in the manner set forth in section 8 not less than the prices set forth in this paragraph per hundredweight of milk received during each delivery period at such handler's plant.

(1) For Class I milk—the price shall be the basic price determined pursuant to (b) of this paragraph plus 50 cents during the months of January, February, March and April; plus 40 cents during the months of May and June; and plus 70 cents during the months of July, August, September, October, November, and December.

(2) For Class II milk—the price shall be that determined by the market administrator as follows: (i) multiply by 3.5 the average price per pound of 93-score butter delivered at New York as reported by the Department of Agriculture for the delivery period and add 20 percent thereof; (ii) multiply by 7.7 the average price of spray and roller process non-fat dry milk solids for human consumption, in carlots f. o. b. manufacturing plants as reported for the Chicago area by the Department of Agriculture; (iii) add into one sum the amounts obtained in (i) and (ii); and (iv) subtract 42 cents therefrom.

(b) *Basic price*. The basic price to be used in determining the price per hundredweight of Class I milk shall be the price for Class II milk computed pursuant to (a) (2) of this section less 5 cents, or that derived from either of the formulae set forth in (1) and (2) of this paragraph, whichever is the highest.

(1) The average of the basic or field prices ascertained to have been paid for milk of 3.5 percent butterfat content received during the delivery period at the following places for which prices are reported to the market administrator by the listed companies or by the Department of Agriculture:

Borden Co.	Mt. Pleasant, Mich.
Carnation Co.	Sparta, Mich.
Pet Milk Co.	Hudson, Mich.
Pet Milk Co.	Wayland, Mich.
Pet Milk Co.	Coopersville, Mich.
Borden Co.	Greenville, Wis.
Borden Co.	Black Creek, Wis.
Borden Co.	Orfordville, Wis.
Carnation Co.	Chilton, Wis.
Carnation Co.	Berlin, Wis.
Carnation Co.	Richland Center, Wis.
Carnation Co.	Oconomowoc, Wis.
Pet Milk Co.	New Glarus, Wis.
Pet Milk Co.	Belleville, Wis.
Borden Co.	New London, Wis.
White House Milk Co.	Manitowoc, Wis.
White House Milk Co.	West Bend, Wis.

percent and divide the sum obtained by ten (10).

(2) If the average butterfat content of the milk disposed of as net pooled Class II milk by any handler is more or less than 3.5 percent, such handler shall add to the Class II price computed pursuant to (a) (2) of this section for each one-tenth of 1 percent that the average butterfat content of such Class II milk is above 3.5 percent, or shall subtract from such Class II price for each one-tenth of 1 percent that the average butterfat content of such Class II milk is below 3.5 percent, an amount computed by the market administrator as follows: To the average price per pound of 93-score butter delivered at New York as reported by the Department of Agriculture for the delivery period, add 20 percent and divide the resulting sum by ten (10).

(e) *Emergency price provisions*. (1) Whenever the provisions hereof require the market administrator to use a specific price (or prices) for milk or for any milk product for the purpose of determining class prices or for any other purpose, the market administrator shall add to the specific price the amount of any subsidy, or other similar payments being made by any Federal agency in connection with the milk or product associated with the price specified: *Provided*, That if for any reason the price specified is not reported or published as indicated, the market administrator shall use the applicable maximum uniform price established by regulations of any Federal agency plus the amount of any such subsidy or other similar payment: *Provided further*, That if the specified price is not reported or published and there is no applicable maximum uniform price, or if the specified price is not reported or published and the Secretary determines that the market price is below the applicable maximum uniform price, the market administrator shall use a price determined by the Secretary to be equivalent to or comparable with the price specified.

(2) Whenever the Secretary finds and announces that the Class I price computed for any delivery period pursuant to (a) of this section is not in the public interest, the Class I price for such delivery period shall be the same as the Class I price for the preceding delivery period.

SEC. 6. *Application of provisions*—(a) *Handlers who receive no milk from producers*. Sections 4, 5, 7, 8, 9, and 10 shall not apply to the handling of milk by producer-handlers or by handlers whose sole sources of supply are receipts from other handlers which are not cooperative associations of producers.

(b) *Producer-handlers*. Handlers shall furnish to the market administrator for his verification, subject to review by the Secretary, evidence of their qualifications as producer-handlers pursuant to section 1 (j), as of the effective date hereof, and they shall furnish evidence of subsequent changes made in the manner of producing or distributing that milk that affects their qualification as pro-

ducer-handlers; such verification by the market administrator shall be made within 15 days of the receipt of the evidence and shall be retroactive to the effective date hereof in cases verified within 45 days of such effective date and shall be effective retroactively to the first day of the delivery period during which verification is made in subsequent cases.

(c) *Sales of milk by a producer-handler.* A producer-handler who sells or disposes of skim milk or butterfat to another handler or producer-handler shall be considered a producer with respect to such skim milk or butterfat.

(d) *Payment for excess milk or butterfat.* If a handler after subtracting receipts from his own farm production, from other handlers, from emergency sources, and from other sources, has disposed of skim milk or butterfat in excess of the skim milk or butterfat which has been credited to his producers as having been delivered by them, the market administrator in computing the value of the milk of such handler pursuant to section 7 (a) shall add an amount equal to the value of such skim milk or butterfat in accordance with its utilization by the handler as determined pursuant to section 4 (e) (4) (v).

SEC. 7. *Determination of uniform price to producers—(a) Computation of the value of the milk of each handler.* For each delivery period the market administrator shall compute the value of all milk received at each plant by each handler from producers in the following manner: *Provided*, That in the case of a plant which is required by any health authority in the marketing area to separate its producers into two groups, and to receive and handle separately the milk received from each group, the market administrator shall compute the value of the milk received from each group of producers, if the milk is handled in such a manner, and the records of the handler are so kept, that the market administrator can verify the utilization of the milk received from each group:

(1) Multiply the net pooled milk in each class computed pursuant to section 4 (e) (4) by the class prices computed pursuant to section 5 (a) subject to the differentials set forth in section 5 (c) and (d);

(2) Add together the resulting amounts; and

(3) Add the value of any payments to be made pursuant to section 6 (d).

(b) *Computation of the uniform price for each handler.* The market administrator shall compute the uniform price per hundredweight of milk received during the delivery period at each plant by each handler, as follows: *Provided*, That, if the market administrator has computed separate values for the milk received from two groups of producers in accordance with the proviso of (a) of this section, he shall compute a uniform price for each group of producers:

(1) From the value computed pursuant to (a) of this section, subtract, if the average butterfat content of all milk received from producers at such plant is more than 3.5 percent, or add if such

average butterfat content is less than 3.5 percent an amount computed as follows: Multiply the amount by which the average butterfat content varies from 3.5 percent by the butterfat differential computed pursuant to section 8 (b) and multiply the result by the total hundredweight of milk received from producers.

(2) Adjust the resulting sum by an amount representing the fraction used in adjusting the uniform price for the previous delivery period to the nearest cent.

(3) Divide the result by the total hundredweight of milk received from producers.

(4) Adjust the resulting figure to the nearest full cent. This shall be known as the uniform price per hundredweight for each plant of a handler for milk containing 3.5 percent butterfat.

(c) *Announcement of class prices.* On or before the 6th day after the end of each delivery period the market administrator shall mail to all handlers and make public announcement of the class prices computed pursuant to section 5 (a), and the butterfat differentials computed pursuant to section 5 (d) and 8 (b).

(d) *Announcement of uniform prices.* On or before the 15th day after the end of each delivery period the market administrator shall notify each handler and make public announcement of the uniform prices computed pursuant to (b) of this section.

Sec. 8. *Payments to producers—(a) Time and method of payment.* (1) On or before the 20th day after the end of each delivery period each handler shall make payment to each producer for milk received from him during the delivery period at not less than the uniform price per hundredweight computed for such handler by the market administrator pursuant to section 7 (b), subject to the butterfat differential set forth in (b) of this section.

(2) On or before the 10th day after the end of each delivery period each handler shall make payment to a cooperative association for milk which it caused to be delivered to such handler for the account of such cooperative association in accordance with the classification of such milk at not less than the class prices set forth in section 5 (a), subject to the differentials set forth in section 5 (c) and (d), and less the amount of the payment made pursuant to (3) of this paragraph.

(3) On or before the 20th day of each delivery period each handler shall, at the request of the cooperative association, make payment to such association of the approximate value of the milk which such cooperative association caused to be delivered to such handler during the first 15 days of the delivery period.

(b) *Butterfat differential to producers.* If, during the delivery period, any handler has purchased or received from any producer, milk having an average butterfat content other than 3.5 percent, such handler in making the payments prescribed in (a) (1) of this section, shall add to the uniform price per hundredweight paid to such producer for each

one-tenth of 1 percent of butterfat content in milk above 3.5 percent not less than, or shall deduct from the uniform price per hundredweight for each one-tenth of 1 percent of butterfat content in milk below 3.5 percent not more than, an amount computed by the market administrator as follows: to the average price per pound of 93-score butter delivered at New York as reported by the Department of Agriculture for the delivery period, add 20 percent and divide the resulting sum by ten (10).

(c) *Correction of errors in payments to producers.* Errors in making any of the payments prescribed in this section shall be corrected not later than the date for making payments next following the determination of such errors. Any correction affecting all producers delivering to any handler during the period in which such error occurred shall be corrected in such manner as the market administrator shall determine to be equitable, either by (1) adjustment of the account of each individual producer who delivered during such period on the basis of a recomputation of the price of such handler, or (2) by addition or subtraction of the amount of such correction to or from the value of all milk received by such handler in the delivery period during which such error was determined, computed as set forth in section 7 (a).

(d) *Statement to producers.* In making the payments required by this section, each handler shall furnish each producer with a supporting statement in such form that it may be retained by the producer, which shall show:

(1) The delivery period and the identity of the handler and of the producer;

(2) The total pounds and the average butterfat content of milk delivered by the producer;

(3) The minimum rate or rates at which payment to the producer is required under the provisions of (a) and (c) of this section;

(4) The rate which is used in making the payment if such rate is other than the applicable minimum;

(5) The amount or the rate per hundredweight of each deduction claimed by the handler, including any deductions claimed under section 10, together with a description of the respective deductions; and

(6) The net amount of payment to the producer.

#### SEC. 9. *Expenses of administration—*

(a) *Payments by handlers.* As his pro-rata share of the expense of the administration hereof, each handler, on or before the 18th day after the end of each delivery period, shall pay to the market administrator a sum not exceeding 2 cents per hundredweight with respect to all milk received from producers or cooperative associations of producers and which is disposed of as Class I milk during such delivery period by such handler, the exact rate to be determined by the market administrator subject to review by the Secretary.

(b) *Suits by the market administrator.* The market administrator may maintain a suit in his own name against any han-

dler for the collection of such handlers pro rata share of expense set forth in this section.

**SEC. 10. Marketing services—(a) Deductions for marketing services.** Except as set forth in (b) of this section, each handler shall deduct an amount not exceeding 2 cents per hundredweight (the exact rate to be determined by the market administrator subject to review by the Secretary) from the payments made to producers pursuant to section 8 with respect to all milk received by such handler from producers during the delivery period and shall pay such deductions to the market administrator not later than the 18th day after the end of the delivery period. Such money shall be used by the market administrator to verify weights, samples, and tests of milk received by handlers from producers during the delivery period and to provide such producers with market information, such services to be performed in whole or in part by the market administrator or by an agent engaged by and responsible to him.

**(b) Producers' cooperative associations.** In the case of producers for whom a cooperative association, which the Secretary determines to be qualified under the provisions of the Act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act," is actually performing as determined by the Secretary, the services set forth in (a) of this section, no such deduction shall be made.

**SEC. 11. Agents.** The Secretary may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions hereof.

**SEC. 12. Effective time, suspension, and termination—(a) Effective time.** The provisions hereof or any amendments hereto shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated pursuant to paragraph (b) of this section.

**(b) Suspension or termination.** The Secretary shall suspend or terminate this order, or any of the provisions hereof, whenever he finds that it obstructs or does not tend to effectuate the declared policy of the act. This order shall, in any event, terminate whenever the provisions of the act authorizing it cease to be in effect.

**(c) Continuing power and duty of the market administrator.** If upon the suspension or termination of any or all of the provisions hereof, there are any obligations arising hereunder, the final accrual or ascertainment of which requires further acts by any handler, by the market administrator, or by any other person, the power and duty to perform such further acts shall continue notwithstanding such suspension or termination: *Provided*, That any such acts required to be performed by the market administrator shall, if the Secretary so directs, be performed by such other person, persons, or agency as the Secretary may designate.

The market administrator, or such other person as the Secretary may designate (1) shall continue in such capacity until discharged by the Secretary; (2) from time to time account for all receipts and disbursements and deliver all funds or property on hand, together with the books and records of the market administrator, or such person, to such person as the Secretary shall direct; and (3) if so directed by the Secretary execute such assignments or other instruments necessary or appropriate to vest in such person full title to all funds, property, and claims vested in the market administrator or such person pursuant thereto.

**(d) Liquidation after suspension or termination.** Upon the suspension or termination of any or all provisions hereof, the market administrator, or such person as the Secretary may designate shall, if so directed by the Secretary, liquidate the business of the market administrator's office, and dispose of all funds and property then in his possession or under his control, together with claims for any funds which are unpaid or owing at the time of such suspension or termination. Any funds collected pursuant to the provisions hereof, over and above the amounts necessary to meet outstanding obligations and the expenses necessarily incurred by the market administrator or such person in liquidating and distributing such funds, shall be distributed to the contributing handlers and producers in an equitable manner.

This report filed at Washington, D. C. this 11th day of August, 1945.

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

[F. R. Doc. 45-14914; Filed, Aug. 13, 1945;  
11:07 a. m.]

#### FEDERAL POWER COMMISSION.

[Docket No. G-634]

KENTUCKY NATURAL GAS CORP.

NOTICE OF APPLICATION

AUGUST 10, 1945.

Notice is hereby given that on July 26, 1945, Kentucky Natural Gas Corporation (Applicant), a Delaware corporation having its principal place of business at Owensboro, Kentucky, filed with the Federal Power Commission a petition to amend its original application of April 14, 1945, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended.

By the amendatory application the Applicant now proposes to build a 10 $\frac{3}{4}$  inch O. D. connecting transmission pipeline 18 miles in length from a point near Russellville, Kentucky, to a point near Mitchelville, Tennessee, instead of its original proposal to build a connecting line approximately 25 miles in length from a point near Russellville, Kentucky, to a point near Greenbriar, Tennessee.

The estimated cost of the original construction proposed by the Applicant was

\$280,980, whereas the estimated cost of the now proposed construction of 18 miles of transmission pipeline amounts to \$213,840.

Applicant in its original application submits that its peak day requirements for the winter of 1945-1946 will be 27,500 Mcf of natural gas. Of this amount Applicant asserts that it will be able to obtain from its gas fields in Indiana, Illinois and Kentucky 4,250 Mcf of gas, 3,000 Mcf from its Oatkawn storage in Indiana, and 15,000 Mcf from Panhandle Eastern Pipeline Company to meet its peak day demands for the winter of 1945-46, a total of 22,250 Mcf, leaving a deficiency of 5,250 Mcf which Applicant states must be obtained from some other source or sources.

In order to meet such deficiency Applicant proposes to augment its present supply by obtaining additional volume of natural gas from Tennessee Gas and Transmission Company through the facilities above described, interconnecting its system with that of the Tennessee Gas and Transmission Company.

Applicant states that none of the gas which it may obtain through the proposed facilities will be resold by it for the underfiring of boilers in industrial plants along its system, and that such additional supply will be devoted exclusively to meet the requirements of the domestic and commercial consumers of the municipal distribution systems served by the Applicant.

The only change in connection with Applicant's original application is as above described.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 29th 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] J. H. GUTRIDE,  
Acting Secretary.

[F. R. Doc. 45-14912; Filed, Aug. 13, 1945;  
10:50 a. m.]

#### INTERSTATE COMMERCE COMMISSION.

[2d Rev. S. O. 300, Special Permit 30]

REFRIGERATION OF POTATOES FROM HOWELL,  
N. J., AND GREENPORT, L. I.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph of Second Revised Service Order No. 300 (10 F.R. 6802), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Second Revised Service Order No. 300 insofar as it applies to the furnishing of standard refrigeration on the following cars of potatoes, shipped by F. H. Vahsing, Inc., August 7, 1945:

FGE 50049, from Howell, N. J., to N. Geraci & Co., Inc., Tampa, Fla. (PRR-RF&P-SAL).

ART 342, from Greenport, L. I., to N. Geraci & Co., Inc., Tampa, Fla. (LI-PRR-RF&P-SAL).

ART 16871, from Greenport, L. I., to N. Geraci & Co., Inc., Tampa, Fla. (LI-PRR-RF&P-SAL).

GAR 9301, from Greenport, L. I., to Sidney Alterman, Port Everglades, Fla. (LI-PRR-Sou-FEC).

ART 17886, from Greenport, L. I., to Sidney Alterman, Port Everglades, Fla. (LI-PRR-Sou-FEC).

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 7th day of August 1945.

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

[F. R. Doc. 45-14843; Filed, Aug. 11, 1945;  
10:57 a. m.]

[S. O. 346, Gen. Permit 1]

#### ICING OF VEGETABLES AT MEMPHIS, TENN.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 346 (10 F.R. 9804), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 346 insofar as it applies to retop icing at Memphis, Tennessee. Effective 6:00 p. m., August 8, 1945.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 8th day of August 1945.

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

[F. R. Doc. 45-14847; Filed, Aug. 11, 1945;  
10:57 a. m.]

[2d Rev. S. O. 300, Special Permit 31]

#### REFRIGERATION OF POTATOES FROM HOWELL AND HIGHTSTOWN, N. J.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph of Second Revised Service Order No. 300 (10 F.R. 6802), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Second Revised Service Order No. 300 insofar as it applies to the furnishing of standard refrigeration on two refrigerator cars, loaded with potatoes, shipped August 8, 1945, by F. H. Vahsing, Inc., to N. Geraci & Co., Inc., Tampa, Florida, as follows:

FGE 35026 from Howell, New Jersey, and WFE 60760 from Hightstown, New Jersey, both routed PRR-RF&P-SAL.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 8th day of August 1945.

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

[F. R. Doc. 45-14844; Filed, Aug. 11, 1945;  
10:57 a. m.]

[2d Rev. S. O. 300, Special Permit 32]

#### ICING OF POTATOES FROM POINTS ON LONG ISLAND RAILROAD

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph of Second Revised Service Order No. 300 (10 F.R. 2408), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Second Revised Service Order No. 300 insofar as it applies to the furnishing of initial icing or not to exceed twenty-one (21) carloads of potatoes at 60th Street, New York, N. Y., (by the N.Y.C. RR), and one reicing in transit only at Gardenville (Buffalo) N. Y. (by the N.Y.C. RR), shipped from points on the Long Island Railroad, August 10 to 15, 1945, inclusive, consigned to Quarter Master Market Center, New Orleans, Louisiana, for export, routed LI-NYC to Cincinnati, Ohio, -Sou. Ry.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 9th day of August 1945.

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

[F. R. Doc. 45-14934; Filed, Aug. 13, 1945;  
11:24 a. m.]

[2d Rev. S. O. 300, Special Permit]

#### REFRIGERATION OF POTATOES FROM GREENPORT, LONG ISLAND, N. Y.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph of Second Revised Service Order No. 300 (10 F.R. 2408), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Second Revised Service Order No. 300 insofar as it applies to the furnishing of standard refrigeration on cars of potatoes, shipped August 8, 1945, by F. H. Vahsing, Inc., from Greenport, Long Island, N. Y., consigned as follows:

FGE 22159 consigned to Sidney Alterman, Port Everglades, Fla. (LI-PRR-Sou-FEC).

SFRD 15761 consigned to N. Geraci & Co., Inc., Tampa, Fla. (LI-PRR-RF&P-SAL).

WFE 49064 consigned to N. Geraci & Co., Inc., Tampa, Fla. (LI-PRR-EF&P-SAL).

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission

Issued at Washington, D. C., this 9th day of August 1945.

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

[F. R. Doc. 45-14933; Filed, Aug. 13, 1945;  
11:24 a. m.]

sion at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 9th day of August 1945.

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

[F. R. Doc. 45-14935; Filed, Aug. 13, 1945;  
11:24 a. m.]

[2d Rev. S. O. 300, Special Permit 34]

**ICING OF POTATOES FROM POINTS ON THE LONG ISLAND RAILROAD**

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph of Second Revised Service Order No. 300 (10 F.R. 2408), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Second Revised Service Order No. 300 insofar as it applies to the furnishing of initial icing only at 60th Street, New York, N. Y., (by N. Y. C. RR), on twenty-one (21) refrigerator cars, loaded with potatoes, to be shipped August 9 or 10, 1945, from points on the Long Island Railroad, consigned to Quarter Master Market Center, New Orleans, Louisiana, for export (LI RR-NYC lines-Sou).

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 9th day of August, 1945.

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

[F. R. Doc. 45-14936; Filed, Aug. 13, 1945;  
11:24 a. m.]

[S. O. 343, General Permit]

**ICING OF UNSULPHURED DRIED OR EVAPORATED FRUIT**

Pursuant to the authority vested in me by paragraph (d) of the first ordering paragraph of Service Order No. 343 (10 F.R. 9803), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 343 insofar as it applies to the furnishing of initial icing or reicing in transit on a refrigerator car loaded with a straight car-load shipment of unsulphured dried or evaporated fruit which has been stored under refrigeration and is ordered moved under refrigeration and consigned to plants manufacturing strained baby foods: *Provided*, Shipper certifies on bill of lading that the dried or evaporated fruit is unsulphured and has been stored under refrigeration prior to the shipment thereof and is consigned to such manufacturers.

This general permit shall become effective at 12:01 a. m., August 10, 1945, and it shall expire at 11:59 p. m., September 20, 1945.

The waybill shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 9th day of August, 1945.

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

[F. R. Doc. 45-14937; Filed, Aug. 13, 1945;  
11:24 a. m.]

[Rev. S. O. 345, General Permit 1]

**REICING OF POTATOES FROM OR WEST OF IDAHO, UTAH OR ARIZONA**

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph of Revised Service Order No. 345, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Revised Service Order No. 345 insofar as it applies to the furnishing of a second reicing in transit not exceeding eight thousand (8,000) pounds of bunker ice in the territory west of the Mississippi River on any refrigerator car loaded with potatoes originating at any point or points located in the States of Idaho, Utah, or Arizona, or west thereof, and destined to points located in Louisiana (west of the Mississippi River), or in Texas in or east of the counties of Hardeman, Foard, Knox, Haskell, Jones, Taylor, Runnels, Concho, Menard, Kimble, Kerr, Real, Uvalde, Zavalla, Dimmit or Webb in Texas.

This general permit shall become effective at 12:01 a. m., August 10, 1945, and it shall expire at 12:01 a. m., September 15, 1945.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 9th day of August, 1945.

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

[F. R. Doc. 45-14938; Filed, Aug. 13, 1945;  
11:24 a. m.]

**OFFICE OF DEFENSE TRANSPORTATION.**

[Notice and Order of Termination 21]

**ARKANSAS MOTOR FREIGHT LINES, INC.**

**POSSESSION, CONTROL AND OPERATION OF MOTOR CARRIERS**

Pursuant to Executive Order 9462 (9 F.R. 10071), I hereby determine that possession and control of the motor carrier transportation system of Arkansas Motor Freight Lines, Inc., by the United States is no longer necessary for the successful prosecution of the war, and it is hereby ordered, that:

1. *Termination of possession and control.* Possession and control by the United States of the motor carrier transportation system of Arkansas Motor Freight Lines, Inc., 120 North 2nd Street, Fort Smith, Arkansas, including all real and personal property and other assets of said motor carrier, taken and assumed pursuant to Executive Order 9462 and the notice and order of the Director of the Office of Defense Transportation issued August 11, 1944, is hereby terminated and relinquished as of 12:01 o'clock a. m., August 15, 1945. No further action shall be required to effect the termination of Government control and relinquishment of possession hereby ordered.

2. *Communications.* Communications concerning this order should be addressed to the Office of Defense Transportation, Washington 25, D. C., and should refer to "Notice and Order of Termination No. 21."

Issued at Washington, D. C., this 11th day of August 1945.

J. M. JOHNSON,  
Director,  
Office of Defense Transportation.

[F. R. Doc. 45-14805; Filed, Aug. 10, 1945;  
3:15 p. m.]

**WENTWORTH BUS LINES, INC.**

**POSTPONEMENT OF CANCELLATION ORDER**

Pursuant to a directive issued by the Director of the Office of Economic Stabilization August 3, 1945 (10 F.R. 9684).

*It is hereby ordered*, That the effective date of the Cancellation Order issued June 26, 1945, in the matter of Wentworth Bus Lines, Inc., Dover, New Hampshire (10 F.R. 7945), as postponed by Postponement of Cancellation Order (10 F.R. 8566), issued July 7, 1945, be, and it hereby is, further postponed to October 15, 1945.

Issued at Washington, D. C., this 11th day of August 1945.

J. M. JOHNSON,  
Director,  
Office of Defense Transportation.

[F. R. Doc. 45-14806; Filed, Aug. 10, 1945;  
3:15 p. m.]

[Supp. Order ODT 2-17]

**KNOXVILLE TRANSIT LINES, KNOXVILLE, TENN.**

**SUBSTITUTION OF MOTOR BUS SERVICE FOR STREET RAILWAY SERVICE**

Upon consideration of the application for authority to substitute motor bus

service for certain street railway passenger service filed with the Office of Defense Transportation by the Knoxville Transit Lines, Knoxville, Tennessee, as contemplated by General Order ODT 2 (7 F.R. 2952), and good cause appearing therefor, *It is hereby ordered*, That:

1. Knoxville Transit Lines is authorized to abandon street railway service and to substitute therefor motor bus service over its Highland Avenue Line in the City of Knoxville, Tennessee: *Provided, however*, That no track used and needed by other street railway lines shall be abandoned, and that the said Knoxville Transit Lines, if and to the extent required by law, shall first obtain from the appropriate regulatory body or bodies authority to abandon such street railway service and to remove such tracks.

2. Communications concerning this order should refer to Supplementary Order ODT 2-17 and should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 15, 1945.

Issued at Washington, D. C., this 11th day of August 1945.

J. M. JOHNSON,  
Director,  
Office of Defense Transportation.

[F. R. Doc. 45-14807; Filed, Aug. 10, 1945;  
3:15 p. m.]

[Notice and Order of Termination 22]

#### NORTHWEST FREIGHT LINES

#### POSSESSION, CONTROL AND OPERATION OF MOTOR CARRIERS

Pursuant to Executive Order 9462 (9 F.R. 10071), I hereby determine that possession and control of the motor carrier transportation system of Northwest Freight Lines by the United States is no longer necessary for the successful prosecution of the war, and it is hereby ordered, that:

1. *Termination of possession and control.* Possession and control by the United States of the motor carrier transportation system of Northwest Freight Lines, 334 Howard Avenue, Billings, Montana, including all real and personal property and other assets of said motor carrier, taken and assumed pursuant to Executive Order 9462 and the notice and order of the Director of the Office of Defense Transportation issued August 11, 1944, is hereby terminated and relinquished as of 12:01 o'clock a. m., August 16, 1945. No further action shall be required to effect the termination of Government control and relinquishment of possession hereby ordered.

2. *Communications.* Communications concerning this order should be addressed to the Office of Defense Transportation, Washington 25, D. C., and should refer to "Notice and Order of Termination No. 22".

Issued at Washington, D. C., this 13th day of August 1945.

J. M. JOHNSON,  
Director,  
Office of Defense  
Transportation.

[F. R. Doc. 45-14910; Filed, Aug. 13, 1945;  
10:18 a. m.]

#### OFFICE OF PRICE ADMINISTRATION

[MPR 592, Amdt. 1 to Order 1]

#### SPECIFIED CONSTRUCTION MATERIALS AND REFRACTORIES

##### ESTABLISHMENT OF MAXIMUM PRICES

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

A new section 8.1 (d) is added to read as follows:

(d) *Maximum prices for manufacturers in the New England and Eastern New York area.* (1) The manufacturer's maximum prices established pursuant to Maximum Price Regulation 592, for building, chemical and industrial lime (excluding agricultural lime), produced in the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, and that portion of the State of New York lying east of the 77th meridian, may be increased by adding an amount not in excess of \$1.20 per net ton to the f. o. b. plant or delivered prices.

(2) Any individual price adjustments granted prior to August 13, 1945, by the Price Administrator or any Regional Administrator to any manufacturer of lime, covered by the provisions set forth above, in an amount equal to or less than the increase permitted by this section, are hereby revoked.

(3) Any individual price adjustments granted prior to August 13, 1945, by the Price Administrator or any Regional Administrator to any manufacturer of lime covered by the provisions set forth above, in an amount greater than the increase permitted by this section, are hereby continued in full force and effect; such individual adjustments shall not however, be further increased by the amount permitted under this section.

(4) Notwithstanding the provisions of (2) and (3) above any manufacturer who has received an individual adjustment for a line of lime products (excluding agricultural lime) some of which adjustments are equal to or less than the increase permitted by this section, and some of which are greater than the increase permitted by this section, may increase the lesser adjustment up to the increase permitted by this section providing he simultaneously decreases the greater adjustments to the limit of the increase permitted by this section.

Any manufacturer who chooses to avail himself of the terms of this subparagraph (4) shall be deemed to have made an irrevocable election to use this method, and all prior individual adjustments for the line of products shall be automatically revoked upon such election.

(5) Any jobber or dealer or "agent" purchasing building, chemical and in-

dustrial line (excluding agricultural line) for resale from any manufacturer who has modified his maximum prices in accordance with (1) above, may increase his maximum prices f. o. b. yard or delivered established by the General Maximum Price Regulation, by the dollars-and-cents increase in cost resulting from the increase permitted the manufacturer under (1) above where the reseller normally sells city water works or sewage disposal plants on the basis of a commission of \$1.00 or less.

This amendment shall become effective August 13, 1945.

Issued this 11th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14864; Filed, Aug. 11, 1945;  
11:25 a. m.]

[RMPR 528, Order 55]

#### TIRES AND TUBES, RECAPPING AND REPAIRING, AND CERTAIN REPAIR MATERIALS

##### 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 prices for the following sizes and types of new tires and tubes shall be:

Size	Ply	Type	Tire, each	Tube, each
14-28.....	6	Farm tractor rear.....	\$94.10	\$14.65
18-26.....	10	Farm tractor rear.....	252.15	24.40
7.00-15 (15" special).	8	Mud and snow.....	31.90	—
7.00-16.....	8	Mud and snow.....	33.50	—

(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 August 14, 1945.

Issued this 13th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14969; Filed, Aug. 13, 1945;  
11:42 a. m.]

[Supp. Order 94, Corr. to Order 69]

#### USED AIRPLANE TIRES

##### MAXIMUM PRICES FOR SALES BY THE DEPARTMENT OF COMMERCE

Paragraph (a) of Order No. 69 under Supplementary Order 94 is corrected by substituting the quantity "15,888", in lieu of "6,135" where the latter appears for Item 4-0439802.

This correction shall become effective August 13, 1945.

Issued this 13th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14975; Filed, Aug. 13, 1945;  
11:41 a. m.]

[Order 31 Under 3 (e), Amdt. 1]

MIRACLE ADHESIVES CORP.

## ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to § 1499.3 (e)-(3), Order No. 31, issued February 20, 1945 is amended by adding at the end of that part of the table in paragraph (a) headed "Miracle adhesive types H, M, MT, P, G, C (127, 970)" the following:

	Prime distributor	Subdistributor	Wholesaler	Dealer	Retail (A) consumer	Retail (B) consumer
Miracle adhesives (types H, M, MT, P, G, C (127, 970) 14 Pt.)	\$0.157	\$0.176	\$0.196	\$0.245	\$0.40	\$0.45

This amendment shall become effective August 11, 1945.

Issued this 10th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F.R. Doc. 45-14827; Filed, Aug. 10, 1945;  
4:32 p.m.]

[Order 70 Under 3 (e)]

GUILD CHEMICAL CO.

## AUTHORIZATION OF MAXIMUM PRICES

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

(a) The maximum prices for sales of Sta-Dri, a water and stain repellent marketed by The Guild Chemical Co., 1136-38 North 41st Street, Philadelphia 4, Pa., shall be:

To jobbers—\$6.00 per case of 12 quart bottles, f. o. b. Philadelphia, Pa.

To retailers—\$9.00 per case of 12 quart bottles.

To consumers—\$12.00 per case of 12 quart bottles or \$1.00 per 1 quart bottle.

On sales to retailers and consumers, the above prices are either f. o. b. jobber's warehouse or retailer's store, respectively, or delivered to retailer's store or consumer's place of business, respectively, in accordance with practice of the seller with respect to like products in effect during March 1942.

(b) No extra charge may be made for containers.

(c) With or prior to the first delivery of Sta-Dri to a jobber or retailer, The Guild Chemical Co. or any other seller shall furnish such jobber or retailer with a written notice containing the schedule of maximum prices set out in paragraph (a) above, a statement that they have been approved by the Office of Price Administration, and in the case of a delivery to a jobber, also a statement that with or prior to the jobber's first delivery to a retailer, such jobber is required by the Office of Price Administration to furnish such retailer with a written notice containing the schedule of maximum prices set out in paragraph (a) above and a statement that they have been ap-

proved by the Office of Price Administration.

(d) Prior to making any delivery of Sta-Dri after the effective date of this order, The Guild Chemical Co. shall mark or cause to be marked on each quart bottle, the following legend:

Retail ceiling price \$1.00.

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

This order shall become effective August 11, 1945.

Issued this 10th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14828; Filed, Aug. 10, 1945;  
4:32 p. m.]

[MPR 64, Amdt. 2 to Order 177]

RENNOWN STOVE CO.

## ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to §§ 10 and 11 of Maximum Price Regulation No. 64, *It is ordered:*

That Order No. 177 under Maximum Price Regulation No. 64 is amended in the following respect:

The last portion of paragraph (a) immediately following the table of manufacturer's maximum prices set forth therein is amended to read as follows:

These adjusted maximum prices are subject to the manufacturer's customary terms, discounts, and allowances which are no less favorable than those in effect during the period January 15 to June 1, 1941.

This amendment shall become effective on the 11th day of August 1945.

Issued this 10th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14829; Filed, Aug. 10, 1945;  
4:32 p. m.]

[RMPR 122, Amdt. 31 to Rev. Order 47]

SOLID FUELS IN WASHINGTON AREA AND ALEXANDRIA, VA.

## ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and in accordance with § 1340.260 of Revised Maximum Price Regulation No. 122; *It is ordered*, That Revised Order No. 47 under Revised Maximum Price Regulation No. 122 be amended in the following respects:

1. In paragraph (c) (1) the maximum price for coke is amended to read as follows:

	Per ton net 2,000 lbs.	Per 1/4 ton net 1,000 lbs.
Coke.....	\$13.90	\$7.45

2. In paragraph (d) the maximum price for coke is amended to read as follows:

	Consumer prices net ton, 2,000 lbs.	Dealer prices net ton, 2,000 lbs.
Coke.....	\$12.90	\$12.00

This amendment to Revised Order No. 47 shall become effective August 10, 1945.

Issued this 10th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14830; Filed, Aug. 10, 1945;  
4:33 p. m.]

[RMPR 136, Order 483]

MILWAUKEE AUTOMOTIVE TRADES

## 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 and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, and sections 9, 10, and 11 (c) of Revised Maximum Price Regulation 136; *It is ordered:*

(a) Milwaukee Automotive Trades, 4123 West Bluemound Road, Milwaukee 8, Wisconsin, may sell, f. o. b. factory, each Milwaukee trailer, described in subparagraph (1) below, at a price not to exceed \$58.80 plus federal excise tax, and state and local taxes on its sale or delivery of the trailer and the cost of transporting the trailer to the purchaser, if any.

(1) Description. Two-wheel automotive trailer, steel welded construction; 72" long x 45" wide x 15" deep; over one-half ton loading capacity; equipped without tires.

(b) Milwaukee Automotive Trades is authorized to suggest to resellers a resale price for the trailer described in paragraph (a) (1) consisting of the following:

(1) Suggested resale price: \$73.50.

(2) Charges. (i) A charge for transportation, if any, not to exceed the actual rail freight charge from the factory at Milwaukee, Wisconsin, to the railroad freight receiving station nearest to the place of business of the reseller.

(ii) A charge equal to the charge made by Milwaukee Automotive Trades to cover federal excise taxes.

(iii) A charge equal to reseller's expense for payment of state and local taxes on the purchase, sale or delivery of the trailers.

(c) All requests not granted herein are denied.

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

NOTE: Where the manufacturer's invoice charge to the reseller is increased or decreased from the previous invoice charge because the manufacturer has a newly established price under section 8 of Revised Maximum Price Regulation 136, due to substantial changes in design, specifications or

equipment of the trailer, the reseller may add to its price under paragraph (b) the increase in price, plus its customary markup on such a cost increase, but in case of a decrease in the price, the reseller must reduce its price under paragraph (b) by the amount of the decrease and its customary markup on such an amount.

This order shall become effective August 11, 1945.

Issued this 10th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14831; Filed, Aug. 10, 1945;  
4:33 p. m.]

[RMPR 136, Order 485]

CROUSE-HINDS CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 485 under Revised Maximum Price Regulation 136. Machines, parts, and industrial equipment. Crouse-Hinds Company. Docket No. 6083-136.21-419.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of Revised Maximum Price Regulation 136, *It is ordered:*

(a) The maximum list prices for sales by Crouse-Hinds Company, Syracuse, New York, of the following brass fittings shall be as follows:

Catalog No.:	Maximum list price
FSO1-S1	\$1.20
FSO19-S1	1.95
FSO29-S1	4.00
FSO39-S1	5.50
GRF11	1.05
GRF196	3.20
GRF199	2.75
GRF296	3.55
GRF299	3.10
GRF1393	2.15
GRF1910	3.40
GRF1950	3.85
GRF2910	3.75
MLC104CG	7.95
MLC204CG	8.65
MR15	4.25
MS11	4.85
MSR215	6.05
FSQ611	2.00
FSO615	1.70
FSO625	1.85

(b) The maximum prices for sales by resellers of brass fittings listed in paragraph (a) shall be determined as follows: The reseller shall increase or decrease 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 percentage by which his net invoiced cost has been increased or decreased by reason of this order.

(c) Crouse-Hinds Company shall notify each person who buys brass fittings listed in paragraph (a) for resale of the percentage by which this order permits the reseller to increase, or requires him to decrease, his maximum price. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington 25, D. C.

(d) Crouse-Hinds Company shall file with the Machinery Branch, Office of

Price Administration, Washington 25, D. C., the following:

(i) The reduction in list prices for its brass fittings immediately after they are published.

(ii) Within six months after the issuance of this order a list of all the sales made at the new prices established herein.

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

This order shall become effective August 11, 1945.

Issued this 10th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14832; Filed, Aug. 10, 1945;  
4:33 p. m.]

[MPR 188, Order 115, Under 2d Rev. Order  
A-3]

PARKS BROOM CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion, issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to Second Revised Order A-3 and paragraph (a) (16) of Order A-2 under § 1499.159b of Maximum Price Regulation No. 188, *It is ordered:*

(a) *Manufacturer's maximum prices.* Parks Broom Company, Lawton, Oklahoma, on and after the effective date of this order may sell the brooms listed below of its manufacture to wholesale grocers at prices no higher than its prices for such sales in effect immediately prior to the effective date of this order plus the adjustment charges set forth opposite each article:

Article	Weight	Cur-	Ad-	Ad-
		rent	just-	just-
		maximum	ments	maximum
		prices	for	prices
		to	sales	for
		whole-	whole-	sales
		sale	sale	grocers
Warehouse Broom	Lbs.	Per doz.	Per doz.	Per doz.
Household Broom	32	\$7.38	\$2.14	\$9.97
	24	6.73	1.14	7.88
	22	6.43	1.43	7.88

These adjustment charges may be collected only if they are separately stated on the invoice. The adjusted prices are subject to the manufacturer's discounts, allowances, and other price differentials in effect during March 1942 on sales to each class of purchaser.

(b) *Maximum prices of purchaser for resale.* A person who hereafter buys an article covered by this order and resells it in substantially the same form, may collect from his customer, in addition to his properly established maximum price in effect prior to the issuance of this order, an adjustment charge in the same amount as the adjustment charge herein authorized for and which he pays to his supplier. If such a purchaser did not have an established maximum price for sales of the article prior to the issuance of this order, he may add the same

adjustment charge to the maximum price which he hereafter establishes for his sales under the applicable price regulation. If the applicable regulation requires maximum resale prices to be computed on the basis of costs, the reseller must find his maximum prices (without the permitted adjustment charge) by using as costs his invoice costs not including any adjustment charges stated on the invoice. On all sales except sales to ultimate consumers these additional adjustment charges may be made and collected only if they are separately stated on each invoice. The adjusted maximum prices are subject to each seller's customary terms, discounts, and allowances on sales to the same or similar articles, to each class of purchaser.

(c) *Notification.* At the time of or prior to the first invoice to a purchaser for resale on and after the effective date of this order, showing a price adjusted in accordance with the terms of this order, the seller shall notify the purchaser in writing of the method established by paragraph (b) of this order for determining adjusted maximum prices for resales of the article. This notice may be given in any convenient form.

(d) All requests not specifically granted by this order are hereby denied.

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

(f) This order shall become effective on the 11th day of August 1945.

Issued this 10th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14834; Filed, Aug. 10, 1945;  
4:28 p. m.]

[MPR 188, Order 4204]

X-ACTO CRESCENT PRODUCTS CO., INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.157 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of Junior Modeling Knives manufactured by the X-acto Crescent Products Co., Inc., 440 Fourth Avenue, New York, N. Y.

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

Article	Model	Maximum prices for sales by any seller to—		
		Jobber	Retailer	Consumer
Junior modeling knife	7	Each \$0.1125	Each \$0.15	Each \$0.25

These maximum prices are for the articles described in the manufacturer's application dated August 28, 1944.

(2) For sales by the manufacturer, these maximum prices apply to all sales

and deliveries after the effective date of this order. The manufacturer's prices are f. o. b. factory and subject to a cash discount of 2% for payment in 10 days, net 30 days.

(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 11th day of August 1945.

Issued this 10th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14813; Filed, Aug. 10, 1945;  
4:28 p. m.]

[MPR 188, Order 4238]

LEONARD O. REDDING

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 Leonard O. Redding, 801 South Gramercy Drive, Los Angeles 5, 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 all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette lighter	1" Reddylite"	Each \$1.50	Each \$1.80	Each \$3.00

These maximum prices are for the articles described in the manufacturer's application dated June 11, 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—\$3.00 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 11th day of August 1945.

Issued this 10th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14814; Filed, Aug. 10, 1945;  
4:28 p. m.]

[MPR 188, Order 4239]

DETECTO SCALES, INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.157 of Maximum Price Regulation No. 188 and section 6.4 of Second Revised Supplementary Regulation No. 14, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of bathroom scales manufactured by Detecto Scales, Incorporated, 1 Main Street, Brooklyn 1, N. Y.

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

Article	Model	Maximum prices for sales by any seller to—			
		Wholesalers (Jobbers)	Department and chain stores	Other retailers	Consumers
Detecto bathroom scale with lucite magnifying glass	1018M	Each \$2.50	Each \$3.00	Each \$3.33 <sup>1</sup>	Each \$5.00 <sup>2</sup>

<sup>1</sup> East of Mississippi.

<sup>2</sup> West of Mississippi.

These maximum prices are for the articles described in the manufacturer's application dated July 10, 1945.

(2) For sales by the manufacturer, these maximum prices apply to all sales and deliveries after the effective date of

this order. The manufacturer's prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days. The freight differential for sales between territory east and west of the Mississippi is \$.30 for each scale. The prices for sales by persons other than the manufacturer are subject to each seller's customary terms and conditions of sale of similar articles.

(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 East of Mississippi \$5.00  
OPA Retail Ceiling Price West of Mississippi \$5.30  
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 11th day of August 1945.

Issued this 10th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14815; Filed, Aug. 10, 1945;  
4:28 p. m.]

[MPR 188, Order 4240]

THE BURROWS METAL MFG. CO.

APPROVAL OF MAXIMUM PRICES

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

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by The Burrows Metal Manufacturing Company, 120-126 Eleventh Avenue, New York, N. Y.

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

Article	Model No.	For sales by the manufacturer—			For sales by any person to consumers
		Jobbers	Retailers	Consumers	
Metal bed lamp, lacquered, 8 inch length	100	Each \$1.00	Each \$1.20	Each \$2.15	
Table lamp, polished brass column and plastic base	150	3.93	4.62	8.36	
Small table lamp, circular brass column and plastic base	200	1.79	2.11	3.80	

These maximum prices are for the articles described in the manufacturer's application dated May 4, 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 11th day of August 1945.

Issued this 10th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14816; Filed, Aug. 10, 1945;  
4:29 p. m.]

[MPR 188, Order 4241]

OHIO VALLEY TOOL AND DIE 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 Ohio Valley Tool and Die Company, 316 North Fourth Street, Steubenville, Ohio.

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

Article	Model No.	Maximum prices for sales by any seller to—			
		Wholesalers (jobbers)	Department and chain stores	Other retailers	Consumers
Dutch oven, made of Stamped Metal, Black Oxide Finish, 9 $\frac{1}{2}$ " diameter by 2 $\frac{1}{2}$ " deep.....	1016	Each \$0.77	Each \$0.93	Each \$1.04	Each \$1.55
Combination chicken fryer and Dutch oven with detachable handle, made of stamped metal, black oxide finish, 9 $\frac{1}{2}$ " diameter x 2 $\frac{1}{2}$ " deep.....	1010	.80	.96	1.07	1.60

These maximum prices are for the articles described in the manufacturer's application dated July 6, 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. 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.

MAXIMUM PRICES FOR SALES BY ANY SELLER TO—

Article	Model	Distributor	Wholesalers (jobbers) mill, electric motor, restaurant, and hotel, or store equipment suppliers	Retailers, industrial, commercial, or institutional users (3 units or more)	Retailers, industrial, commercial, or institutional users (less than 3 units)	Users other than industrial, commercial or institutional
Evaporative cooler.....	14-F	\$22.91	\$25.45	\$30.09	\$32.30	\$48.59
Evaporative cooler cabinet.....	14-16-F	13.20	14.66	17.33	18.66	27.99

These maximum prices are for the articles described in the manufacturer's application dated June 11, 1945.

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

(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

(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 correct retail ceiling price filled in:

OPA Retail Ceiling Price—\$-----  
Do Not Detach

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

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

(e) This order shall become effective on the 11th day of August 1945.

Issued this 10th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14817; Filed, Aug. 10, 1945;  
4:30 p. m.]

[MPR 188, Order 4243]

PERNOT AND RICH, INC.

APPROVAL OF MAXIMUM PRICES

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

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Pernot and Rich, Incorporated, 2546 San Fernando Road, Los Angeles, Calif.

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

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, under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for these 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 model number and retail prices properly filled in:

Model No. \_\_\_\_\_

OPA Retail Ceiling Price to Users Other than Industrial, Commercial or Institutional \$\_\_\_\_\_

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 11th day of August 1945.

Issued this 10th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14818; Filed, Aug. 10, 1945;  
4:30 p. m.]

[MPR 188, Order 4245]

MICHIGAN SPECIALTY AND 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 Michigan Specialty and Manufacturing Company, of 1508 Columbus Avenue, Bay City, Mich.

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

Article	Model No.	Maximum prices for sales by any person to—		
		Whole Sellers (Jobbers)	Retailers	Consumers
Christmas Tree Holder.	XS-1.....	Dozen \$7.50	Dozen \$10.00	Each \$1.25

These maximum prices are for the articles described in the manufacturer's application dated June 7, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 2% for payment 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—\$1.25  
Do Not Remove or Obliterate

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

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

(e) This order shall become effective on the 11th day of August 1945.

Issued this 10th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14819; Filed, Aug. 10, 1945;  
4:31 p. m.]

[MPR 260, Corr. to Amdt. 1 to Order 75]

DESIDERO ARNAZ

AUTHORIZATION OF MAXIMUM PRICES

The amendment to Order 75 issued July 27, 1945, effective July 28, 1945 was incorrectly designated Amendment 1. It is hereby corrected to read Amendment 2.

Issued this 10th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14820; Filed, Aug. 10, 1945;  
4:31 p. m.]

[MPR 336, Order 3]

CLALLAM AND GRAY'S HARBOR COUNTIES,  
WASH.

DESIGNATION AS DEFICIENCY AREAS WITH RESPECT TO PORK CUTS AND CERTAIN SAUSAGE PRODUCTS

Pursuant to Section 5 (d) (3) of Maximum Price Regulation No. 336, I find there exists in each of the areas herein-after named, located in Zone 1 and having populations not in excess of 25,000 persons, quotas permitting sales of retail meat cuts which are insufficient to supply the meat requirements of other retail dealers meeting the criteria established for retail dealers authorized to

purchase retail meat cuts for resale purposes under the provisions of subparagraph (1) of section 5 (d) of Maximum Price Regulation No. 336. I find further that this condition has occurred because of an increase in population in such areas. The areas are:

1. That portion of Clallam County, Washington, extending west from, but not including the corporate limits of the town of Port Angeles, to and including the village of Neah Bay, and the adjacent area located south thereof, to and including the village of Lapush, Clallam County, Washington.

2. That portion of Gray's Harbor County, Washington, located on Gray's Harbor, between the town of Tokeland on the south and the town of Queets on the north, and including the corporate limits of each, all beach towns located therein, and the lumbering communities of Alloha and Sunset Beach, but excluding the area comprising the corporate limits of the cities of Aberdeen and Hoquiam, Washington.

The areas named hereby are designated as "deficiency areas" under the provisions of Section 5 (d) (3) of Maximum Price Regulation No. 336, and the respective District Director of the appropriate District Office of the Office of Price Administration within whose jurisdiction any one of the named areas is located may, in writing, authorize named retail selling establishments customarily serving such area, and which are not hotel supply houses, and which do not own or control a packing or a slaughtering plant and which are not owned or controlled by a person who owns or controls a packing or slaughtering plant, to sell retail meat cuts to other retail dealers located in the specific deficiency area who are qualified to make such purchases under the provisions of subparagraph (1) of section 5 (d) of Maximum Price Regulation No. 336, in whatever volume and subject to whatever terms and conditions he may deem necessary: *Provided*, That in no event may any designated retail selling establishment be authorized to sell retail meat cuts, in excess of 70 percent of its total current monthly dollar volume of meat sales, to buyers who are not ultimate consumers: *And provided further*, That each seller authorized to sell retail meat cuts to other retail dealers for resale purposes under the provisions of this Order No. 3 under said section 5 (d) (3) of Maximum Price Regulation No. 336 shall be required to conform to the reporting provisions and all other requirements of said section 5 (d) (3).

This designation shall remain in effect to and including October 15, 1945, unless sooner terminated.

This order may be revoked or amended at any time.

This order shall become effective August 11, 1945.

Issued this 10th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14821; Filed, Aug. 10, 1945;  
4:31 p. m.]

[MPR 336, Order 4]

CLALLAM AND GRAY'S HARBOR COUNTIES,  
WASH.DESIGNATION AS DEFICIENCY AREAS WITH  
RESPECT TO PORK CUTS AND CERTAIN  
SAUSAGE PRODUCTS

Pursuant to section 5 (b) (6) of Maximum Price Regulation No. 336, I find there exists in each of the areas herein-after named, located in Zone 1 and having populations not in excess of 25,000 persons, quotas permitting sales of fabricated meat cuts and quotas permitting sales of retail meat cuts to purveyors of meals which are insufficient to supply the requirements of purveyors of meals located in those areas. I find further that this condition has occurred because of an increase in population in such areas due to causes other than the establishment and maintenance of a project or projects connected directly with the war effort and under the direction and control of the United States Government. The areas are:

1. That portion of Clallam County, Washington, extending west from, but not including the corporate limits of the town of Port Angeles, to and including the village of Neah Bay, and the adjacent area located south thereof, to and including the village of Lapush, Clallam County, Washington.

2. That portion of Gray's Harbor County, Washington, located on Gray's Harbor, between the town of Tokeland on the south and the town of Queets on the north, and including the corporate limits of each, all beach towns located therein, and the lumbering communities of Alloha and Sunset Beach, but excluding the area comprising the corporate limits of the cities of Aberdeen and Hoquiam, Washington.

The areas named hereby are designated as "deficiency areas" under the provisions of section 5 (b) (6) of Maximum Price Regulation No. 336, and the respective District Director of the appropriate District Office of the Office of Price Administration within whose jurisdiction any one of the named areas is located may, in writing, authorize named retail selling establishments customarily servicing such area and which are not hotel supply houses and which do not own or control a packing or slaughtering plant and which are not owned or controlled by a person who owns or controls a packing or slaughtering plant, to sell retail meat cuts to purveyors of meals located in the specific deficiency area named in whatever volume and subject to whatever terms and conditions he may deem necessary: *Provided*, That in no event may any designated retail selling establishment be authorized to sell retail meat cuts in excess of 70 percent of its total current monthly dollar volume of meat sales to buyers who are not ultimate consumers: *And provided further*, That each seller authorized to sell retail meat cuts to purveyors of meals under the provisions of this Order No. 4 under said section 5 (b) (6) of Maximum Price Regulation No. 336 shall be required to conform to the reporting provisions and all other requirements of said section 5 (b) (6).

This designation shall remain in effect to and including October 15, 1945, unless sooner terminated.

This order may be revoked or amended at any time.

This order shall become effective August 11, 1945.

Issued this 10th day of August 1945.

CHESTER BOWLES,  
Administrator.[F. R. Doc. 45-14823; Filed, Aug. 10, 1945;  
4:31 p. m.]

This order shall become effective August 11, 1945.

Issued this 10th day of August 1945.

CHESTER BOWLES,  
Administrator.[F. R. Doc. 45-14825; Filed, Aug. 10, 1945;  
4:32 p. m.]

[MPR 335, Order 3]

CLALLAM AND GRAY'S HARBOR COUNTIES,  
WASH.DESIGNATION AS DEFICIENCY AREAS WITH RE-  
SPECT TO BEEF, VEAL, LAMB AND MUTTON  
CUTS AND ALL VARIETY MEATS AND EDIBLE  
BY-PRODUCTS

Pursuant to section 5 (b) (6) of Maximum Price Regulation No. 335, I find there exists in each of the areas herein-after named, located in Zone 1 and having populations not in excess of 25,000 persons, quotas permitting sales of fabricated meat cuts and quotas permitting sales of retail meat cuts to purveyors of meals which are insufficient to supply the requirements of purveyors of meals located in those areas. I find further that this condition has occurred because of an increase in population in such areas due to causes other than the establishment and maintenance of a project or projects connected directly with the war effort and under the direction and control of the United States Government. The areas are:

1. That portion of Clallam County, Washington, extending west from, but not including the corporate limits of the town of Port Angeles, to and including the village of Neah Bay, and the adjacent area located south thereof, to and including the village of Lapush, Clallam County, Washington.

2. That portion of Gray's Harbor County, Washington, located on Gray's Harbor, between the town of Tokeland on the south and the town of Queets on the north, and including the corporate limits of each, all beach towns located therein, and the lumbering communities of Alloha and Sunset Beach, but excluding the area comprising the corporate limits of the cities of Aberdeen and Hoquiam, Washington.

The areas named hereby are designated as "deficiency areas" under the provisions of section 5 (b) (6) of Maximum Price Regulation No. 335, and the respective District Director of the appropriate District Office of the Office of Price Administration within whose jurisdiction any one of the named areas is located may, in writing, authorize named retail selling establishments customarily servicing such area and which are not hotel supply houses and which do not own or control a packing or slaughtering plant and which are not owned or controlled by a person who owns or controls a packing or slaughtering plant, to sell retail meat cuts to purveyors of meals located in the specific deficiency area named in whatever volume and subject to whatever terms and conditions he may deem necessary: *Provided*, That in no event may any designated retail selling establishment be authorized to sell retail meat cuts in excess of 70 percent of its total current monthly dollar volume of meat sales to buyers who are not ultimate consumers: *And provided further*, That each seller authorized to sell retail meat cuts to purveyors of meals under the provisions of this Order No. 5 under said section 5 (b) (6) of Maximum Price Regulation No. 336 shall be required to conform to the reporting provisions and all other requirements of said section 5 (b) (6).

This designation shall remain in effect to and including October 15, 1945, unless sooner terminated.

This order may be revoked or amended at any time.

meat cuts, in excess of 70 percent of its total current monthly dollar volume of meat sales, to buyers who are not ultimate consumers: *And provided further*, That each seller authorized to sell retail meat cuts to purveyors of meals under the provisions of this Order No. 3 under said section 5 (b) (6) of Maximum Price Regulation No. 355, shall be required to conform to the reporting provisions and all other requirements of said section 5 (b) (6).

This designation shall remain in effect to and including October 15, 1945, unless sooner terminated.

This order may be revoked or amended at any time.

This order shall become effective August 11, 1945.

Issued this 10th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14822; Filed, Aug. 10, 1945;  
4:31 p. m.]

[MPR 355, Order 4]

CLALLAM AND GRAYS HARBOR COUNTIES,  
WASH.

DESIGNATION AS DEFICIENCY AREAS WITH RESPECT TO BEEF, VEAL, LAMB AND MUTTON CUTS AND ALL VARIETY MEATS AND EDIBLE BY-PRODUCTS

Pursuant to section 5 (d) (3) of Maximum Price Regulation No. 355, I find there exists in each of the areas herein-after named, located in Zone 1 and having populations not in excess of 25,000 persons, quotas permitting sales of retail meat cuts which are insufficient to supply the meat requirements of other retail dealers meeting the criteria established for retail dealers authorized to purchase retail meat cuts for resale purposes under the provisions of subparagraph (1) of section 5 (d) of Maximum Price Regulation No. 355. I find further that this condition has occurred because of an increase in population in such areas. The areas are:

1. That portion of Clallam County, Washington, extending west from, but not including the corporate limits of the town of Port Angeles, to and including the village of Neah Bay, and the adjacent area located south thereof, to and including the village of Lapush, Clallam County, Washington.

2. That portion of Grays Harbor County, Washington, located on Grays Harbor, between the town of Tokeland on the south and the town of Queets on the north, and including the corporate limits of each, all beach towns located therein, and the lumbering communities of Aloha and Sunset Beach, but excluding the area comprising the corporate limits of the cities of Aberdeen and Hoquiam, Washington.

The areas named hereby are designated as "deficiency areas" under the provisions of section 5 (d) (3) of Maximum Price Regulation No. 355, and the respective District Director of the appropriate District Office of the Office of Price Administration within whose jurisdiction any one of the named areas is located may, in writing, authorize named retail

selling establishments customarily serving such area, and which are not hotel supply houses, and which do not own or control a packing or a slaughtering plant and which are not owned or controlled by a person who owns or controls a packing or slaughtering plant, to sell retail meat cuts to other retail dealers located in the specific deficiency area who are qualified to make such purchases under the provisions of subparagraph (1) of section 5 (d) of Maximum Price Regulation No. 355, in whatever volume and subject to whatever terms and conditions he may deem necessary: *Provided*, That in no event may any designated retail selling establishment be authorized to sell retail meat cuts in excess of 70 percent of its total current monthly dollar volume of meat sales to buyers who are not ultimate consumers: *And provided further*, That each seller authorized to sell retail meat cuts to other retail dealers for resale purposes under the provisions of this Order No. 4 under said section 5 (d) (3) of Maximum Price Regulation No. 355 shall be required to conform to the reporting provisions and all other requirements of said section 5 (d) (3).

This designation shall remain in effect to and including October 15, 1945, unless sooner terminated.

This order may be revoked or amended at any time.

This order shall become effective August 11, 1945.

Issued this 10th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14824; Filed, Aug. 10, 1945;  
4:31 p. m.]

[MPR 355 Order 5]

GRANT COUNTY, WASH.

DESIGNATION AS DEFICIENCY AREAS WITH RESPECT TO BEEF, VEAL, LAMB AND MUTTON CUTS AND ALL VARIETY MEATS AND EDIBLE BY-PRODUCTS

Pursuant to section 5 (b) (6) of Maximum Price Regulation No. 355, I find there exists in Grant County, Washington, located in Zone 1 and having a population not in excess of 25,000 persons, quotas permitting sales of fabricated meat cuts and quotas permitting sales of retail meat cuts to purveyors of meals which are insufficient to supply the requirements of purveyors of meals located in that area. I find further that this condition has occurred because of an increase in population in such area due to causes other than the establishment and maintenance of a project or projects connected directly with the war effort and under the direction and control of the United States Government.

The area named hereby is designated as a "deficiency area" under the provisions of section 5 (b) (6) of Maximum Price Regulation No. 355, and the respective District Director of the appropriate District Office of the Office of Price Administration within whose jurisdiction the named area is located may, in writing, authorize named retail selling establish-

ments customarily servicing such area and which are not hotel supply houses and which do not own or control a packing or slaughtering plant and which are not owned or controlled by a person who owns or controls a packing or slaughtering plant, to sell retail meat cuts to purveyors of meals located in the specific deficiency area named in whatever volume and subject to whatever terms and conditions he may deem necessary: *Provided*, That in no event may any designated retail selling establishment be authorized to sell retail meat cuts, in excess of 70 percent of its total current monthly dollar volume of meat sales, to buyers who are not ultimate consumers, and: *Provided further*, That each seller authorized to sell retail meat cuts to purveyors of meals under the provisions of this Order No. 5 under said section 5 (b) (6) of Maximum Price Regulation No. 355 shall be required to conform to the reporting provisions and all other requirements of said section 5 (b) (6).

This designation shall remain in effect to and including October 15, 1945, unless sooner terminated.

This order may be revoked or amended at any time.

This order shall become effective August 11, 1945.

Issued this 10th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14826; Filed, Aug. 10, 1945;  
4:32 p. m.]

[MPR 580, Order 101]

BUXTON, INC.

ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation 580, Order 101. Establishing ceiling prices at retail for branded articles. Docket No. 6063-580-13-255.

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 Buxton, Incorporated, Springfield, Massachusetts, having the brand names "Buxton" for the man's billfolds and "Lady Buxton" for women's billfolds, and described in the manufacturer's application dated June 28, 1945:

MEN'S BILLFOLDS

Description	Style No.	Manufacturers' price line	Ceiling price at retail
Levant grain goat	81B1	\$1.80	\$3.00
India goat	663B1	2.10	3.50
Calf finish cow	79B1	2.32	3.50
Levant grain goat	81B31	2.10	3.50
Wormwood grain goat	53B31	2.25	3.50
Grained pig	46B1	3.069	5.00
Pin morocco	55B1	3.00	5.00
Cordovan finish goat	59B1	3.00	5.00
Saddle leather	10B1	3.00	5.00
Morocco	55B41	3.00	5.00
East India cabretta	633B31	3.072	5.00
Morocco	55B31	4.50	7.50
Cordovan finish goat	59B31	4.62	7.50
Grained pigskin	46B31	4.616	7.50
Hazel pig	40B31	5.986	10.00
Grained pig	467	4.782	7.50

## MEN'S BILLFOLDS—Continued

Description	Style No.	Manufacturers' price line	Ceiling price at retail
Hazel pig	407	\$5.914	\$10.00
East India cabretta	633B1	2.10	3.50
Saffian cabretta	632B31	1.202	5.00
Light pigskin	6B1	4.50	7.50
Hazel pigskin	40B1	4.50	7.50
Wormwood grain goat	53B1	1.895	3.00
India goat	63B1	2.10	3.50
Saddle goat	100B31	4.50	7.50
Rhinobi seal	169B1	4.50	7.50
Seal grain goat	56B31	2.10	3.50
India goat	663B31	3.00	5.00
Levant grain pig	481B1	2.10	3.50
Levant grain pig	481B1Z	2.40	4.00
Levant grain pig	481B31	3.00	5.00
Morocco grain pig	45B1	3.00	5.00
Crushed grain pig	46B1Z	3.30	5.50
Morocco grain pig	45B31	4.50	7.50
Hazel pig	40B1Z	4.80	8.00

## WOMEN'S BILLFOLDS

Sheepskin	90812	\$1.20	\$2.00
Sheepskin	90813	1.50	2.50
Levant goat	81813	2.07	3.50
Sheepskin	9081	2.10	3.50
Calf cow	79813	2.15	3.50
Pin morocco	5481	3.00	5.00
Ecrase goat	5881	3.00	5.00
Hazel pig	4081	4.46	7.50
Hazel pig	40813	3.501	5.00
Kid	15813	2.64	4.00
Kid	1581	3.60	6.00
Sheepskin	90814	1.54	2.50
Sheepskin	9091	2.10	3.50
Grained pig	4591	3.00	5.00
Lizard	14813	4.50	7.50
Lizard	1481	6.00	10.00

(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 September 1, 1945, Buxton, Incorporated, must mark each article 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 October 1, 1945, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to October 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 August 11, 1945.

Issued this 10th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14833; Filed, Aug. 10, 1945;  
4:33 p. m.]

## [Order 756 Under 3 (b)]

## UNINSTALLED SALES OF PREFABRICATED DWELLING STRUCTURES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.3 (b) of the General Maximum Price Regulation, it is ordered:

(a) *What this order covers.* This order covers uninstalled sales by manufacturers of prefabricated dwelling structures whether assembled or knocked down, which are not the same as or similar to structures delivered or offered for delivery during March 1942. For the purpose of this order, a prefabricated dwelling structure is a structure composed of panels or sections which have been fabricated prior to erection on the foundation and which are sold as a unit consisting at least of walls and some one of the other major components of a structure.

(b) *Maximum prices.* The maximum price for a sale covered by this order for a manufacturer who produced any prefabricated dwelling structures during 1942 is the sum of the following factors:

(1) The cost of direct materials, including fabricated products, computed on the basis of current kinds and quantities at prices not in excess of the prices in effect to the manufacturer during March 1942. Material prices must be based on purchases in comparable quantities from the same or corresponding class of supplier as in March 1942. If the manufacturer did not purchase such materials during March 1942, he shall use the prices for such materials in effect to the most closely competitive seller of the same class who did purchase such materials during March 1942.

(2) Cost of direct labor, computed upon the basis of current man hours at labor rates, exclusive of overtime premiums and any indirect labor costs, not in excess of the highest rates the manufacturer paid for the same kind of work during March 1942. If the manufacturer did not perform the same kind of work during March 1942, he shall use the labor rates paid by the most closely competitive seller of the same class who did perform that kind of work during March 1942.

(3) A percentage margin over the sum of (1) and (2) not in excess of the average margin over direct materials and direct labor costs realized by the manufacturer during the calendar or fiscal year 1942 on his prefabricated dwelling structures: *Provided, however,* That for the purpose of determining this margin, such portion of sales and costs as are applicable to the delivery and installation of these products shall be excluded from the calculation.

(c) *Filing of reports.* The manufacturer shall file with the Office of Price Administration, Building Materials Price Branch, Washington 25, D. C., within ten days after computing a maximum price under paragraph (b), a statement of profit and loss covering prefabricated dwelling structure operations for the calendar or fiscal year of 1942, together with a balance sheet as of the close of that year. These statements should be

detailed in such a manner as to reflect the basis upon which the percentage margin mark-up employed in (b) (3) was determined and should be supplemented with a schedule of the items comprising such margin.

(d) *Additional charges.* (1) *Delivery costs.* The maximum prices computed under (b) shall be f. o. b. plant. A manufacturer may add to those prices actual delivery costs figured in accordance with the seller's March 1942 practice, but such charges may not be in excess of common carrier rates.

(2) *Other additions.* A manufacturer may also add to the prices computed under (b), his actual costs for special services not customarily included in his price and which are unique to a particular sale, such as special architectural and engineering services.

(e) *Other sellers.* A manufacturer who did not produce any prefabricated dwelling structures during 1942 or any other manufacturer who is unable to compute his margin under (b) (3) shall apply to the Office of Price Administration, Building Materials Price Branch, Washington 25, D. C., for approval of a margin to be used in the computation of a price under paragraph (b), giving the following information:

(1) His name and address.

(2) A general description of the nature of his business and the prefabricated structures he is making.

(3) His proposed margin.

(4) The names and addresses of competitive sellers of the same or similar structures.

After filing the required application, and pending approval of the proposed margin, a manufacturer may offer to sell, accept orders, and make deliveries at maximum prices based on the proposed margin, but he may not accept payment until a margin has been approved. Once a margin has been approved, the manufacturer shall determine his maximum prices by using such approved margin in the pricing formula set forth in paragraph (b).

The proposed margin shall be deemed to be approved on the expiration of 20 days after the mailing of the application (or on the expiration of 20 days after the mailing of all additional information which may have been requested), unless within that time the Office of Price Administration notifies the manufacturer that his proposed margin has been disapproved or that action thereon has been deferred pending receipt of further information.

The Office of Price Administration may approve or disapprove and may at any time after approval, adjust margins proposed or established under this paragraph so as to make them consistent with the level of margins otherwise established by this order.

(f) *Government contracts.* Any person who has made or intends to make government contracts, or subcontract thereunder, who believes that a maximum price under this order impedes or threatens to impede the production, manufacture, or distribution of a structure which is essential to the war program and which is or will be the subject of the contract or subcontract may file

## FEDERAL REGISTER, Tuesday, August 14, 1945

an application for adjustment of that price in accordance with Procedural Regulation No. 6, issued by the Office of Price Administration.

Issued this 11th day of August 1945.

NOTE: The reporting provisions of this Order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective August 13, 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14859; Filed, Aug. 11, 1945;  
11:22 a. m.]

[MPR 61, Order 9]

## CERTAIN TRIMMED SOLE LEATHER SCRAP

## MAXIMUM PRICES FOR SALES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 4 of Maximum Price Regulation 61; *It is ordered:*

(a) On and after August 11, 1945, the maximum prices at which any producer may sell or deliver the leather herein described shall be the prices specified below.

TRIMMED SOLE LEATHER SCRAP  
FINE GRADE

Type	Weight or substance in irons	Minimum size	Price in cents per pound
Extra special large	10	1	33
Special large	10	2	30
Large	10	3	26
Center	10	4	22
No. 2 Cuban	10	5	18
No. 3 Cuban	10	6	10 <sup>1</sup> / <sub>2</sub>
Extra special large	9	1	27
Special large	9	2	24
Large	9	3	22
Centers	9	4	15 <sup>1</sup> / <sub>2</sub>
No. 2 Cuban	9	5	12 <sup>1</sup> / <sub>2</sub>
No. 3 Cuban	9	6	8
Extra special large	8	1	21
Special large	8	2	18
Large	8	3	16
Center	8	4	11 <sup>1</sup> / <sub>2</sub>
No. 2 Cuban	8	5	7
No. 3 Cuban	8	6	5 <sup>1</sup> / <sub>2</sub>

## SEMFINE GRADE

Type	Weight or substance in irons	Minimum size	Price in cents per pound
Semifine men's	8 and up	1	18 <sup>1</sup> / <sub>2</sub>
Semifine men's	7 to 8	1	16
No. 2 center	9 and up	3	14
Military	8	3	12 <sup>1</sup> / <sub>2</sub>
Military	7	3	10
Spanish	Any	6	2

## COARSE GRADE

Type	Weight or substance in irons	Minimum size	Price in cents per pound
Coarse Cuban	8 and up	5	7
Large light	6 to 7	3	7
Small light	6 to 7	4	3
Men's heel	Any	2	7 <sup>1</sup> / <sub>2</sub>
Women's heel	Any	4	3 <sup>1</sup> / <sub>2</sub>

(b) The above sizes shall be large enough in area to fulfill one or the other

of the applicable requirements listed below.

Minimum size	To cut pieces at least	To cut pattern No.
1	3 inches square.....	1
2	2 <sup>1</sup> / <sub>2</sub> inches square.....	2
3	2 inches square.....	3
4	1 <sup>1</sup> / <sub>2</sub> inches square.....	4
5	1 <sup>1</sup> / <sub>2</sub> inches square.....	5
6	1 <sup>1</sup> / <sub>2</sub> inches square.....	6

Diagrams showing actual sizes of the patterns listed above appear in Appendix A of this order.

(c) Every invoice or similar document furnished in connection with the sale or delivery of any leather subject to the provisions of this order shall describe such leather in accordance with the types, weights and sizes enumerated in paragraph (a) above.

(d) As used in this order the term:

(1) "Trimmed sole leather scrap" means leather pieces produced from full grain oak tanned, union tanned or finders' leather from which the end strings have been trimmed and which have been sorted according to size, weight and grade.

(2) "Fine grade" means a grade of stock having clean grain and prime bend fiber.

(3) "Semi-fine grade" means a grade of stock not meeting the requirements of fine grade, having clean grain and tight bend fiber.

(4) "Coarse grade" means a grade of stock not meeting the requirements of fine or semi-fine grades, whether cut from heads, bellies, necks, shoulders or bends.

(e) "Terms of sale." The maximum prices listed above are f. o. b. seller's shipping point, and subject to a discount of 2% for payment within 30 days from the date of invoice, net cash thereafter.

(f) The maximum prices specified in paragraph (a) above for sales of the leather therein described shall supersede and replace any and all maximum prices previously established for such sales.

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

(h) This Order No. 9 shall become effective August 11, 1945.

Issued this 11th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14860; Filed, Aug. 11, 1945;  
11:26 a. m.]

[MPR 136, Amdt. 3 to 2d Rev. Order 88]

GENERAL ELECTRIC 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 section 21 of Revised Maximum Price Regulation No. 136 and

<sup>1</sup> Filed with the Division of the Federal Register as a part of this order.

section 6.4 of Second Revised Supplementary Regulation No. 14, *It is ordered*, That Second Revised Order No. 88 under Maximum Price Regulation No. 136 be amended in the following respects:

1. Paragraph (a) is amended in the following respect:

The first sentence is amended to read as follows:

(a) The General Electric Company of Bridgeport, Connecticut, and its wholly owned subsidiaries, the International General Electric Company, and the International General Electric Company of Puerto Rico, herein referred to as the manufacturer, are authorized to sell refrigerator replacement units manufactured or rebuilt by it, to distributors at prices no higher than those set forth below opposite each model number.

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

(d) If any of the above units are sold by the manufacturer, by distributors, or by dealers with a four year replacement contract, \$5.00 may be added to the maximum price.

3. Paragraphs (e) and (f) are redesignated (f) and (g) respectively.

4. A new paragraph (e) is added to read as follows:

(e) Any seller subject to this order who sells any of the replacement units listed below to a purchaser located in Puerto Rico or the Virgin Islands and receives from the purchaser the inoperative unit being replaced, may add to his maximum price for the unit as established by this order an amount no greater than twice the figure set forth below opposite the particular model number. If he does not receive the inoperative unit from the purchaser he may add to his maximum price no more than the amount set forth below opposite the particular model number.

Model	Sales in Puerto Rico	Sales in the Virgin Islands
CF 1	\$7.07	\$8.92
CF 11	6.72	8.52
CF 21, CF 2, CF 22, CF 28	7.83	9.91
CH 1, CJ 1	6.52	8.22
CE 34, single evap.	6.97	8.77
CE 34, double evap.	6.69	8.40
CK 1	4.62	5.76
CK 15, CK 2, CK 26, CK 28	5.72	7.17
CK 30	6.27	7.90
CK 35	6.42	8.05
DR 1, DR 15	4.65	5.79
D 2, DR 2	5.74	7.19
DRA 2	4.29	5.33
FEA 1	4.43	5.43
FEA 2	6.09	7.54

This amendment shall become effective on the 13th day of August 1945.

Issued this 11th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14861; Filed, Aug. 11, 1945;  
11:26 a. m.]

[RMMPR 136, Order 486]

PHILLIPS PUMP AND TANK CO.

## DETERMINATION OF MAXIMUM PRICES

Order No. 486 Under Revised Maximum Price Regulation 136, Machines, parts,

and industrial equipment. Phillips Pump and Tank Company. Docket No. 6083-136.21-420.

For the reasons set forth in an opinion, issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Section 21 of Revised Maximum Price Regulation 136, *It is ordered:*

(a) The maximum prices for sales of the products listed below by Phillips Pump and Tank Company, 5000 Brotherton Road, Cincinnati 9, Ohio, shall be determined as follows:

The manufacturer shall add the amount shown below to the maximum net price he had in effect to a purchaser of the same class, just prior to the issuance of this order:

Item:	Amount to be added to maximum net price
Model 17	\$0.24
Model 17-A	.39
Model 17-S	.05
Model 19	.41
Model 26-SP	.98
Model 26-F	.22
Model 100	.05
Model 101-F	.27
Model 105	.24
Model 107	.86
Model 150	.10

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

(c) Phillips Pump and Tank Company shall notify each person who buys the products listed above for resale of the dollars-and-cents amounts by which this order permits the reseller to increase his maximum net prices. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington 25, D. C.

(d) All requests not granted herein are denied.

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

This order shall become effective August 13, 1945.

Issued this 11th day of August 1945.  
CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14862; Filed, Aug. 11, 1945;  
11:26 a. m.]

[MPR 188, Corr. to Order 4081]

APPLIANCE INDUSTRIES OF AMERICA

APPROVAL OF MAXIMUM PRICES

Order No. 4081 issued under § 1499.158 of Maximum Price Regulation 188 is corrected by changing all references to "hotel and restaurant supply houses" to hotel and restaurant supply houses and others selling to industrial, commercial or institutional users.

This correction is effective on the 11th day of August 1945.

Issued this 11th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14865; Filed, Aug. 11, 1945;  
11:25 a. m.]

[MPR 260, Order 1733]

WEBER E. IVINS

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) Weber E. Ivins, P. O. Box 3842, 77 Allen St., San Juan, 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	Packing	Maximum list price	Maximum retail price
Ivins Supremo	Coronas	50	Per M \$48	Cents 6

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

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maxi-

mum 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 August 13, 1945.

Issued this 11th day of August 1945.  
CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14866; Filed, Aug. 11, 1945;  
11:27 a. m.]

[MPR 260, Order 1734]

THE ELENA CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

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

(a) The Elena Cigar Factory, 1611 8th Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
D. Elena	Londres	50	Per M \$48.00	Cents 6

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

der 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 August 13, 1945.

Issued this 11th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14867; Filed, Aug. 11, 1945;  
11:27 a. m.]

[MPR 260, Order 1735]

B & B CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

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

(a) B. & B. Cigar Co., E. Market Street, Hellam, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Pack-ing	Maximum list price	Maximum retail price
Croydon Hall....	Diplomats....	50	Per M \$52.00	Cents 2 for 13

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change

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

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

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

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

This order shall become effective August 13, 1945.

Issued this 11th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14868; Filed, Aug. 11, 1945;  
11:27 a. m.]

[MPR 260, Order 1736]

PAUL J. FINNERTY

AUTHORIZATION OF MAXIMUM PRICES

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

(a) Paul J. Finnerty, 5330 Cote Brilliante, St. Louis 12, Mo. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maxi-

mum list price and maximum retail price set forth below:

Brand	Size or frontmark	Pack-ing	Maximum list price	Maximum retail price
Finnerty's Hand Made.	4 1/4	50	Per M \$60.00	Cents 2 for 13

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

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

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

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

This order shall become effective August 13, 1945.

Issued this 11th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14869; Filed, Aug. 11, 1945;  
11:27 a. m.]

[MPR 260, Order 1737]

NATIONAL SILVER 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) National Silver Co., 1351 Biscayne Blvd., Miami 36, 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	Pack- ing	Maxi- mum list price	Maxi- mum retail price
Flor de Villaamil.	Royal Co- ronas.	25	Per M \$368.50	\$0.50

(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 August 13, 1945.

Issued this 11th day of August 1945.  
CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14870; Filed, Aug. 11, 1945;  
11:23 a. m.]

[MPR 260, Order 1738]

HOLMES &amp; WALSH

## 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) Holmes & Walsh, 63 E. Adams St., Chicago 3, Ill. (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	Pack- ing	Maxi- mum list price	Maxi- mum retail price
Partagas.....	Elegantes.....	25	Per M \$262.50	\$0.35

(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 each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed

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 August 13, 1945.

Issued this 11th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14871; Filed, Aug. 11, 1945;  
11:23 a. m.]

[MPR 260, Order 1739]

SMITH-ALLAN, 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) Smith-Allan, Inc., 1052 Omaha Nat'l. Bank Bldg. Omaha 2, Nebr. (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	Pack- ing	Maxi- mum list price	Maxi- mum retail price
El Arabe.....	Habaneros.....	50	Per M \$120	\$0.15

(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 may be charged on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced.

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 August 13, 1945.

Issued this 11th day of August 1945.  
CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14872; Filed, Aug. 11, 1945;  
11:23 a. m.]

[MPR 260, Order 1740]

#### EXIMPORT COMPANY OF AMERICA

##### 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) Eximport Company of America, 284 Fifth Ave., New York 1, 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	Pack- ing	Maxi- mum list price	Maxi- mum retail price
Aroma de Santa Clara,	Electos.....	25	Per M \$195	\$0.25

(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 August 13, 1945.

Issued this 11th day of August 1945.  
CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14873; Filed, Aug. 11, 1945;  
11:24 a. m.]

[MPR 260, Order 1741]

#### FABER, COE & GREGG, 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) Faber, Coe & Gregg, Inc., 206 W. 40 St., New York 18, 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	Pack- ing	Maxi- mum list price	Maxi- mum retail price
Romeo y Julieta.	Petit Romeo Habana.	25	Per M \$203.50	\$0.28

(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, but shall not be increased.

(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 August 13, 1945.

Issued this 11th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14874; Filed, Aug. 11, 1945;  
11:24 a. m.]

[MPR 260, Order 1742]

E. W. WICHNEVSKY

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) E. W. Wichnevsky, 30 Rockefeller Plaza, Rm. 4417, New York, 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
La Flor de Haver-	Conechas.....	50	Per M \$135	\$0.18

(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 August 13, 1945.

Issued this 11th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-14875; Filed, Aug. 11, 1945;  
11:24 a. m.]

[RMPR 528, Rev. Order 36]

TIRES AND TUBES, RECAPPING AND REPAIRING, AND CERTAIN REPAIR MATERIALS

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*:

Order No. 36 under Revised Maximum Price Regulation 528 is redesignated Revised Order No. 36 and is revised to read as follows:

(a) The maximum retail prices for the following type and sizes of new tires manufactured by The B. F. Goodrich Company, Akron, Ohio, shall be:

R-5 Industrial Tractor Tires

Size	Ply	Maximum price, per tire	Size	Ply	Maximum price, per tire
12.00-24.....	6	\$78.75	13.00-32.....	6	\$118.90
12.00-24.....	8	88.75	13.00-32.....	8	133.95
12.00-28.....	6	86.05	14.00-24.....	6	106.85
12.00-28.....	8	96.95	14.00-24.....	8	120.40
13.00-24.....	6	95.65	14.00-28.....	8	136.75
13.00-24.....	8	107.80			

cents per hour in addition to the wages being paid to journeymen painters in his trading area.

"Average hourly wage" shall be determined by reference to the wages for each class of employees paid during the week including July 20, 1944.

(b) Before any seller affected by this order may offer to supply or supply the above described services at the prices established by this order, he shall file with his local War Price and Rationing Board a statement containing the following information:

(1) His maximum customers' hourly rates.

(2) The hourly wages paid to journeymen painters, helpers, and apprentices during the week including July 20, 1944; the average hourly wage for each class of employee plus 25 cents.

(3) In the case of a self-employed seller, the names of contractors in his trading area and wages paid by them to journeymen painters.

(c) Any seller subject to this order who was not in business in March, 1942, shall determine his maximum prices in accordance with the provisions of this order and shall file with his local War Price and Rationing Boards his maximum customers' hourly rates together with all information required under paragraph (b) of this order.

(d) Any seller subject to this order who has incurred a labor cost increase by reason of a predetermined wage rates by the Secretary of Labor under the Davis-Bacon Act or an order or authorization of the Wage Adjustment Board, National War Labor Board, or

Regional and District Office Orders.

[Region I Order G-6 Under RMPR 251]

PAINTING AND PAPER HANGING SERVICES  
IN VERMONT

For the reasons set forth in an opinion issued simultaneously herewith under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by section 8 (c) of Revised Maximum Price Regulation No. 251, *It is ordered*:

(a) Any seller supplying paper hanging and/or painting services in the state of Vermont which are subject to Revised Maximum Price Regulation No. 251, may charge as his maximum customers' hourly rates the lower of the following prices:

(1) \$1.25 per hour, or

(2) The average hourly wage paid to journeymen painters, helpers, and apprentices plus 25 cents per hour; or, in the case of a self-employed seller, 25

Economic Stabilization Director and paid to employees after July 20, 1944, may add such labor cost increase to his maximum customers' hourly rate as established by this order, *Provided, however*, that the increase does not result in a maximum customers' hourly rate in excess of \$1.25 per hour.

(e) No charge in addition to the maximum customers' hourly rates established herein shall be made for brushes, ladders, pails, drop cloths, and other incidental equipment usually employed in this type of work.

(f) All individual orders previously issued by this office to painters and paper hangers in this Area are hereby revoked and superseded by this Regional Order No. G-6.

(g) This Order No. G-6 may be amended, revised, or revoked at any time by the Office of Price Administration on its own motion.

(h) This Order No. G-6 shall become effective August 2, 1945.

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

Issued this second day of August, 1945.

ELDON C. SHOUP,  
Regional Administrator.

[F. R. Doc. 45-14755; Filed, Aug. 9, 1945;  
4:23 p. m.]

[Region II Gen. Order 22 Under RMPR 165]

LAUNDRY SERVICE IN MERCER COUNTY,  
N. J., AREA

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

PERMITTED PER NET TON INCREASE ABOVE APPLICABLE AREA CEILING PRICE FOR ANTHRACITE, PURSUANT TO PARAGRAPH (B)

[For sales of fractions of a net ton, the increase shall be proportionate]

Kind	Broken	Egg	Stove	Nut	Pea	Buckwheat	Rice	Barley
(34) "Consagra" (this includes only anthracite produced and prepared at Consagra Colliery by Consagra Coal Co.)	\$0.50	\$0.50	\$0.50	\$0.50	\$0.50	\$0.50	\$0.50	-----

This Amendment No. 19 to Order No. G-53 shall become effective July 25, 1945, except that for purposes of an application under paragraph (c) of Order No. G-53, it shall not become effective until August 1, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of July 1945.

DANIEL P. WOOLLEY,  
Regional Administrator.

[F. R. Doc. 45-14754; Filed, Aug. 9, 1945;  
4:22 p. m.]

[Region V Order G-1 Under Gen. Order 50, Amdt. 9]

#### MALT BEVERAGES IN DALLAS REGION

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Re-

under the authority vested in the Regional Administrator of Region II by section 16 (a) of Revised Maximum Price Regulation No. 165, as amended—Services, and by the Emergency Price Control Act of 1942, as amended; *It is hereby ordered*:

That the Stacy Laundry Corp. is hereby granted an increase of 8% over its March, 1942, ceiling prices, as established.

All increases heretofore granted the Stacy Laundry Corp. by the Office of Price Administration hereby are revoked and rendered null and void.

This order shall become effective July 23, 1945.

Issued July 23, 1945.

CHARLES T. ABERNETHY,  
Acting Regional Administrator.

[F. R. Doc. 45-14756; Filed, Aug. 9, 1945;  
4:23 p. m.]

[Region II Order G-53 Under RMPR 122, Amdt. 19]

#### PENNSYLVANIA ANTHRACITE IN NEW YORK REGION

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Order No. G-53 is amended in the following respect:

1. Revised Appendix A is amended by adding a new item designated (34) immediately after item (33) to read as follows:

gional Administrator by General Order 50, Region V Order No. G-1 under General Order 50, maximum prices for malt beverages in designated southern states, is amended in the following respects:

1. Section 20, Table I, Appendix A, is amended by deleting therefrom the brand "Gold Crest" and adding thereto the following:

Blackhawk Topping.  
Heinies Bohemian Style.  
Gold Crest (Storz).  
Pilsener Club.

2. Section 20, Table II, Appendix A, is amended by deleting therefrom the brand "Gold Crest" and adding thereto the following:

Goldcrest (Tennessee).  
Heinies.

This amendment shall become effective August 4th 1945.

(56 Stat. 23, 765; 57 Stat. 566; Public Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7671;

E.O. 9228, 8 F.R. 4681; General Order 50, 8 F.R. 4808)

Issued at Dallas, Texas, this 4th day of August 1945.

C. B. BRAUN,  
Acting Regional Administrator.

[F. R. Doc. 45-14748; Filed, Aug. 9, 1945;  
4:21 p. m.]

[Region VI Rev. Order G-13 Under RMPR 122]

#### SOLID FUELS IN LA CROSSE, WIS.

Pursuant to the authority vested in the Regional Administrator of Region VI by § 1340.260 of Revised Maximum Price Regulation No. 122, it is ordered:

(a) *What this order does.* This order establishes maximum prices for sales of specified solid fuels delivered in the city of La Crosse, Wisconsin, and within an area of ten miles around the city limits of La Crosse. These are the highest prices that any dealer may charge when he delivers any such fuel within this area; they are also the highest prices that any buyer in the course of trade or business may pay for such solid fuels.

(b) *What this order prohibits.* Regardless of any contract or other obligation, no person shall

(1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this Revised Order No. G-3, but less than the maximum prices may at any time be charged, paid, or offered.

(2) Obtain higher than maximum prices by:

(i) Charging for a service unless expressly requested by the buyer and unless specifically authorized to do so by this revised order.

(ii) Charging a price higher than the scheduled price for a service.

(iii) Making a charge higher than the schedule charge authorized for the extension of credit.

(iv) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, or

(v) Using any other device by which a higher than maximum price is obtained.

(c) *Price schedule.* (1) Immediately below and as part of this paragraph (c) is a schedule which sets forth maximum prices for delivered sales of specified sizes, kinds and quantities of solid fuels. Sales in lots of fractions of a ton or tons shall be governed by the price schedule as follows:

(i) On delivered sales of less than 1 ton, the price shall be proportional to the price per ton plus an additional charge of 25¢, but in no event shall the total price be in excess of that for a sale of 1 ton; for example, if the price of 1 ton is \$15.16, the price of  $\frac{1}{2}$  ton would be \$7.58 plus 25¢ or a total of \$7.83; the price of  $\frac{3}{4}$  ton would be \$11.37 plus 25¢ or a total of \$11.62.

(ii) On delivered sales of more than 1 ton, for each fraction of a ton sold, the price shall be proportional to the price per ton; for example, if the price of 1 ton is \$15.01, the price of  $1\frac{1}{2}$  tons would be \$22.52.

(iii) On yard sales of any fraction of a ton, whether more or less than 1 ton, the price shall be proportional to the price per ton; for example, if the price of 1 ton at the yard is \$14.90, the price of  $\frac{1}{2}$  ton would be \$7.45; of  $\frac{1}{2}$  tons—\$22.35.

## PRICE SCHEDULE

	1 ton or more delivered per ton
I. Low volatile bituminous coal from district No. 7 (southern West Virginia and northwestern and central Virginia)	
1. Lump and egg—size group Nos. 1 and 2 (all lump coal bottom size $\frac{3}{4}$ " all egg coal top size larger than 3" bottom size no limit).....	\$15.16
2. Stove—size group No. 3 (all stove coal top size larger than $1\frac{1}{4}$ " but not exceeding 3", bottom size smaller than 3").....	15.01
3. Nut—size group No. 4 (all nut coal top size larger than $\frac{3}{4}$ " but not exceeding $1\frac{1}{4}$ "; bottom size smaller than $1\frac{1}{4}$ ").....	14.96
II. High volatile bituminous coal from district No. 8 (eastern Kentucky, southwestern West Virginia, western Virginia, northern Tennessee and North Carolina)	
A. Coal from premium Kentucky and Elkhorn seams including Millers Creek, No. 5, high and low splint, blue gem and Elkhorn seams:	
1. Lump.....	14.90
2. Egg.....	14.80
3. Stoker.....	13.40
III. High volatile bituminous coal from district No. 10 (Illinois)	
A. Southern sub-district price group Nos. 1, 2 and 8 (deep machine mines):	
1. Lump and egg—size group Nos. 1, 2, 3, 4, and 5 (all lump and egg coals bottom size larger than $1\frac{1}{2}$ " washed or raw).....	10.99
2. Special stoker—size group Nos. 21, 22 and 28 (all washed or air cleaned nut and pea coal bottom size larger than 10 mesh or $3\frac{1}{3}$ " and top size not exceeding 2"; also all dry dedusted special stoker bottom size larger than 28 mesh and top size not exceeding $\frac{3}{8}$ ").....	10.39
3. Washed and dedusted screenings—size group Nos. 23, 24, 26 and 27 (all washed air-cleaned or dry dedusted screenings top size not exceeding 2").....	9.84
F. Fulton Peoria subdistrict (strip mines)	
1. Lump and egg—size group Nos. 1, 2 and 3 (All lump and egg coals bottom size larger than 2" washed or raw) price group Nos. 24, 25 and 26.....	9.65
2. Washed nut and pea—size group Nos. 17-20 inclusive (all washed or air-cleaned nut and pea coal bottom size larger than 10 mesh or $3\frac{1}{3}$ " and top size not exceeding 2") price group Nos. 27 and 28.....	8.80
IV. High volatile bituminous coal from district No. 11 (Indiana) (deep machine mines)	
1. Lump—size group No. 1 (all lump coal bottom size larger than 4" washed or raw):	
(a) Price group Nos. 6 and 14.....	\$11.44
(b) Price group Nos. 15 and 16.....	11.34
(c) Mine Index No. 115 only.....	10.74

## PRICE SCHEDULE—Continued

1 ton or more  
delivered  
per ton

2. Egg—size group Nos. 2 and 3 (all egg coal bottom size larger than 2" but not larger than 4" washed or raw):	
(a) Price group Nos. 6 and 14.....	\$11.19
(b) Price group Nos. 7, 18 and 19 and Mine Index No. 115.....	10.39
3. Egg—size group Nos. 4 and 5 (all egg coal bottom size larger than $1\frac{1}{2}$ " but not larger than 2" washed or raw) price group Nos. 6 and 14.....	10.94
4. Stoker—size group Nos. 9-12 inclusive (all raw nut and pea coal bottom size larger than 10 mesh or $\frac{3}{2}$ " and top size not exceeding 2"):	
(a) Price group Nos. 6 and 14.....	10.19
(b) Mine Index No. 115 only.....	9.84
V. Pennsylvania Anthracite: 1. Egg, stove and nut.....	20.60
VI. By-product coke: 1. Egg, stove and nut.....	17.10
VII. Briquettes made from District No. 7 Low Volatile Coal.....	15.65

(2) The maximum prices for all sales by dealers of solid fuels not provided for by the above schedule shall be the maximum prices applicable for such sales under Revised Maximum Price Regulation No. 122, as amended.

(d) *Service charges.* The service charges set forth below may be made for special services rendered in connection with sales under paragraph (c). No other or higher service charges may be made. Service charges must be separately stated on each invoice. These charges may be made only if the service has been requested by the purchaser.

	Coal		Coke	
	Per $\frac{1}{2}$ ton	Per ton	Per $\frac{1}{2}$ ton	Per ton
Carrying or wheeling from curb, per ton.....	\$0.40	\$0.75	\$0.60	\$1.00
Carrying up or down stairs.....	.80	1.50	1.20	2.00
Forking, District No. 7 Low Volatile Bituminous Coal, lump or egg.....	.50	1.00	—	—

(e) *Charge for treatment of coal.* Whenever a dealer has been charged by his supplier for the chemical or oil treatment of coal at the mine, he may add such treatment charge to the applicable maximum price set by this revised order: *Provided*, That the treated coal is kept separate and is not mixed with untreated coal. When a treatment charge is made pursuant to this section the dealer need not separately state the amount of such service charge if he clearly indicates on the invoice that such coal is so treated.

(f) *Discounts.* The maximum prices set forth in section (c) shall be subject to the following discounts:

	Per ton
1. Payment on delivery or within 10 days therefrom.....	\$1.00
2. On yard sales to purchasers other than dealers.....	1.00
3. On yard sales to dealers.....	1.50
4. On a sale or delivery of 20 tons or more annually in full truckload lots.....	.50

(g) *The transportation tax.* The transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected in addition to the maximum

prices set by this revised order, provided the dealer states it separately from the price on his invoice or statement. But no part of that tax may be collected, in addition to the maximum price on sales of quarter-ton or lesser quantities.

(h) *Addition of increases in supplier's price prohibited.* Notwithstanding the provisions of Revised Maximum Price Regulation No. 122, the maximum prices set by this revised order may not be increased and need not be decreased by a dealer to reflect increases or decreases in purchase costs or in his supplier's maximum prices occurring after the effective date hereof; but increases or decreases in the maximum prices set hereby to reflect such changes are within the discretion of the Regional Administrator.

(i) *Petitions for amendments.* This order may be revoked, amended or modified at any time. Any dealer may at any time file with the La Crosse District Office of the Office of Price Administration a petition for amendment to this order in accordance with the provisions of Revised Procedural Regulation No. 1.

(j) *Posting of maximum prices.* (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 person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing: the date; the name and address of the buyer, if known; the per net ton price charged and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

(k) Every person 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 discounts, 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 provisions of this paragraph (k) shall not apply to sales of solid fuels in less than quarter ton lots unless requested by the purchaser.

(1) *Definitions and explanations.* When used in this Revised Order No. G-13, the term:

(1) "Delivered" means dumping, chuting or otherwise depositing the fuel into any bin or storage space available on the buyer's premises.

(2) "Pennsylvania anthracite" means only coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania. "Chestnut" size of Pennsylvania anthracite refers to the size of such coal prepared at the mine in accordance with standard sizing specifications adopted by the Anthracite Committee, effective December 15, 1941.

(3) "District No." refers to the geographical bituminous coal-producing districts as delineated and numbered by the Bituminous Coal Act of 1937, as amended.

(4) "Low volatile bituminous coal" refers to coal produced in the low volatile sections of the producing districts specified herein.

(5) "High volatile bituminous coal" refers to coal produced in the high volatile sections of the producing districts specified herein.

(6) (i) "Egg, stove, nut," etc., sizes of bituminous coal refer to the sizes of such coal as defined in the Bituminous Coal Act of 1937, as amended, and as prepared at the mine in accordance with the applicable minimum price schedule promulgated by the Bituminous Coal Division of the United States Department of Interior.

(ii) "Egg, stove, nut," etc., sizes of bituminous coal received via the Great Lakes refer to the sizes of coal sold at the docks under such designations during December 1941.

(7) "P. G." (Production Group) and "S. G." (Size Group) refer to the meaning given to these terms under the Bituminous Coal Act of 1937 or under any order, schedule, rule or regulation issued by the Bituminous Coal Division of the U. S. Department of the Interior which was established or in effect as of midnight August 23, 1943.

(8) 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 Revised Maximum Price Regulation No. 122 or the Emergency Price Control Act of 1942; if not therein defined, they shall be given their ordinary and popular trade meaning.

(m) *Effect of order on Revised Maximum Price Regulation No. 122 and Regional Order Nos. G-19, G-20, and G-22.* Except as herein otherwise provided, the provisions of Revised Maximum Price Regulation No. 122 shall remain in full force and effect. This revised order supersedes Regional Order Nos. G-19, G-20, and G-22 as to dealers covered hereby.

NOTE: The record-keeping requirements of this Revised Order have been approved by

the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Revised Order No. G-13 shall become effective August 8, 1945.

Issued this 3d day of August 1945.

RAE E. WALTERS,  
Regional Administrator.

[F. R. Doc. 45-14753; Filed, Aug. 9, 1945;  
4:22 p. m.]

[Region VIII Order G-10 Under Supp. Order 94, Amdt. 1]

THREE PANEL WOODEN FOLDING SCREENS  
IN SAN FRANCISCO REGION

For the reasons set forth in the accompanying opinion and pursuant to the authority conferred upon the Regional Administrator by sections 11 and 13 of Supplementary Order No. 94; *It is hereby ordered*, That Order No. G-10 under Supplementary Order No. 94 be amended as follows:

Paragraph (a) is amended by striking the words "Procurement Division of the Treasury Department" and substituting therefor the words "Department of Commerce."

Issued this 25th day of July 1945.

CHAS. R. BAIRD,  
Regional Administrator.

[F. R. Doc. 45-14751; Filed, Aug. 9, 1945;  
4:21 p. m.]

[Region VIII Order G-5 Under RMFR 251,  
Amdt. 1]

PLUMBING SERVICES IN SOUTHERN CALIFORNIA AREA

An opinion accompanying this amendment has been issued simultaneously herewith.

Order No. G-5 under Revised Maximum Price Regulation No. 251 is amended in the following respects:

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

(b) (1) The maximum hourly rate shall be either the rate in Column A, or the labor cost per hour multiplied by the percentage in Column B, whichever is lower.

	Column A			Column B Percentage of legal labor cost
	Straight time	Overtime	Sundays and Holidays	
J Journeyman plumber.....	\$2.50	\$3.75	\$5.00	166%
J Journeyman plumber (Los Angeles County, Calif., or Clark County, Nev.).....	2.75	4.03	5.50	166%
A Apprentice plumber.....	1.75	2.63	3.50	140
C Common labor.....	1.75	2.63	3.50	140

2. Paragraph (b) (3) is amended to read as follows:

(3) *Jobs selling for more than \$200.* For jobs sold for more than \$200.00 the maximum price shall be calculated under section 7 of Revised Maximum Price Regulation No. 251, using the sum of labor costs, direct costs, and a margin not exceeding the margin used on the most comparable job in the period January 1, 1939, to March 31, 1942, or, for sellers not in business in March 1942, a margin not exceeding 30 percent of the sum of labor and material and other direct costs. This price may not exceed the maximum price provided above in this order.

3. Paragraph (b) (4) is added to read as follows:

(4) *Additional charges:* A charge may be made for the cash outlay a plumber may be required to make to secure a permit to perform a specific job, which fee is paid to a Building Inspection Department of a city or other body politic.

This amendment to Order No. G-5 shall become effective July 28, 1945.

Issued this 23d day of July 1945.

CHAS. R. BAIRD,  
Regional Administrator.

[F. R. Doc. 45-14752; Filed, Aug. 9, 1945;  
4:22 p. m.]

[Region VIII Order G-14 Under Supp. Order 94]

BOYT HARNESS CO.

SPECIAL EXEMPTION FROM PRICE CONTROL

For the reasons set forth in an accompanying opinion and pursuant to the authority conferred upon the Regional Administrator by sections 11 and 13 of Supplementary Order 94; *It is ordered*, as follows:

(a) Notwithstanding the provision of any regulation or order issued prior to the effective date of this order by the Regional Administrator of the Office of Price Administration, sales by the United States Department of Commerce or by any other Government agency or any subsequent seller of the following commodity are hereby exempt from price control:

(1) Automatic rifle carrying cases for Thompson Automatic Sub-Machine Gun, manufactured by Boyt Harness Company, Des Moines, Iowa, all leather with steel reinforcements, light natural color, 48" long, 3" thick, and 7" tapering to 3" wide. Condition—new.

(b) This order shall apply to sales in the States of California, Washington, Nevada, Oregon, except Malheur County, and Arizona, except those portions of Coconino and Mohave Counties lying north of the Colorado River; and the following counties in the State of Idaho: Benewah, Bonner, Boundary, Clearwater, Kootenai, Latah, Lewis, Nez Perce, Shoshone, and Idaho.

This order shall become effective July 28, 1945, and shall continue in effect until made subject to an order issued by the National Office of the Office of Price Administration.

This order may be amended, corrected or revoked at any time.

Issued this 23d day of July 1945.

CHAS. R. BAIRD,  
Regional Administrator.

[F. R. Doc. 45-14750; Filed, Aug. 9, 1945;  
4:21 p. m.]

[Region VIII Order G-15 Under Supp.  
Order 94]

## CANVAS CASES IN SAN FRANCISCO REGION

For the reasons set forth in an accompanying opinion and pursuant to the authority conferred upon the Regional Administrator by sections 11 and 13 of Supplementary Order 94; *It is ordered*, as follows:

(a) Notwithstanding the provision of any regulation or order issued prior to the effective date of this order by the Regional Administrator of the Office of Price Administration, sales by the United States Department of Commerce or by any other Government agency or any subsequent seller of the following commodity are hereby exempt from price control:

(i) Infantry demolition kit case, dimensions approximately 12" x 12" x 4", with adjustable web shoulder straps, 4 buckles and straps for fastening case, center built in covered case 4" square inside of 8½" square tray with metal stiffening around top edge, bottom reinforced with composition fibreboard.

(ii) Cavalry demolition canvas case, dimensions approximately 7½" x 7½" x 1¾", flap closing with two ¾" x 6" straps and buckles, shoulder web carrying straps 2" x 30" with adjustable sliding buckles.

(b) This order shall apply to sales in the States of California, Washington, Nevada, Oregon, except Malheur County, and Arizona, except those portions of Coconino and Mohave Counties lying north of the Colorado River; and the following counties in the State of Idaho: Benewah, Bonner, Boundary, Clearwater, Kootenai, Latah, Lewis, Nez Perce, Shoshone, and Idaho.

This order shall become effective July 28, 1945, and shall continue in effect until made subject to an order issued by the National Office of the Office of Price Administration.

This order may be amended, corrected or revoked at any time.

Issued this 23d day of July 1945.

CHAS. R. BAIRD,  
Regional Administrator.

[F. R. Doc. 45-14749; Filed, Aug. 9, 1945;  
4:21 p. m.]

## LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register Aug. 9, 1945.

## REGION I

Maine Order 3-F, Amendment 5, covering fresh fruits and vegetables in South Portland, Portland and Westbrook, Maine. Filed 10:26 a. m.

Maine Order 5-F, Amendment 5, covering fresh fruits and vegetables in the Bangor and Brewer Areas. Filed 10:28 a. m.

## REGION IV

Birmingham Order 3-F, Amendment 27, covering fresh fruits and vegetables in Jefferson County, Alabama. Filed 10:09 a. m.

Columbia Order 7-F, Amendment 9, covering fresh fruits and vegetables in the entire state of South Carolina. Filed 10:06 a. m.

## REGION V

Dallas Order 1-F, Amendment 74, covering fresh fruits and vegetables in Dallas County, Texas. Filed 10:06 a. m.

Dallas Order 2-C, Amendment 4, covering poultry. Filed 10:17 a. m.

Dallas Order 3-F, Amendment 50, covering fresh fruits and vegetables in certain areas in Texas. Filed 10:26 a. m.

New Orleans Order 2-F, Amendment 82, covering fresh fruits and vegetables in certain areas in Louisiana. Filed 10:06 a. m.

Wichita Order 5-F, covering fresh fruits and vegetables in certain areas in Kansas. Filed 10:07 a. m.

## REGION VI

Chicago Order 1-0, Amendment 2, covering eggs in the Chicago Area. Filed 10:18 a. m.

Chicago Order 2-0, Amendment 2, covering eggs in the Chicago Area. Filed 10:18 a. m.

Milwaukee District Order 10-F, Amendment 4, covering fresh fruits and vegetables in certain counties in Wisconsin. Filed 10:20 a. m.

Moline Order 2-F, Amendment 45, covering fresh fruits and vegetables in certain areas in Illinois and Iowa. Filed 10:25 a. m.

Moline Order 3-F, Amendment 27, covering fresh fruits and vegetables in certain areas in Illinois and Iowa. Filed 10:26 a. m.

North Platte Order 1-F, Amendment 3, covering fresh fruits and vegetables in certain areas in Nebraska. Filed 10:20 a. m.

Omaha Order 10-F, Amendment 18, covering fresh fruits and vegetables in Omaha, Nebraska and Council Bluffs, Iowa. Filed 10:20 a. m.

Omaha Order 10-F, Amendment 19, covering fresh fruits and vegetables in Omaha, Nebraska and Council Bluffs, Iowa. Filed 10:18 a. m.

Omaha Order 11-F, Amendment 19, covering fresh fruits and vegetables in Lincoln, Nebraska. Filed 10:21 a. m.

Omaha Order 11-F, Amendment 20, covering fresh fruits and vegetables in Lincoln, Nebraska. Filed 10:19 a. m.

Omaha Order 21, Amendment 9, covering dry groceries within Lancaster County, Nebraska. Filed 10:21 a. m.

Sioux City Order 2-F, Amendment 80, covering fresh fruits and vegetables in Sioux City, Iowa and South Sioux City, Nebraska. Filed 10:21 a. m.

Sioux Falls Order 2-F, Amendment 7, covering fresh fruits and vegetables in Sioux Falls, South Dakota. Filed 10:28 a. m.

Twin Cities Order (Revised) 1-F, Amendment 26, covering fresh fruits and vegetables in St. Paul and Minneapolis. Filed 10:10 a. m.

Springfield Order 13-F, Amendment 18, covering fresh fruits and vegetables in Springfield, Sangamon County, Illinois. Filed 10:21 a. m.

Springfield Order 13-F, Amendment 19, covering fresh fruits and vegetables in Springfield, Sangamon County, Illinois. Filed 10:19 a. m.

Springfield Order 14-F, Amendment 20, covering fresh fruits and vegetables in certain areas in Illinois. Filed 10:22 a. m.

Springfield Order 14-F, Amendment 21, covering fresh fruits and vegetables in certain areas in Illinois. Filed 10:19 a. m.

Springfield Order 15-F, Amendment 19, covering fresh fruits and vegetables in Decatur, Macon County, Illinois. Filed 10:22 a. m.

Springfield Order 15-F, Amendment 20, covering fresh fruits and vegetables in Decatur, Macon County, Illinois. Filed 10:20 a. m.

## REGION VII

Albuquerque Order 8-F, Amendment 23, covering fresh fruits and vegetables in the Albuquerque Area, including city of Albuquerque. Filed 10:23 a. m.

Albuquerque Order 8-F, Amendment 24, covering fresh fruits and vegetables in the

Albuquerque Area, including city of Albuquerque. Filed 10:28 a. m.

Denver Order 4-F, Amendment 4, covering fresh fruits and vegetables in the Denver Area. Filed 10:22 a. m.

Denver Order 5-F, Amendment 4, covering fresh fruits and vegetables in the Pueblo Area. Filed 10:23 a. m.

Denver Order 6-F, Amendment 4, covering fresh fruits and vegetables in the Colorado Springs-Manitou Area. Filed 10:23 a. m.

Denver Order 7-F, Amendment 4, covering fresh fruits and vegetables in the Boulder-Fort Collins-Greeley Area. Filed 10:23 a. m.

Salt Lake City Order 5-W, Amendment 2, covering dry groceries in Salt Lake City, Ogden and Provo Area. Filed 10:16 a. m.

Salt Lake City Order 21, Amendment 2, covering dry groceries in Salt Lake City, Ogden, and Provo Area. Filed 10:10 a. m.

Salt Lake City Order 22, Amendment 2, covering dry groceries in certain areas in Utah. Filed 10:10 a. m.

Salt Lake City Order 23, Amendment 2, covering dry groceries in certain areas in Utah. Filed 10:11 a. m.

Salt Lake City Order 24, Amendment 2, covering dry groceries in certain areas in Nevada, Arizona and Utah. Filed 10:11 a. m.

## REGION VIII

Nevada Order 11-F, Amendment 1-A, covering fresh fruits and vegetables in the Reno and Sparks Area. Filed 10:16 a. m.

Nevada Order 12-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Nevada. Filed 10:16 a. m.

Nevada Order 13-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Nevada. Filed 10:16 a. m.

Nevada Order 32, covering dry groceries in the Reno and Sparks Area. Filed 10:23 a. m.

Nevada Order 33, covering dry groceries in certain areas in Nevada. Filed 10:24 a. m.

Nevada Order 34, covering dry groceries in certain areas in Nevada. Filed 10:24 a. m.

Nevada Order 35, covering dry groceries in certain areas in Nevada. Filed 10:24 a. m.

Nevada Order 36, covering dry groceries in the entire state of Nevada except Clark County. Filed 10:24 a. m.

Nevada Order 37, covering dry groceries in Clark County, Nevada. Filed 10:25 a. m.

Phoenix Adopting Order 8-F, Amendment 17, covering fresh fruits and vegetables in certain cities in Arizona. Filed 10:26 a. m.

Sacramento Order 0-1, Amendment 6, covering eggs in certain areas in California. Filed 10:08 a. m.

Sacramento Order 0-2, Amendment 6, covering eggs in certain counties in California. Filed 10:09 a. m.

Sacramento Order 20 under Basic Order 1-B, Amendment 4, covering dry groceries. Filed 10:08 a. m.

Sacramento Adopting Order 29-F under Basic Order 3-B, Amendment 23, covering fresh fruits and vegetables in certain areas in California. Filed 10:07 a. m.

Sacramento Adopting Order 29-F under Basic Order 3-B, Amendment 24, covering fresh fruits and vegetables in certain areas in California. Filed 10:07 a. m.

Sacramento Order 30-F, Amendment 6, covering fresh fruits and vegetables in certain areas in California. Filed 10:07 a. m.

Sacramento Order 31-F, Amendment 5, covering fresh fruits and vegetables in certain areas in California. Filed 10:07 a. m.

San Diego Order 1-C, Amendment 5, covering poultry. Filed 10:04 a. m.

San Diego Order 1-D, covering dry groceries in San Diego and Imperial Counties. Filed 10:25 a. m.

San Diego Order 1-F, Amendment 39, covering fresh fruits and vegetables in the San Diego Area. Filed 10:02 a. m.

San Diego Order 2-C, covering poultry in only the Imperial County, California. Filed 10:04 a. m.

San Diego Order 2-F, Amendment 20, covering fresh fruits and vegetables in certain areas in California. Filed 10:02 a. m.

San Diego Order 11, Amendment 5, covering dry groceries in the San Diego Area. Filed 10:02 a. m.

San Diego Order 12, Amendment 2, covering dry groceries in the Imperial County. Filed 10:02 a. m.

San Diego Order 13, Amendment 3, covering dry groceries in the San Diego and Imperial Counties. Filed 10:04 a. m.

San Francisco Order 13-F, Amendment 9, covering fresh fruits and vegetables in certain areas in California. Filed 10:04 a. m.

San Francisco Order 14-F, Amendment 9, covering fresh fruits and vegetables in certain areas in California. Filed 10:06 a. m.

San Francisco Order 15-F, Amendment 9, covering fresh fruits and vegetables in certain areas in California. Filed 10:06 a. m.

San Francisco Order 16-F, Amendment 9, covering fresh fruits and vegetables in Del Norte and Humboldt, except the city of Eureka. Filed 10:06 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,  
Secretary.

[F. R. Doc. 45-14808; Filed, Aug. 10, 1945:  
4:25 p. m.]

#### LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register August 7, 1945.

##### REGION I

Augusta Order 3-F, Amendment 8, covering fresh fruits and vegetables in South Portland and Westbrook, Maine. Filed 10:09 a. m.

Augusta Order 5-F, Amendment 8, covering fresh fruits and vegetables in the Bangor and Brewer Areas. Filed 10:09 a. m.

Boston Order 7-F, Amendment 11, covering fresh fruits and vegetables in the Boston Area. Filed 10:18 a. m.

Boston Order 8-F, Amendment 8, covering fresh fruits and vegetables in certain areas in Massachusetts. Filed 9:26 a. m.

Boston Order 9-F, Amendment 9, covering fresh fruits and vegetables in certain areas in Massachusetts. Filed 9:28 a. m.

Boston Order 10-F, Amendment 8, covering fresh fruits and vegetables in certain areas in Massachusetts. Filed 9:27 a. m.

Concord Order 9-F, Amendment 13, covering fresh fruits and vegetables in certain areas in New Hampshire. Filed 10:09 a. m.

Connecticut Order 1-C, Amendment 5, covering poultry in the state of Connecticut. Filed 9:24 a. m.

Connecticut Order 1-M, covering malt beverages in the entire state of Connecticut. Filed 10:22 a. m.

##### REGION II

Baltimore Order 4-F, Amendment 47, covering fresh fruits and vegetables in certain areas in Maryland. Filed 10:22 a. m.

Baltimore Order 10-F, Amendment 3, covering fresh fruits and vegetables in certain areas in Maryland. Filed 10:21 a. m.

Buffalo Order 3-F, Amendment 19, covering fresh fruits and vegetables in certain areas in New York. Filed 10:23 a. m.

Buffalo Order 4-F, Amendment 19, covering fresh fruits and vegetables in East Rochester, Fairport and Pittsford, New York. Filed 10:23 a. m.

Camden Order 3-F, Amendment 41, covering fresh fruits and vegetables in certain counties in New Jersey. Filed 10:23 a. m.

Camden Order 3-F, Amendment 42, covering fresh fruits and vegetables in certain areas in New Jersey. Filed 10:21 a. m.

Camden Order 4-F, Amendment 41, covering fresh fruits and vegetables in the Cape May and Atlantic Counties, New Jersey. Filed 10:22 a. m.

Camden Order 4-F, Amendment 42, covering fresh fruits and vegetables in the Cape May and Atlantic Counties, New Jersey. Filed 10:22 a. m.

District of Columbia Order 5-F, Amendment 19, covering fresh fruits and vegetables in certain areas in Md., Va., and District of Columbia. Filed 10:22 a. m.

District of Columbia Order 5-F, Amendment 20, covering fresh fruits and vegetables in certain areas in Maryland, Virginia and District of Columbia. Filed 10:10 a. m.

Philadelphia Order 2-F, Amendment 48, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 10:10 a. m.

Williamsport Order 22, Amendment 2, covering dry groceries in certain counties in Pennsylvania. Filed 10:21 a. m.

Williamsport Order 23, Amendment 3, covering dry groceries in certain counties in Pennsylvania. Filed 10:21 a. m.

##### REGION III

Cincinnati Order 1-0, Amendment 1, covering eggs in certain counties in Ohio. Filed 10:10 a. m.

Cincinnati Order 4-F, Amendment 31, covering fresh fruits and vegetables in Hamilton County, Ohio. Filed 10:10 a. m.

Cincinnati Order 8-F, Amendment 1, covering fresh fruits and vegetables in certain counties in Ohio. Filed 10:10 a. m.

Cleveland Order F-1, Amendment 51, covering fresh fruits and vegetables in Cuyahoga County, Ohio. Filed 10:10 a. m.

Cleveland Order 3-F, Amendment 51, covering fresh fruits and vegetables in the Mahoning and Trumbull Counties, Ohio. Filed 10:11 a. m.

Cleveland Order 4-F, Amendment 51, covering fresh fruits and vegetables in Stark and Summit Counties, Ohio. Filed 10:11 a. m.

Columbus Order 10-F, Amendment 4, covering fresh fruits and vegetables in Logan, Franklin and Muskingum Counties, Ohio. Filed 10:11 a. m.

Columbus Order 11-F, Amendment 4, covering fresh fruits and vegetables in certain areas in Ohio. Filed 10:11 a. m.

Detroit Order 5-F, Amendment 27, covering fresh fruits and vegetables in Wayne and Macomb Counties, Michigan. Filed 10:11 a. m.

Indianapolis Order 14-F, Amendment 28, covering fresh fruits and vegetables in Marion, Vigo and Tippecanoe. Filed 10:11 a. m.

Indianapolis Order 15-F, Amendment 28, covering fresh fruits and vegetables in Wayne, Delaware and Allen Counties, Indiana. Filed 10:12 a. m.

Indianapolis Order 16-F, Amendment 28, covering fresh fruits and vegetables in St. Joseph, Indiana. Filed 10:12 a. m.

Indianapolis Order 17-F, Amendment 28, covering fresh fruits and vegetables in Vanderburgh County, Indiana. Filed 10:12 a. m.

Louisville Order 12-F, Amendment 30, covering fresh fruits and vegetables in Clark and Floyd Counties, Indiana and Jefferson, Kentucky. Filed 10:12 a. m.

Louisville Order 13-F, Amendment 30, covering fresh fruits and vegetables in McCracken County, Kentucky. Filed 10:12 a. m.

Louisville Order 15-F, Amendment 8, covering fresh fruits and vegetables in certain areas in Kentucky. Filed 10:13 a. m.

##### REGION IV

Jackson Order 5-F, Amendment 10, covering fresh fruits and vegetables in certain areas in Mississippi. Filed 10:17 a. m.

Jacksonville Order 11-F, Amendment 15, covering fresh fruits and vegetables in certain counties in Florida. Filed 10:25 a. m.

Jacksonville Order 11-F, Amendment 16, covering fresh fruits and vegetables in certain areas in Florida. Filed 10:13 a. m.

Miami Order 1-F, Amendment 24, covering fresh fruits and vegetables in certain areas in Florida. Filed 10:25 a. m.

Roanoke Order 11-F, Amendment 23, covering fresh fruits and vegetables in certain areas in Virginia. Filed 10:24 a. m.

Roanoke Order 12-F, Amendment 15, covering fresh fruits and vegetables in certain areas in Virginia. Filed 10:24 a. m.

Savannah Order 7-F, Amendment 42, covering fresh fruits and vegetables in certain areas in Georgia. Filed 10:13 a. m.

Savannah Order (Adopting) 9-F, Amendment 42, covering fresh fruits and vegetables. Filed 10:13 a. m.

Savannah Order (Adopting) 10-F, Amendment 42, covering fresh fruits and vegetables. Filed 10:14 a. m.

Savannah Adopting Order 12-F, Amendment 12, covering fresh fruits and vegetables. Filed 10:14 a. m.

Savannah Order (Adopting) 13-F, Amendment 6, covering fresh fruits and vegetables. Filed 10:14 a. m.

##### REGION V

Dallas District Order 3-F, Amendment 52, covering fresh fruits and vegetables. Filed 10:15 a. m.

Dallas Order 4-F, covering fresh fruits and vegetables in Dallas County, Texas. Filed 10:16 a. m.

Dallas Order 5-F, covering fresh fruits and vegetables in certain areas in Texas. Filed 10:16 a. m.

Houston Order 4-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Texas. Filed 10:14 a. m.

Houston Order 5-F, Amendment 1, covering fresh fruits and vegetables in Orange and Jefferson Counties, Texas. Filed 10:14 a. m.

Houston Order 6-F, covering fresh fruits and vegetables in certain counties in Texas. Filed 10:14 a. m.

Shreveport Order 2-F, Amendment 68, covering fresh fruits and vegetables in certain cities in the Shreveport Area. Filed 10:24 a. m.

St. Louis Order 4-F, Amendment 2, covering fresh fruits and vegetables in the city and county of St. Louis, Missouri. Filed 10:16 a. m.

St. Louis Order 5-F, covering fresh fruits and vegetables in certain counties in Missouri. Filed 10:17 a. m.

Tulsa Order 8-F, Amendment 20, covering fresh fruits and vegetables in the cities of Muskogee and Tulsa, Oklahoma. Filed 10:24 a. m.

Tulsa Order 8-F, Amendment 21, covering fresh fruits and vegetables in the cities of Muskogee and Tulsa, Oklahoma. Filed 10:23 a. m.

##### REGION VI

Chicago Order 2-F, Amendment 71, covering fresh fruits and vegetables in certain areas in Illinois and Lake County, Indiana. Filed 9:27 a. m.

Des Moines Order 1-F, Amendment 73, covering fresh fruits and vegetables in Des Moines, Polk County, Iowa. Filed 10:19 a. m.

Des Moines Order 3-F, Amendment 21, covering fresh fruits and vegetables in certain areas in Iowa. Filed 10:19 a. m.

Duluth-Superior Order 1-F, Amendment 80, covering fresh fruits and vegetables in certain areas in Minnesota. Filed 10:23 a. m.

Green Bay Order 4-F, Amendment 24, covering fresh fruits and vegetables in certain counties in Wisconsin. Filed 9:27 a. m.

Green Bay Order 5-F, Amendment 24, covering fresh fruits and vegetables in certain areas in Wisconsin. Filed 9:27 a. m.

Green Bay Order 6-F, Amendment 24, covering fresh fruits and vegetables in Florence, Forest and Marinette, Wisconsin. Filed 9:26 a. m.

La Crosse Order 1-F, Amendment 80, covering fresh fruits and vegetables in Winona, Minnesota and La Crosse and Sparta, Wisconsin. Filed 10:19 a. m.

Milwaukee District Order 11-F, Amendment 10, covering fresh fruits and vegetables in certain areas in Wisconsin. Filed 9:35 a. m.

#### REGION VII

Albuquerque Order 8-F, Amendment 26, covering fresh fruits and vegetables in the Albuquerque Area including the city of Albuquerque. Filed 10:17 a. m.

#### REGION VIII

Portland Order 8-F, Amendment 31, covering fresh fruits and vegetables in Medford, Oregon. Filed 10:24 a. m.

Portland Order 9-F, Amendment 31, covering fresh fruits and vegetables in certain areas in Oregon. Filed 10:24 a. m.

Portland Order 13-C, covering poultry in certain counties in Oregon. Filed 10:18 a. m.

Seattle Order 6-F, Amendment 42, covering fresh fruits and vegetables in the Seattle and Bremerton, Washington Area. Filed 9:24 a. m.

Seattle Order 6-F, Amendment 43, covering fresh fruits and vegetables in the Seattle and Bremerton, Washington Area. Filed 9:28 a. m.

Seattle Order 6-F, Amendment 46, covering fresh fruits and vegetables in the Seattle and Bremerton, Washington Area. Filed 9:26 a. m.

Seattle Order 7-F, Amendment 39, covering fresh fruits and vegetables in the Tacoma, Washington Area. Filed 9:28 a. m.

Seattle Order 7-F, Amendment 40, covering fresh fruits and vegetables in the Tacoma, Washington Area. Filed 9:29 a. m.

Seattle Order 7-F, Amendment 42, covering fresh fruits and vegetables in the Tacoma, Washington Area. Filed 9:25 a. m.

Seattle Order 8-F, Amendment 36, covering fresh fruits and vegetables in the Everett, Washington Area. Filed 9:29 a. m.

Seattle Order 8-F, Amendment 37, covering fresh fruits and vegetables in the Everett, Washington Area. Filed 9:30 a. m.

Seattle Order 8-F, Amendment 39, covering fresh fruits and vegetables in the Everett, Washington Area. Filed 10:20 a. m.

Seattle Order 9-F, Amendment 42, covering fresh fruits and vegetables in the Seattle and Bremerton, Washington Area. Filed 9:30 a. m.

Seattle Order 9-F, Amendment 43, covering fresh fruits and vegetables in the Seattle and Bremerton, Washington Area. Filed 9:30 a. m.

Seattle Order 9-F, Amendment 46, covering fresh fruits and vegetables in the Seattle and Bremerton, Washington Area. Filed 10:20 a. m.

Seattle Order 10-F, Amendment 35, covering fresh fruits and vegetables in the Bellingham, Washington Area. Filed 9:30 a. m.

Seattle Order 10-F, Amendment 36, covering fresh fruits and vegetables in the Bellingham, Washington Area. Filed 9:31 a. m.

Seattle Order 10-F, Amendment 38, covering fresh fruits and vegetables in the Bellingham, Washington Area. Filed 10:20 a. m.

Seattle Order 11-F, Amendment 36, covering fresh fruits and vegetables in the Olympia, Washington Area. Filed 9:31 a. m.

Seattle Order 11-F, Amendment 37, covering fresh fruits and vegetables in the Olympia, Washington Area. Filed 9:31 a. m.

Seattle Order 11-F, Amendment 39, covering fresh fruits and vegetables in the Olympia, Washington Area. Filed 10:20 a. m.

Seattle Order 12-F, Amendment 35, covering fresh fruits and vegetables in the Aberdeen and Hoquiam, Washington Area. Filed 9:32 a. m.

Seattle Order 12-F, Amendment 36, covering fresh fruits and vegetables in the Aberdeen and Hoquiam, Washington Area. Filed 9:33 a. m.

Seattle Order 12-F, Amendment 38, covering fresh fruits and vegetables in the Aberdeen and Hoquiam, Washington Area. Filed 10:20 a. m.

Seattle Order 13-F, Amendment 36, covering fresh fruits and vegetables in the Centralia and Chehalis, Washington Area. Filed 9:33 a. m.

Seattle Order 13-F, Amendment 37, covering fresh fruits and vegetables in the Centralia and Chehalis, Washington Area. Filed 9:33 a. m.

Seattle Order 13-F, Amendment 39, covering fresh fruits and vegetables in the Centralia and Chehalis, Washington Area. Filed 10:20 a. m.

Seattle Order 14-F, Amendment 37, covering fresh fruits and vegetables in the Wenatchee and East Wenatchee, Washington Area. Filed 9:34 a. m.

Seattle Order 14-F, Amendment 38, covering fresh fruits and vegetables in the Wenatchee and East Wenatchee, Washington Area. Filed 9:34 a. m.

Seattle Order 14-F, Amendment 39, covering fresh fruits and vegetables in the Wenatchee and East Wenatchee, Washington Area. Filed 10:20 a. m.

Seattle Order 15-F, Amendment 34, covering fresh fruits and vegetables in the Yakima, Washington Area. Filed 9:34 a. m.

Seattle Order 15-F, Amendment 37, covering fresh fruits and vegetables in the Yakima, Washington Area. Filed 10:19 a. m.

Seattle Order 32, Amendment 2, covering dry groceries in the Western Washington Area. Filed 9:26 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,  
Secretary.

[F. R. Doc. 45-14945; Filed Aug. 13, 1945;  
11:39 a. m.]

#### LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register August 9, 1945.

#### REGION II

New York Order 10-F, Amendment 23, covering fresh fruits and vegetables in Nassau and Westchester Counties, New York. Filed 9:32 a. m.

New York Order 10-F, Amendment 24, covering fresh fruits and vegetables in Nassau and Westchester Counties, New York. Filed 9:32 a. m.

New York Order 12-F, Amendment 16, covering fresh fruits and vegetables in certain counties in New York. Filed 9:32 a. m.

New York Order 12-F, Amendment 17, covering fresh fruits and vegetables in certain counties in New York. Filed 9:33 a. m.

Syracuse Order 3-F, Amendment 41, covering fresh fruits and vegetables in certain areas in New York. Filed 9:33 a. m.

#### REGION IV

Columbia Order 7-F, Amendment 11, covering fresh fruits and vegetables in the entire state of South Carolina. Filed 9:30 a. m.

Columbia Order 19-C, Amendment 1, covering poultry in the South Carolina Area. Filed 9:30 a. m.

Columbia Order 20-C, Amendment 1, covering poultry in the South Carolina Area. Filed 9:31 a. m.

Columbia Order 21-C, Amendment 1, covering poultry in the South Carolina Area. Filed 9:31 a. m.

Columbia Order 22-C, Amendment 1, covering poultry in the South Carolina Area. Filed 9:31 a. m.

Jacksonville Order 13-O, covering eggs in certain counties in Florida. Filed 9:23 a. m.

Jacksonville Order 14-O, covering eggs in certain counties in Florida. Filed 9:23 a. m.

Jacksonville Order 15-O, covering eggs in certain counties in Florida. Filed 9:23 a. m.

Jacksonville Order 16-O, covering eggs in certain counties in Florida. Filed 9:24 a. m.

Jacksonville Order 17-O, covering eggs in certain counties in Florida. Filed 9:24 a. m.

Jacksonville Order 18-O, covering eggs in certain counties in Florida. Filed 9:24 a. m.

Memphis Order 6-F, Amendment 41, covering fresh fruits and vegetables in Memphis and the county of Shelby, Tennessee. Filed 9:25 a. m.

Memphis Order 6-F, Amendment 42, covering fresh fruits and vegetables in Memphis and the county of Shelby, Tennessee. Filed 9:25 a. m.

Memphis Order 7-F, Amendment 16, covering fresh fruits and vegetables in certain areas in Tennessee. Filed 9:25 a. m.

Montgomery Order 20-F, Amendment 36, covering fresh fruits and vegetables in Mobile County, Alabama. Filed 9:26 a. m.

Montgomery Order 21-F, Amendment 41, covering fresh fruits and vegetables in Montgomery County, Alabama. Filed 9:26 a. m.

Montgomery Order 22-F, Amendment 42, covering fresh fruits and vegetables in Houston County, Alabama. Filed 9:28 a. m.

Montgomery Order 23-F, Amendment 14, covering fresh fruits and vegetables in certain areas in Alabama. Filed 9:28 a. m.

Montgomery Order 24-F, Amendment 31, covering fresh fruits and vegetables in Dallas County, Alabama. Filed 9:28 a. m.

Savannah Adopting Order 2-C under Basic Order 1-B, covering poultry in certain areas in Georgia. Filed 9:29 a. m.

Savannah Adopting Order 3-C under Basic Order 1-B, covering poultry in certain areas in Georgia. Filed 9:29 a. m.

Savannah Adopting Order 4-C, under Basic Order 1-B, covering poultry in certain areas in Georgia. Filed 9:29 a. m.

Savannah Adopting Order 5-C under Basic Order 1-B, covering poultry in certain areas in Georgia. Filed 9:29 a. m.

Savannah Adopting Order 6-C under Basic Order 1-B, covering poultry in certain areas in Georgia. Filed 9:30 a. m.

Savannah Adopting Order 7-C under Basic Order 1-B, covering poultry in certain areas in Georgia. Filed 9:30 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,  
Secretary.

[F. R. Doc. 45-14946; Filed, Aug. 13, 1945;  
11:39 a. m.]

#### SECURITIES AND EXCHANGE COMMISSION.

[File No. 811-338]

ALLEGHANY CORP.

#### NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 10th day of August, A. D., 1945.

Alleghany Corporation, a registered investment company, having filed an application pursuant to the provisions of section 8 (f) of the Investment Company Act of 1940 for an order declaring that

## FEDERAL REGISTER, Tuesday, August 14, 1945

it has ceased to be an investment company within the meaning of said act:

*It is ordered.* Pursuant to section 40 (a) of said act that a hearing on the aforesaid application be held on the 28th day of August, 1945 at 10:00 o'clock a. m., eastern war time, in Room 318, Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania; and

*It is further ordered.* That Charles S. Lobingier, or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice of such hearing is hereby given to the applicant and to any other persons whose participation in such proceeding may be in the public interest or for the protection of investors.

By the Commission.

[SEAL]

ORVAL L. DUBoIS,  
Secretary.

[F. R. Doc. 45-14838; Filed, Aug. 11, 1945;  
9:53 a. m.]

[File No. 70-1118]

STANDARD GAS AND ELECTRIC CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 9th day of August 1945.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder by Standard Gas and Electric Company (Standard Gas), a registered holding company and a subsidiary of Standard Power and Light Corporation, also a registered holding company. All interested persons are referred to the declaration or application, which is on file in the office of this Commission, for a statement of the transactions therein proposed which are summarized as follows:

Standard Gas proposes to sell to William Rosenblatt (a) 50,000 shares of the par value of \$100 (money of the United States of America), per share, of the capital stock of Empresa de Servicios Publicos de los Estados Mexicanos, S. A. (Empresa), a corporation organized under the laws of the Republic of Mexico, consisting of 15,000 shares described as "fully paid series" and the remaining 35,000 shares described as "assessable series" (40% assessed and paid) and (b) a claim for indebtedness held by Standard Gas against Empresa in the principal sum of \$428,495.48 (payable in United States currency), without interest. The consideration to be paid for such stock and claim of indebtedness is \$640,000 cash. The 50,000 shares of capital stock of Empresa proposed to be sold are all of the issued and outstanding shares of capital

stock of Empresa and, together with the said claim of indebtedness, constitute the entire investment of Standard Gas in Empresa. The sale of such stock and claim of indebtedness will be made pursuant to the provisions of an agreement of sale, dated July 11, 1945, between Standard Gas and William Rosenblatt.

It appearing to the Commission that it is appropriate in the public interest that a hearing be held with respect to said declaration or application (or both), and that said declaration or application (or both) shall not become effective or be granted except pursuant to further order of the Commission.

*It is ordered.* That a hearing on said declaration or application (or both) under the applicable provisions of the act and the rules of the Commission thereunder be held on August 28, 1945 at 10:00 a. m., e. w. t., in the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held.

*It is further ordered.* That Henry C. Lank or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

*It is further ordered.* That without limiting the scope of the issues presented by said declaration or application (or both), particular attention will be directed to the following matters:

1. Whether the proposed sale by Standard Gas and Electric Company of the securities and of the claim of indebtedness meets the requirements of section 12 (d) of the act with respect to the maintenance of competitive conditions and any other applicable provisions of said section.

2. Whether, and to what extent, it is necessary or appropriate in the public interest to impose terms or conditions in regard to the proposed transaction to insure compliance with the applicable requirements of the act and the rules, regulations and orders promulgated and issued thereunder.

3. Whether the proposed transactions meet the requirements of the applicable provisions of the act and the rules and regulations promulgated thereunder.

*It is further ordered.* That the Secretary of the Commission shall serve notice of the said hearing by mailing a copy of this order by registered mail to Standard Gas and Electric Company, Standard Power and Light Corporation and William Rosenblatt, and that notice of said hearing be given to all other persons by publication of this order in the FEDERAL REGISTER.

*It is further ordered.* That any other persons desiring to be heard in connection with these proceedings or proposing to intervene herein shall file with the Secretary of the Commission on or before August 25, 1945, his request or application therefor as provided by Rule XVII of the rules of practice of the Commission.

By the Commission.

[SEAL]

ORVAL L. DUBoIS,  
Secretary.

[F. R. Doc. 45-14839; Filed, Aug. 11, 1945;  
9:53 a. m.]

[File No. 68-28]

ARTHUR E. SPELLISSY ET AL.

ORDER PERMITTING POST-AMENDMENTS TO 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 9th day of August 1945.

*In the Matter of Arthur E. Spellissy, John R. McLane and Arthur B. Newhall, as protective committee for holders of preferred stock of New England Public Service Company; File No. 68-28.*

Arthur E. Spellissy, James H. Orr, Hugh J. Chisholm and John R. McLane, constituting themselves as a committee for the holders of the preferred stock of New England Public Service Company, and having heretofore filed a declaration, and amendments thereto, pursuant to Rule U-62 promulgated under the Public Utility Holding Company Act of 1935, regarding certain solicitation material to be sent to the holders of the preferred stock of New England Public Service Company, and said declaration, as amended, having been made effective, subject to certain conditions, by the Commission's order of January 12, 1945; and

Said declarants having filed post-amendments on July 3, 12 and 26, 1945 with respect to the resignations of James H. Orr and Hugh J. Chisholm from the committee and the addition of a new member, Arthur B. Newhall, and for the purpose of submitting to the persons who become holders of preferred stock a revised letter of solicitation, and a separate communication to the holders of preferred stock who have heretofore given their authorizations to the committee disclosing the above facts, said solicitation involving the amended plan of reorganization of New England Public Service Company (File No. 59-15); and

The Commission having examined said post-amendments, and exhibits thereto, and finding that the same meet the requirements of Rule U-62;

*It is ordered.* That said declaration, as thus post-amended, be and hereby is permitted to become effective forthwith, subject however, to the terms and conditions set forth in Rule U-62 (g) and U-24 and to the following further condition; that the committee will take no part in any controversy or negotiation relating to the allocation, between the \$6 and \$7 series preferred stock, respectively, of any of the assets of New England Public Service Company or of any securities issued in connection with any reorganization of New England Public Service Company, allocable to the preferred stock (both \$6 and \$7 series) as a class.

By the Commission.

[SEAL]

ORVAL L. DUBoIS,  
Secretary.

[F. R. Doc. 45-14840; Filed, Aug. 11, 1945;  
9:54 a. m.]

## SURPLUS PROPERTY BOARD.

[SPB Reg. 3, Order 44]

## WEST VIRGINIA AND KENTUCKY

## ALLOCATION OF TRUCKS FOR DISPOSAL TO FARMERS AND FARMERS' COOPERATIVES IN CERTAIN COUNTIES

Pursuant to § 8303.4 of Surplus Property Board Regulation No. 3, entitled "Dispositions of Surplus Property in Rural Areas and to Farmers" (10 F.R. 5325) and in reliance upon the certificate of the Secretary of Agriculture to the Surplus Property Board that farm production is impaired or threatened to be impaired in the area named below by a shortage of trucks; *It is hereby ordered*, That:

The Department of Commerce, as disposal agency, shall allocate for disposal to farmers and farmers' cooperative associations holding certificates of the Agricultural Adjustment Agency and located in Marshall, Mason, Pleasants and Wood Counties, West Virginia, and Anderson, Clark, Hardin, Henry, Jefferson, Mercer, Nelson, Oldham, Shelby, and Spencer Counties, Kentucky, 30 one-and-one-half-ton cargo and stake body trucks, and shall without regard to the requirements of Surplus Property Board Regulation No. 2 (10 F.R. 5104, 8911, 9478) take immediate steps so to dispose of such property by the methods provided in § 8303.4 (c).

This order shall become effective immediately.

SURPLUS PROPERTY BOARD,  
W. STUART SYMINGTON,  
Chairman.  
EDWARD H. HELLER,  
Member.  
ROBERT A. HURLEY,  
Member.  
By A. E. HOWSE,  
Administrator.

AUGUST 7, 1945.

[F. R. Doc. 45-14891; Filed, Aug. 13, 1945;  
9:47 a. m.]

[SPB Reg. 3, Order 45]

## PENNSYLVANIA

## ALLOCATION OF TRUCKS FOR DISPOSAL TO FARMERS AND FARMERS' COOPERATIVES IN CERTAIN COUNTIES

Pursuant to § 8303.4 of Surplus Property Board Regulation No. 3, entitled "Dispositions of Surplus Property in Rural Areas and to Farmers" (10 F.R. 5325) and in reliance upon the certificate of the Secretary of Agriculture to the Surplus Property Board that farm production is impaired or threatened to be impaired in the area named below by a shortage of trucks; *It is hereby ordered*, That:

The Department of Commerce, as disposal agency, shall allocate for disposal to farmers and farmers' cooperative associations holding certificates of the Agricultural Adjustment Agency and located in York, Lancaster, Lebanon, Adams, Berks, Lehigh, Schuylkill, Dauphin,

and Chester Counties, Pennsylvania, 23 pick-up trucks, and shall without regard to the requirements of Surplus Property Board Regulation No. 2 (10 F.R. 5104, 8911, 9478) take immediate steps so to dispose of such property by the methods provided in § 8303.4 (c).

This order shall become effective immediately.

SURPLUS PROPERTY BOARD,  
W. STUART SYMINGTON,  
Chairman.  
EDWARD H. HELLER,  
Member.  
ROBERT A. HURLEY,  
Member.  
By A. E. HOWSE,  
Administrator.

AUGUST 7, 1945.

[F. R. Doc. 45-14892; Filed, Aug. 13, 1945;  
9:47 a. m.]

[SPB Reg. 3, Order 47]

## UTAH

## ALLOCATION OF TRUCKS FOR DISPOSAL TO FARMERS AND FARMERS' COOPERATIVES IN CERTAIN COUNTIES

Pursuant to § 8303.4 of Surplus Property Board Regulation No. 3, entitled "Dispositions of Surplus Property in Rural Areas and to Farmers" (10 F.R. 5325) and in reliance upon the certificate of the Secretary of Agriculture to the Surplus Property Board that farm production is impaired or threatened to be impaired in the area named below by a shortage of trucks; *It is hereby ordered*, That:

The Department of Commerce, as disposal agency shall allocate for disposal to farmers and farmers' cooperative associations holding certificates of the Agricultural Adjustment Agency and located in Beaver, Box Elder, Cache, Carbon, Daggett, Davis, Duchesne, Emery, Garfield, Grand, Iron, Juab, Kane, Millard, Morgan, Piute, Rich, Salt Lake, San Juan, San Pete, Sevier, Summit, Tooele, Uintah, Utah, Wasatch, Washington, Wayne, and Weber Counties, Utah, 4 one-and-one-half-ton dump trucks, 19 one-and-one-half-ton cargo trucks, 1 two-ton CS&P truck, 8 one-half-ton W/C trucks, 12 one-half-ton pickup trucks, and 7 one-half-ton C/R trucks, and shall without regard to the requirements of Surplus Property Board Regulation No. 2 (10 F.R. 5104, 8911, 9478) take immediate steps so to dispose of such property by the methods provided in § 8303.4 (c).

This order shall become effective immediately.

SURPLUS PROPERTY BOARD,  
W. STUART SYMINGTON,  
Chairman.  
EDWARD H. HELLER,  
Member.  
ROBERT A. HURLEY,  
Member.  
By A. E. HOWSE,  
Administrator.

AUGUST 7, 1945.

[F. R. Doc. 45-14894; Filed, Aug. 13, 1945;  
9:47 a. m.]

[SPB Reg. 3, Order 48]

## WYOMING

## ALLOCATION OF TRUCKS FOR DISPOSAL TO FARMERS AND FARMERS' COOPERATIVES IN CERTAIN COUNTIES

Pursuant to § 8303.4 of Surplus Property Board Regulation No. 3, entitled "Dispositions of Surplus Property in Rural Areas and to Farmers" (10 F.R. 5325) and in reliance upon the certificate of the Secretary of Agriculture to the Surplus Property Board that farm production is impaired or threatened to be impaired in the area named below by a shortage of trucks; *It is hereby ordered*, That:

The Department of Commerce, as disposal agency, shall allocate for disposal to farmers and farmers' cooperative associations holding certificates of the Agri-

cultural Adjustment Agency and located in Park, Big Horn, Sheridan, Campbell, Crook, Weston, Teton, Fremont, Hot Springs, Washakie, Johnson, Sublette, Natrona, Converse, Niobrara, Lincoln, Uinta, Sweetwater, Carbon, and Albany Counties, Wyoming, 3 one-and-one-half-ton CS&P trucks, 65 one-and-one-half-ton cargo trucks and 2 one-and-one-half-ton dump trucks, and shall without regard to the requirements of Surplus Property Board Regulation No. 2 (10 F.R. 5104, 8911, 9478) take immediate steps so to dispose of such property by the methods provided in § 8303.4 (c).

This order shall become effective immediately.

SURPLUS PROPERTY BOARD,  
W. STUART SYMINGTON,  
Chairman.  
EDWARD H. HELLER,  
Member.  
ROBERT A. HURLEY,  
Member.  
By A. E. HOWSE,  
Administrator.

AUGUST 7, 1945.

[F. R. Doc. 45-14895; Filed, Aug. 13, 1945;  
9:47 a. m.]

[SPB Reg. 3, Order 49]

#### NEBRASKA

##### ALLOCATION OF TRUCKS FOR DISPOSAL TO FARMERS AND FARMERS' COOPERATIVES IN CERTAIN COUNTIES

Pursuant to § 8303.4 of Surplus Property Board Regulation No. 3, entitled "Dispositions of Surplus Property in Rural Areas and to Farmers" (10 F.R. 5325) and in reliance upon the certificate of the Secretary of Agriculture to the Surplus Property Board that farm production is impaired or threatened to be impaired in the area named below by a shortage of trucks; *It is hereby ordered*, That:

The Department of Commerce, as disposal agency, shall allocate for disposal to farmers and farmers' cooperative associations holding certificates of the Agricultural Adjustment Agency and located in Knox, Cedar, Wayne, Pierce, Antelope, Stanton, Madison, Boone and Platte Counties, Nebraska, 9 one-half-ton weapon carrier trucks and 23 one-and-one-half-ton cargo, CS&P and flatbed trucks, and shall without regard to the requirements of Surplus Property Board Regulation No. 2 (10 F.R. 5104, 8911, 9478) take immediate steps so to dispose of such property by the methods provided in § 8303.4 (c).

This order shall become effective immediately.

SURPLUS PROPERTY BOARD,  
W. STUART SYMINGTON,  
Chairman.  
EDWARD H. HELLER,  
Member.  
ROBERT A. HURLEY,  
Member.  
By A. E. HOWSE,  
Administrator.

AUGUST 7, 1945.

[F. R. Doc. 45-14896; Filed, Aug. 13, 1945;  
9:47 a. m.]

[SPB Reg. 3, Order 50]

#### MISSOURI

##### ALLOCATION OF TRUCKS FOR DISPOSAL TO FARMERS AND FARMERS' COOPERATIVES IN CERTAIN COUNTIES

Pursuant to § 8303.4 of Surplus Property Board Regulation No. 3, entitled "Dispositions of Surplus Property in Rural Areas and to Farmers" (10 F.R. 5325) and in reliance upon the certificate of the Secretary of Agriculture to the Surplus Property Board that farm production is impaired or threatened to be impaired in the area named below by a shortage of trucks; *It is hereby ordered*, That:

The Department of Commerce, as disposal agency, shall allocate for disposal to farmers and farmers' cooperative associations holding certificates of the Agricultural Adjustment Agency and located in Jefferson, St. Louis and Franklin Counties, Missouri, 13 one-and-one-half-ton cargo trucks, and shall without regard to the requirements of Surplus Property Board Regulation No. 2 (10 F.R. 5104, 8911, 9478) take immediate steps so to dispose of such property by the methods provided in § 8303.4 (c).

This order shall become effective immediately.

SURPLUS PROPERTY BOARD,  
W. STUART SYMINGTON,  
Chairman.  
EDWARD H. HELLER,  
Member.  
ROBERT A. HURLEY,  
Member.

By A. E. HOWSE,  
Administrator.

AUGUST 7, 1945.

[F. R. Doc. 45-14897; Filed, Aug. 13, 1945;  
9:47 a. m.]

[SPB Reg. 3, Order 51]

#### IOWA

##### ALLOCATION OF TRUCKS FOR DISPOSAL TO FARMERS AND FARMERS' COOPERATIVES IN CERTAIN COUNTIES

Pursuant to § 8303.4 of Surplus Property Board Regulation No. 3, entitled "Dispositions of Surplus Property in Rural Areas and to Farmers" (10 F.R. 5325) and in reliance upon the certificate of the Secretary of Agriculture to the Surplus Property Board that farm production is impaired or threatened to be impaired in the area named below by a shortage of trucks; *It is hereby ordered*, That:

The Department of Commerce, as disposal agency, shall allocate for disposal to farmers and farmers' cooperative associations holding certificates of the Agricultural Adjustment Agency and located in O'Brien, Cherokee, Clay, Buena Vista, Emmet, Palo Alto, Pocahontas, Calhoun, Kossuth, Humboldt, Webster, Winnebago, Hancock, Wright, Worth, Cerro Gordo, Mitchell, Floyd, Howard and Chickasaw Counties, Iowa, 22 one-and-one-half-ton cargo and dump trucks and 14 one-half-ton weapons carrier

trucks, and shall without regard to the requirements of Surplus Property Board Regulation No. 2 (10 F.R. 5104, 8911, 9478) take immediate steps so to dispose of such property by the methods provided in § 8303.4 (c).

This order shall become effective immediately.

SURPLUS PROPERTY BOARD,  
W. STUART SYMINGTON,  
Chairman.  
EDWARD H. HELLER,  
Member.  
ROBERT A. HURLEY,  
Member.  
By A. E. HOWSE,  
Administrator.

AUGUST 7, 1945.

[F. R. Doc. 45-14898; Filed, Aug. 13, 1945;  
9:47 a. m.]

[SPB Reg. 3, Order 52]

#### MISSOURI

##### ALLOCATION OF TRUCKS FOR DISPOSAL TO FARMERS AND FARMERS' COOPERATIVES IN CERTAIN COUNTIES

Pursuant to § 8303.4 of Surplus Property Board Regulation No. 3, entitled "Dispositions of Surplus Property in Rural Areas and to Farmers" (10 F.R. 5325) and in reliance upon the certificate of the Secretary of Agriculture to the Surplus Property Board that farm production is impaired or threatened to be impaired in the area named below by a shortage of trucks; *It is hereby ordered*, That:

The Department of Commerce, as disposal agency, shall allocate for disposal to farmers and farmers' cooperative associations holding certificates of the Agricultural Adjustment Agency and located in Scott, Stoddard, Butler, Mississippi, New Madrid, Pemiscot and Dunklin Counties, Missouri, 10 one-and-one-half-ton cargo and dump trucks and 30 one-half-ton weapon carrier trucks, and shall without regard to the requirements of Surplus Property Board Regulation No. 2 (10 F.R. 5104, 8911, 9478) take immediate steps so to dispose of such property by the methods provided in § 8303.4 (c).

This order shall become effective immediately.

SURPLUS PROPERTY BOARD,  
W. STUART SYMINGTON,  
Chairman.  
EDWARD H. HELLER,  
Member.  
ROBERT A. HURLEY,  
Member.  
By A. E. HOWSE,  
Administrator.

AUGUST 7, 1945.

[F. R. Doc. 45-14899; Filed, Aug. 13, 1945;  
9:48 a. m.]

[SPB Reg. 3, Order 53]

#### TENNESSEE

##### ALLOCATION OF TRUCKS FOR DISPOSAL TO FARMERS AND FARMERS' COOPERATIVES IN CERTAIN COUNTIES

Pursuant to § 8303.4 of Surplus Property Board Regulation No. 3, entitled

"Dispositions of Surplus Property in Rural Areas and to Farmers" (10 F.R. 5325) and in reliance upon the certificate of the Secretary of Agriculture to the Surplus Property Board that farm production is impaired or threatened to be impaired in the area named below by a shortage of trucks; *It is hereby ordered, That:*

The Department of Commerce, as disposal agency, shall allocate for disposal to farmers and farmers' cooperative associations holding certificates of the Agricultural Adjustment Agency and located in Bedford, Cheatham, Coffee, Davidson, Dickson, Franklin, Giles, Hickman, Lincoln, Marshall, Maury, Montgomery, Robertson, Rutherford, Sumner, Williamson and Wilson Counties, Tennessee, 50 one-and-one-half-ton cargo trucks, 20 one-half-ton W. C. trucks, and 5 one-half-ton pickup trucks, and shall without regard to the requirements of Surplus Property Board Regulation No. 2 (10 F.R. 5104, 8911, 9478) take immediate steps so to dispose of such property by the methods provided in § 8303.4 (c).

This order shall become effective immediately.

SURPLUS PROPERTY BOARD,  
W. STUART SYMINGTON,  
*Chairman.*  
EDWARD H. HELLER,  
*Member.*  
ROBERT A. HURLEY,  
*Member.*  
By A. E. HOWSE,  
*Administrator.*

AUGUST 7, 1945.

[F. R. Doc. 45-14900; Filed, Aug. 13, 1945;  
9:48 a. m.]

[SPB Reg. 3, Order 54]

#### NORTH CAROLINA

ALLOCATION OF TRUCKS FOR DISPOSAL TO FARMERS AND FARMERS' COOPERATIVES IN CERTAIN COUNTIES

Pursuant to § 8303.4 of Surplus Property Board Regulation No. 3, entitled "Dispositions of Surplus Property in Rural Areas and to Farmers" (10 F.R. 5325) and in reliance upon the certificate of the Secretary of Agriculture to the Surplus Property Board that farm production is impaired or threatened to be impaired in the area named below by a shortage of trucks; *It is hereby ordered, That:*

The Department of Commerce, as disposal agency, shall allocate for disposal to farmers and farmers' cooperative associations holding certificates of the Agricultural Adjustment Agency and located in Alamance, Alleghany, Alexander, Anson, Ashe, Brunswick, Caswell, Chatham, Columbus, Craven, Cumberland, Davidson, Davie, Duplin, Durham, Forsyth, Franklin, Graham, Granville, Greene, Guilford, Harnett, Hoke Iredell, Johnston, Jones, Lee, Lenoir, Madison, Martin, Mitchell, Montgomery, Moore, Nash, New Hanover, Onslow, Orange, Pamlico, Pender, Person, Pitt, Randolph, Richmond, Robeson, Rockingham, Rutherford, Sampson, Stokes, Surry, Vance, Warren, Watauga, Wilkes, Wilson, Yadkin, and Yancey Counties, North Caro-

lina, 101 one-and-one-half-ton cargo trucks and 24 one-half-ton W. C. trucks, and shall without regard to the requirements of Surplus Property Board Regulation No. 2 (10 F.R. 5104, 8911, 9478) take immediate steps so to dispose of such property by the methods provided in § 8303.4 (c).

This order shall become effective immediately.

SURPLUS PROPERTY BOARD,  
W. STUART SYMINGTON,  
*Chairman.*  
EDWARD H. HELLER,  
*Member.*  
ROBERT A. HURLEY,  
*Member.*

By A. E. HOWSE,  
*Administrator.*

AUGUST 7, 1945.

[F. R. Doc. 45-14901; Filed, Aug. 13, 1945;  
9:48 a. m.]

[SPB Reg. 3, Order 55]

#### NEW YORK

ALLOCATION OF TRUCKS FOR DISPOSAL TO FARMERS AND FARMERS' COOPERATIVES IN CERTAIN COUNTIES

Pursuant to § 8303.4 of Surplus Property Board Regulation No. 3, entitled "Dispositions of Surplus Property in Rural Areas and to Farmers" (10 F.R. 5325) and in reliance upon the certificate of the Secretary of Agriculture to the Surplus Property Board that farm production is impaired or threatened to be impaired in the area named below by a shortage of trucks; *It is hereby ordered, That:*

The Department of Commerce, as disposal agency, shall allocate for disposal to farmers and farmers' cooperative associations holding certificates of the Agricultural Adjustment Agency and located in Franklin, St. Lawrence, Jefferson, Lewis, and Oswego Counties, New York, 10 stake trucks and 6 cargo trucks, and shall without regard to the requirements of Surplus Property Board Regulation No. 2 (10 F.R. 5104, 8911, 9478) take immediate steps so to dispose of such property by the methods provided in § 8303.4 (c).

This order shall become effective immediately.

SURPLUS PROPERTY BOARD,  
W. STUART SYMINGTON,  
*Chairman.*  
EDWARD H. HELLER,  
*Member.*  
ROBERT A. HURLEY,  
*Member.*

By A. E. HOWSE,  
*Administrator.*

AUGUST 7, 1945.

[F. R. Doc. 45-14902; Filed, Aug. 13, 1945;  
9:48 a. m.]

[SPB Reg. 3, Order 56]

#### NEW YORK

ALLOCATION OF TRUCKS FOR DISPOSAL TO FARMERS AND FARMERS' COOPERATIVES IN CERTAIN COUNTIES

Pursuant to § 8303.4 of Surplus Property Board Regulation No. 3, entitled

"Dispositions of Surplus Property in Rural Areas and to Farmers" (10 F.R. 5325) and in reliance upon the certificate of the Secretary of Agriculture to the Surplus Property Board that farm production is impaired or threatened to be impaired in the area named below by a shortage of trucks; *It is hereby ordered, That:*

The Department of Commerce, as disposal agency, shall allocate for disposal to farmers and farmers' cooperative associations holding certificates of the Agricultural Adjustment Agency and located in Columbia, Dutchess, Westchester, Putnam, Rockland, Orange and Ulster Counties, New York, 1 platform truck, 31 stake trucks, and 118 cargo trucks, and shall without regard to the requirements of Surplus Property Board Regulation No. 2 (10 F.R. 5104, 8911, 9478) take immediate steps so to dispose of such property by the methods provided in § 8303.4 (c).

This order shall become effective immediately.

SURPLUS PROPERTY BOARD,  
W. STUART SYMINGTON,  
*Chairman.*  
EDWARD H. HELLER,  
*Member.*  
ROBERT A. HURLEY,  
*Member.*

By A. E. HOWSE,  
*Administrator.*

AUGUST 7, 1945.

[F. R. Doc. 45-14903; Filed, Aug. 13, 1945;  
9:48 a. m.]

#### WAR MANPOWER COMMISSION.

##### ELKTON, MD., AREA

##### MINIMUM WARTIME WORK WEEK

The designation of the Elkton, Maryland Area (8 F.R. 7226 and as amended under 10 F.R. 5643) as subject to the provisions of Executive Order No. 9301 is hereby revoked, effective July 3, 1945.

Dated: August 6, 1945.

HENRY E. TREIDE,  
*Regional Director.*

[F. R. Doc. 45-14779; Filed, Aug. 10, 1945;  
11:36 a. m.]

#### WAR PRODUCTION BOARD.

[C-406]

##### EAGLE PRINTING CO., INC.

##### CONSENT ORDER

Eagle Printing Company, Incorporated, a Pennsylvania corporation, has its offices and publishes the newspaper "Butler Eagle" in Butler, Pennsylvania. From the first quarter of 1943 through and including the first quarter of 1945, Eagle Printing Company, Incorporated, in the printing of said paper, used or caused to be used 157.573 tons of print paper in excess of that authorized under the provisions of Limitation Order L-240, in violation thereof. Eagle Printing Company, Incorporated, admits the violation as charged and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of the Eagle Printing Company, Incorporated, the Regional Compliance Chief, and the Regional Attorney, and upon the approval of the Compliance Commissioner; *It is hereby ordered, That:*

(a) During each of the four quarters, commencing with the third quarter of 1945 and ending with the second quarter of 1946, or until the said 157,573 tons of over-consumption has been accounted for, Eagle Printing Company, Incorporated, shall reduce its consumption of print paper in the printing of the above-mentioned "Butler Eagle" not less than 36 tons under its consumption quota and allotments permitted by Limitation Order L-240.

(b) Nothing contained in this order shall be deemed to relieve Eagle Printing Company, Incorporated, 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 Eagle Printing Company, Incorporated, its successors and assigns, or persons acting on its behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

Issued this 10th day of August 1945.

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

[F. R. Doc. 45-14781; Filed, Aug. 10, 1945;  
11:30 a. m.]

[C-407]

PEBBLEFORD DISTILLERS, INC.

CONSENT ORDER

Pebbleford Distillers, Inc., is a corporation doing business as a distiller, bottler, and distributor of whiskey, with its principal place of business at Wilder Newport, Kentucky. It is charged with having exceeded during the four calendar quarters of 1944, its allowable quota for container board content for fibre shipping containers by 1,409,211 square feet and 180,163 pounds, in violation of Limitation Order L-317. Pebbleford Dis-

tillers, Inc. admits the violation as charged, does not desire to contest the charge and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Pebbleford Distillers, Inc., as evidenced by certified copy of resolution of its Board of Directors, and upon the approval of the Regional Compliance Chief, the Regional Attorney and the Compliance Commissioner; *It is hereby ordered, That:*

(a) During the four calendar quarters beginning July 1, 1945, and ending June 30, 1946, Pebbleford Distillers, Inc., shall reduce its use of container board content for fibre shipping containers by using during each of these quarters at least 150,000 square feet and at least 17,712 pounds of container board content for shipping containers, less than the quotas it would otherwise be entitled to use under the provisions of Limitation Order L-317, unless otherwise specifically authorized in writing by the War Production Board.

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

(c) The restrictions and provisions contained herein shall apply to Pebbleford Distillers, Inc., its successors or assigns or persons acting on its behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(d) This order shall take effect as of the 1st day of July 1945.

Issued this 11th day of August 1945.

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

[F. R. Doc. 45-14877; Filed, Aug. 11, 1945;  
11:53 a. m.]

[C-408]

TRAUTMANN, BAILEY AND BLAMPEY

CONSENT ORDER

Trautmann, Bailey and Blampey is a New Jersey corporation with its offices

and principal place of business at 13 Laight Street, New York City, and is engaged in the business of printing and lithographing. During the years 1943 and 1944 it used or caused to be used 410,486 pounds of paper in excess of its quota of paper which it was permitted to use during such period under the provisions of Limitation Order L-241 and in violation thereof.

This excessive use of paper has diverted scarce materials to uses not authorized by the War Production Board. Trautmann, Bailey & Blampey admit the violation as charged and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Trautmann, Bailey and Blampey, the Regional Compliance Manager and the Regional Attorney and upon the approval of the Compliance Commissioner; *It is hereby ordered, That:*

(a) Trautmann, Bailey & Blampey, its successors and assigns shall reduce its use of paper in printing and lithographing under its quota as established pursuant to Limitation Order L-241 by 60,000 pounds of paper during the 3d calendar quarter, and by 80,000 pounds of paper during the 4th calendar quarter, of the year 1945, and by 135,000 pounds of paper during the 1st calendar quarter, and by 135,486 pounds of paper during the 2d calendar quarter, of the year 1946.

(b) Nothing contained in this order shall be deemed to relieve Trautmann, Bailey & Blampey, its successors and 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.

(c) The restrictions and provisions contained herein shall apply to Trautmann, Bailey & Blampey, its successors and assigns. Prohibitions against the taking of any action herein include the taking indirectly as well as directly of any such action.

Issued this 11th day of August 1945.

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

[F. R. Doc. 45-14878; Filed, Aug. 11, 1945;  
11:53 a. m.]